

CONSTITUTION AND BYLAWS  
OF  
AMERICAN LEGION AUXILIARY  
WARRINGTON UNIT 240, INC.  
DEPARTMENT OF FLORIDA  
8666 GULF BEACH HIGHWAY  
September 12, 2023

**PREAMBLE**

For God and Country, we associate ourselves together for the following purposes:  
To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations during all Wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and goodwill on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to participate in and contribute to the accomplishment of the aims and purposes of The American Legion; to consecrate and sanctify our association by our devotion to mutual helpfulness.

**CONSTITUTION**

**ARTICLE I – NAME**

The Name of this organization shall be American Legion Auxiliary, Warrington Unit 240, Inc., Department of Florida.

**ARTICLE II – NATURE**

**Section 1:** American Legion Auxiliary, Warrington Unit 240, Inc. is a civilian patriotic service organization that supports the mission of The American Legion.

**Section 2:** American Legion Auxiliary, Warrington Unit 240, Inc. shall be absolutely nonpolitical, and shall not be used for dissemination of partisan principles nor for any promotion of the candidacy of any person seeking public office or preferment.

**ARTICLE III - OBJECT**

The object of the American Legion Auxiliary, Warrington Unit 240, Inc., Department of Florida, shall be in accordance with the Preamble to the Constitution.

**ARTICLE IV – ELIGIBILITY**

**Section 1:** Eligibility for membership in the American Legion Auxiliary is determined by The American Legion. The eligibility requirements from the American Legion governing documents shall be as follows and shall be updated as appropriate, as stated in standing rules.

1. Grandmothers, mothers, sisters, spouses, and adopted female descendants of members of The American Legion, and to the grandmothers, mothers, sisters, spouse, and direct and adopted female descendants of members of The American Legion; and

2. Grandmothers, mothers, sisters, spouses, and adopted female descendants of all men and women who served in either of the following periods: December 7, 1941, and any time after that: who, being a citizen of the United States at the time of their entry therein, served on active duty in the Armed Forces of any of the governments associated with the United States during either eligibility periods and died in the line of duty or after honorable discharge;

3. Grandmothers, mothers, sisters, spouses and adopted female descendants of all men and women who were in the Armed Forces of the United States during either of the following periods: December 7, 1941, and any time after that. Who served on active duty in the Armed Forces of the United States during either eligibility periods and died in the line of duty or after honorable discharge; and

4. To those women who of their own right are eligible for membership in the American Legion.

**Section 2:** There shall be two classes of membership, Senior and Junior.

1. Senior membership shall be composed of members eighteen (18) and older; provided, however, a member eligible under section 1 of this article, and who is under the age of 18 years, and married, shall be classified as a Senior.

2. Junior membership shall consist of that group under the age of 18 years, whose activities shall be supervised by the Senior membership. Upon reaching the age of 18, Junior members shall automatically be admitted into Senior membership with full privileges.

3. Dues for both classes shall be paid annually or for life.

## **ARTICLE V – UNIT OFFICERS**

The Unit shall elect annually a President, First Vice President, Treasurer, Chaplain, Historian, and Sergeant-at-Arms, (or a combination of officers) who shall serve until their successors are duly installed or as otherwise provided. \*The Secretary is appointed.

## **ARTICLE VI – EXECUTIVE COMMITTEE**

There shall be an Executive Committee, which shall consist of all officers and 3 additional Members at Large elected by the Unit and the immediate Past Unit President. If the immediate Past Unit President is not available, appoint the previous Past Unit President to the executive committee. The term of office for members of the Executive Committee shall be for one year.

## **ARTICLE VII – FISCAL YEAR**

The fiscal year shall be the same as that of the Department; July 1st - June 30th.

## **ARTICLE VIII – AMENDMENTS**

**Section 1:** This Constitution may be amended by two-thirds (2/3) vote of the members at a regular meeting, provided the proposed amendment shall have been read at the previous meeting.

**Section 2:** Amendments not having been read at the previous meeting may be adopted by the unanimous vote of the members present.

**Section 3:** This Constitution shall be automatically amended to conform to the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary.

## **BYLAWS**

### **ARTICLE I – EXECUTIVE COMMITTEE**

**Section 1:** Between meetings, the government and management of this Unit shall be entrusted to the Executive Committee and all proceedings of said committee shall be presented to the Unit at the next meeting for approval.

**Section 2:** A vacancy on the Executive Committee, for any cause other than expiration of a term, shall be filled by a majority vote of the entire committee. A person so elected shall hold office for the unexpired term of the member succeeded.

**Section 3:** Six members of the Executive Committee shall constitute a quorum.

**Section 4:** Special meetings may be called by order of the President, or on written or electronic request of at least three (3) members of the Executive Committee. Uniform notice of such special meetings shall be given to all members of the Executive Committee; and, except in extreme emergencies, shall be given at least forty-eight (48) hours in advance. At special meetings only business specified shall be transacted.

### **ARTICLE II – DUTIES AND POWERS OF OFFICERS**

**Section 1: Duties of the Unit President** – It shall be the duty of the President to preside at all meetings of the Unit and Unit Executive Meetings; to enforce strict observance of the Constitution and Bylaws; to appoint members of Standing Committees; to create such other committees and appoint members thereof as they deem advisable; to perform other such duties as custom and parliamentary usage required and to appoint all officers not otherwise provided for.

**Section 2: Duties of the Vice Presidents** – The Vice Presidents, in the order named, shall, when called upon, assist the President and in their absence, perform their duties and shall succeed in their office in case of death, resignation, or removal.

**Section 3: Duties of the Secretary** – It shall be the duty of the Secretary to receive and answer official mail under the direction of the President; to keep on file, in a comprehensive manner, copies of all correspondence sent and received; and to send and give notice of all meetings. It shall be the duty of the Secretary to record the proceedings and transactions of all meetings of the Unit; and to keep all books, papers and records that are needed to continue the working of the office and care for the archives of the Unit. They are hereby vested with such authority as it is necessary to perform their duties successfully for the good of the American Legion Auxiliary.

**Section 4: Duties of the Treasurer** – It shall be the duty of the Treasurer to receive all monies belonging to the Unit and account for them. The Treasurer shall pay the bonding fee as determined by the Department Office.

The Treasurer shall maintain two (2) separate funds, namely a General Fund, and Poppy Department Office Fund. All Poppy donations shall be placed in the Poppy Fund, it shall be kept in its own separate lineage in the checking account and be used to assist the Veteran and their children. They shall keep an accounting of their receipts and expenditures, make an

annual report thereon and such other reports as may be deemed necessary by the Unit Executive Committee. Their accounts shall be audited quarterly. They shall pay all current bills before transferring all funds, books, vouchers, and papers belonging to the Unit to their successor.

**Section 5: Duties of the Chaplain** – It shall be the duty of the Chaplain to offer prayer at the opening and closing of each meeting, and perform such other duties as directed by the President and to notify the Department of any deceased members upon notification.

**Section 6: Duties of the Historian** – It shall be the duty of the Historian to compile the historical records of the Unit and to make a report to the Department.

**Section 7: Duties of the Sergeant-at-Arms** – It shall be the duty of the Sergeant-at-Arms to preserve order at the meeting of the Unit and to perform such duties as may be requested by the President, such as preparing the meeting room in advance, tidying up the room after meeting, and for the advancement and retirement of the unit colors and their proper care.

### **ARTICLE III – DUES**

**Section 1:** The annual Senior membership dues of the Unit shall be as stated in the Standing Rules which shall include the Department and National per capita. The annual dues of the Junior membership shall be as stated in the Standing Rules to include the Department and National per capita.

**Section 2:** A member failing to pay annual dues, including the Unit, Department, and National assessments by January 31, shall be classified as delinquent and shall be suspended from all membership privileges. Payment of back dues, after suspension, shall reinstate such member to active membership. Any member delinquent to December 31 of the year of the delinquency shall automatically be dropped from the rolls and may be reinstated by only paying back dues or by reestablishing eligibility and making application as a new member.

### **ARTICLE IV – UNIT MEETINGS**

**Section 1:** The regular scheduled meeting of American Legion Auxiliary, Warrington Unit #240, Inc. shall be held as stated in the Standing Rules. An Executive Committee meeting shall be held as stated in the Standing Rules.

**Section 2:** The number of members of a Unit that shall constitute a quorum at any regular scheduled meeting of the Unit shall be as stated in the Standing Rules.

**Section 3:** Special meetings of the Unit may be called by the President, by a majority of the Executive Committee, with the President notified, or upon written request of three (3) members of the Unit.

**Section 4:** Electronic meeting please refer to standing rules.

## **ARTICLE V – ELECTIONS**

**Section 1:** Elections shall be held annually. To participate in the election of the Unit Officers, a member shall have paid their dues for the current fiscal year within which the election is held.

**Section 2:** Elections shall be by ballot, and a majority of the votes cast shall be necessary with the nominee declared. If there is only one person nominated for an office the ballot may be dispensed with and that nominee declared a winner.

**Section 3:** All Officers and Executive Committee members shall be elected at a meeting duly called for the purpose not more than ninety days prior, nor less than fifteen days prior, to Department Convention

**Section 4:** The Unit shall notify the Department Secretary of the names and addresses of such newly elected officers, not less than ten days prior to Convention, certification to be made on forms furnished by the Department.

**Section 5:** Vacancies in office between annual elections shall be filled by the Executive Committee.

**Section 6:** Delegates and Alternates to District Constitutional Conference, or Department Convention shall be elected not less than two weeks prior to the Conference or Convention. Alternates shall have priority in the order of their election.

## **ARTICLE VI – COMMITTEES**

The Unit shall have the following Committees: Americanism, Children & Youth, Constitution and Bylaws, Membership, National Security, Audit, Veterans Affairs and Rehabilitation, and such other missions and member/organizational support committees as provided in the Standing Rules.

## **ARTICLE VII – TRANSFERS**

Transfer of membership from one Unit to another in the Department of Florida shall be upon application of the member to, and acceptance by, the other Unit, in conformity with National and Department Constitution and Bylaws. Must Provide proof of eligibility.

## **ARTICLE VIII – DISCIPLINE**

**Section 1:** For any violation of the Unit, Department, or National Constitution, or for conduct improper and prejudicial to the welfare of the Auxiliary or The American Legion, any member may be expelled from membership or any officer may be removed from office by a two thirds (2/3) vote at a Unit meeting duly called for that purpose, said expulsion or removal to be binding only in the event said member or officer shall have been given at least fifteen (15) days' notice in writing by the Unit Secretary of the charges and the hearing thereon. Either party may have the right to appeal to the Department Executive Committee, and their action thereon shall be final. The appellant shall bear the expenses of the said appeal.



**Section 2:** No member, or group of members, shall subject this Unit to liability without authorization of the Unit.

## **ARTICLE IX – PARLIAMENTARY AUTHORITY**

The Unit organization shall be governed by “Robert’s Rules of Order Newly Revised” on all points not covered in the National and/or Department Constitution and Bylaws.

## **ARTICLE X - AMENDMENTS**

**Section 1:** These Bylaws may be amended by two thirds (2/3) vote of the members present at a regular meeting, provided the proposed amendments shall have been read at a previous Unit meeting.

**Section 2:** Amendments not having been previously read may be adopted by the unanimous vote of the members present.

**Section 3:** These Bylaws shall automatically be amended to conform to the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary.

THESE CONSTITUTION AND BYLAWS WERE READ, VOTED ON AND APPROVED  
AT OUR REGULAR UNIT MEETING ON September 12, 2023.

x Brenda English  
Unit President

x Ram Gonzalez  
Unit Secretary

x Amy Quinn  
Unit Constitution and Bylaws Chairman

## **STANDING RULES**

1. The regular scheduled meeting of American Legion Auxiliary, Warrington Unit #240, Inc. shall be held on the second Tuesday of each month, unless otherwise specified and shall be called to order at 6:30 pm. An Executive Committee meeting shall be held the second Tuesday of the month unless otherwise specified and shall be called to order at 6:00 pm.
2. Six (6) members of this Unit shall constitute a quorum at any regularly scheduled meeting of the Unit, including officers.
3. As National and Department dues increase; the unit due for Seniors and Juniors will automatically increase to conform.
4. In addition to the Committees listed in the Bylaws, the Unit shall have the following Committees: Auxiliary Emergency Fund (AEF), Community Service, Education, Girls State, Junior Activities, Leadership, Legislative, Past Presidents Parley, Poppy, and Public Relations.
5. Unit elected Officers or appointed Officers, consisting of President, First Vice President (shall also be Membership Chairmen); and Treasurer are authorized to sign (checks for disbursement of funds from the Unit treasury. All checks MUST have two of the three above signatures.
6. All members responsible for Unit funds shall be bonded through the blanket Fidelity bond and the Unit will pay the annual premium to Department Headquarters.
7. A Budget Committee composed of three (3) members, including the Unit Treasurer, shall be elected by the members, or appointed by the President, for the purpose of presenting a budget for the ensuing year. Budget is due 30 days after installation.
8. A Nominating Committee, composed of three (3) members shall be elected by the members for the purpose of presenting a slate of officers for the ensuing year. The committee shall have each candidate's permission for any office to be presented by this committee. This committee is to form no later than two (2) months prior to election.
9. The unit shall be guided by the Code of Ethics as published in the National Auxiliary Standing Rules.

## **ELECTIONS**

1. The Secretary and Parliamentarian will be appointed according to the rules prescribed by the Department of Florida.
2. To vote, members shall have their current paid membership card and show the same card to the Sergeant at Arms and membership chairman prior to signing the book at the door. If a member does not have a card available, the membership chairman will verify members eligibility with a current membership roster. Members may pay their dues the night of election and still vote.



3. An annual meeting of this Unit shall be held each year, no more than ninety (90) days nor less than fifteen (15) days prior to the Department Convention for the purpose of electing officers for the following year.

### **DUES**

1. The annual membership dues of the Unit, effective July 1, 2023, shall be \$45.00 for Senior paid annually or for life shall include the Department and National per capita. Membership may also be paid according to age (see Unit Handbook). Junior dues are \$10.00 paid annually or for life also shall include Department and National per capita.

2. A member failing to pay annual dues including the Unit, Department and National assessments by January 31 shall be classed as delinquent and shall be suspended from all membership privileges. Payment of back dues after suspension shall reinstate such member to active membership. Any member delinquent to December 31<sup>st</sup> of the year of delinquency shall be automatically dropped for the rolls and may be reinstated only by paying all back dues or by re-establishing eligibility and making application as a new member.

3. As National and Department dues increase the unit will increase as needed.

### **UNIT MEETINGS**

1. In the event the Regular meeting falls on the eve of or a holiday, the Regular meeting shall be changed at the call of the President. In the event the Executive Committee meeting falls on the eve of or a holiday, the Executive Meeting shall be changed at the call of the President. Membership will be notified prior to the meeting and placed in the bulletin.

2. Annual reports must be compiled and sent to the District Chairmen according to dates on reports. This must be done at least five (5) to ten (10) days prior to the due date of annual committee report forms. The Chairmen will be notified/ reminded at the end of the Regular meeting.

3. Special meetings of this Unit may be called by the President, by a majority of the Executive committee, or upon written request of members of the Unit. Members will be notified by mail.

### **COMMITTEES**

1. A Nominating committee composed of three (3) members shall be elected for the purpose of presenting a slate of Officers for the ensuing year.

2. The Unit President for the purpose of auditing the Treasurer's accounts shall appoint an Auditing committee composed of three (3) members. This shall be done quarterly and prior to installation of new Officers, or if deemed necessary by a member. A report is to be given at the next Regular meeting following each audit.

3. A Budget Committee composed of three (3) members, including the Unit Treasurer, shall be elected by the members, or appointed by the President, for the purpose of presenting a budget for the ensuing year.

## **DUTIES AND POWERS OF OFFICE**

The office of the Secretary may be combined with that of Treasurer and called "Secretary-Treasurer."

### **SECTION I. UNIT CHAPLAIN:**

1. Flowers shall be sent to Funerals of Auxiliary Members OR their immediate family. Immediate family consists of a husband, children, mother, and father. Chaplain will order flowers for the funerals not to exceed \$75.00. A Memorial of \$50.00 may be made in lieu of flowers to the Department Memorial or Scholarship Fund unless food or another charity is requested by the family.
2. Ordering flowers for Special Events not to exceed \$75.00. Wreaths for Memorial Day are to be made of live flowers. Wreaths for Veterans Day may be made of Poppies.
3. Ordering of flowers for members in the hospital or rehab facility shall not exceed \$75.00; flowers for shut-ins shall not exceed \$30.00. Members must be in a hospital or rehab facility for 3 days to get flowers — a card will be sent to members who do not stay in the hospital or rehab center for 3 days.
4. The Chaplain or Unit officer shall oversee the Draping of the Charter upon immediate notification of the death of a member. The Charter shall remain draped during the period of mourning as described in the Unit Manual of Ceremonies.
5. The Chaplain shall oversee the Unit Memorial Service.
6. In absence of the Unit Chaplain, the Unit President shall appoint an Acting Chaplain as needed.

### **SECTION II. EXPENDITURES:**

1. All Department obligations shall be paid when due. All other bills over \$200.00 shall be approved at a regular meeting before checks are issued. The Unit Treasurer will pay all monthly bills when they are due.
2. EMERGENCY WELFARE ONLY: For all requests over \$200.00 made by the Chairman upon diligent examination of request and proof of need; a special meeting of all EXECUTIVE COMMITTEE MEMBERS will be called to consider the request. Any monies approved shall be made payable to the parties being owed. If further assistance is needed, it shall be left up to the discretion of ALL COMMITTEE MEMBERS. Emergency Welfare consists of utilities, food, rent and/or clothing.
3. At the first of each Fiscal Year, a Working Fund for the following Unit Officers will be established: Secretary, Treasurer, Chaplain, and Historian; each to receive \$55.00 if the funds are available. The Membership Chairman will receive a Working Fund of \$110.00 if the funds are available. All Funds will be replenished as necessary with proper receipts of funds spent.
4. The Unit Checkbook shall always be kept in the Unit Office and/or on Post property.
5. Unit President, First Vice President, and Treasurer will have access to Bingo "bank" money

6. The Unit will furnish the cake for the American Legion Birthday March 15th.
7. The Unit President shall appoint a Committee for the selection of the Volunteer of the Year Award. The Unit President will be the only one who will know the names of those selected for this committee. Each Committee person shall report their selection in confidence directly to the Unit President.

### **SECTION III. CONVENTIONS – CONFERENCES; ETC:**

1. The number of Delegates and Alternates to the Department Convention shall be based on the Membership Quota at the close of Department Books. Any member in good standing may be elected as a Delegate. Each eligible delegate will receive the cost of lodging and gas plus \$50.00 per day for food only if funds are available. Delegates should share expenses when possible. A written report is to be given at the next Unit meeting following the Convention & Conference with no exceptions. They must also have ALL receipts of expenses and must return all monies not spent at the same meeting! All Rooms shall be booked through the Legion.
2. The Unit shall pay the registration fees for all the Delegates to the Department Convention at \$10 per delegate.
3. All Delegates to the District Constitutional Conference shall be elected prior to the Conference.

### **SECTION IV. MEMBERSHIP APPLICATIONS**

1. Any person applying for membership or transferring to the unit shall produce Veteran DD214, unless Active duty then current ID is accepted; Active-duty Legion membership of qualifying veteran or death certificate for whom they are eligible through. If last names are different, birth/marriage certificates may be required.
2. Membership Chairmen may hold an Early Bird Drive.

### **SECTION V. MISCELLANEOUS:**

1. The Chairman and their Committee will fully investigate all scholarships. After the reviewing of applicant information, it will be brought before the Executive Board for consideration. Scholarships will not exceed \$500.00 semi-annually per request and payment to institution only. Scholarships are issued preferably to Florida State Schools or, under exceptional circumstances, out of state or on-line schools.
2. The Out-going unit President shall be responsible for communication with the District President regarding the Installation of the In-Coming Unit Officers. The In-coming President shall decide on the type of dress to be worn for the Installation of the Unit Officers.
3. First Vice President shall be responsible for purchasing the gift for the out-going unit President. Amount not to exceed \$200.00, unless voted on by governing membership.
4. First Vice President shall also be responsible for the Presidents gift for Christmas; gift not to exceed \$200.00.

5. All entertainment and decorations will be the responsibility of each appointed Chair for their function.
6. A Committee shall consist of as many members as deemed necessary to conduct their project. All Committees including the Audit Committee must consist of at least three members. The Unit President shall appoint all other Committees not listed in the Unit Handbook.
7. Unit Historian shall be responsible for taking pictures of all Unit functions. Unit Historian must have a written report of all Unit activities and they must display pictures of all functions in between meetings. Cost of pictures to be reimbursed. Money collected for extra prints must be turned over to the Treasurer for deposit back into the Historian Budget. The Unit Historian shall be responsible for keeping a photo album reflecting the activities for the year.
8. All equipment and/or supplies shall be returned at the close of the fiscal Year for the Incoming Unit Officers, at which time the Unit Executive Committee shall hold all inventories.
9. When Auxiliary Lounge Bingo will be held, the appointed Bingo Chair and Committee members shall be responsible for the scheduling of callers, floor workers and cashiers. The Bingo Fund shall be kept in separate lineage in the checking account from all other funds; no personal or business checks will be accepted. All profits from Bingo must be turned over to the Treasurer. Only the Unit President, 1<sup>st</sup> Vice President, and Treasurer will have access to the safe and will be responsible for the opening and closing of the safe.
10. Auxiliary members attending General Meetings must sign the attendance book. Those wishing to participate in the 50/50 drawing will donate \$1.00. The drawing will determine the winner who will receive half of the money collected, with the other half going into General Funds.
11. Any member requesting an Honor Guard or Shield (5, 10, 15 years, etc.) will be ordered and paid for by the Unit.
12. No Chairmen may draw more from the budget as allowed for their project without first getting approval from the General Membership at a regular meeting.
13. There will be no alcoholic beverages, smoking or profanity allowed in a General Membership Meeting.
14. Unit Members attending Regular or Special called meetings will dress appropriately. There will be no wearing of short shorts, halter-tops, or Tee shirts motifs with obscene or vulgar language on them.

THESE STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR  
REGULAR UNIT MEETING ON September 12, 2023.

X Brenda J. English  
Unit President

X Shawn Gonzalez  
Unit Secretary

X Amy L. Quinn  
Unit Constitution and Bylaws Chairman

The Constitution & Bylaws Committee met August 21, 2023, for the purpose of reviewing and making any changes to our current C&B and Standing Rules. The committee members were Brenda English (Unit President); Amy Quinn (Treasurer); Edie Herrington (Executive Committee); and Jana Staples (Chaplain). The following changes to Constitution & Bylaws and Standing Rules for approval are:

**Constitution:**

Most changes were cosmetic: spacing and formatting for consistency.

Page 2 of 14: Eligibility for membership in the Legion Auxiliary...Add "American" before Legion.

**Bylaws:**

Page 4 of 14 Article II; Section 2: Duties of the Vice President; Add "s" to President. The First Vice Presidents; delete "First."

Section 4; Second paragraph: Add a space before "The."

**Standing Rules:**

Page 8 of 14; #8: Deleted (Duplication of #3) and renumbered.

Page 9 of 14; Old #10: Add "s" to Ethic.

Page 9 of 14: Section ELECTIONS; #2: Change "must" to "shall"; Add after Sergeant at Arms "and membership chairman"; Add the following new sentence before Members; "If member does not have a current membership card available the membership chairman will verify membership by a current membership roster.

Page 9 of 14: Section DUES; #1: Change 2022 to 2023.

Page 10 of 14: Section UNIT MEETINGS, #2: Change "Chairpersons to "Chairmen."

#3: Delete "the Unit." Change to read "mail."

#3: Deleted last sentence (Duplication of #2) on page 8 of 14.

Page 11 of 14: Section I; #C: Change first sentence to read: "Ordering of flowers for members in the hospital or rehab facility shall not exceed \$75.00; flowers for shut-ins shall not exceed \$30.00."

#D: Change to read: shall oversee the Draping of the Charter.

Page 11 Of 14: Section II; #B: Remove (BOARD).

#C: Sentence 2: Change Chair to Chairman.

Page 13 of 14: Section V; #F: Delete "A camera must be made available to the Unit and must remain in the Unit office."

#K: Change "Chairperson to "Chairman."