

CONSTITUTION AND BYLAWS OF

AMERICAN LEGION AUXILIARY

PORT CHARLOTTE UNIT 110, INC.

DEPARTMENT OF FLORIDA

3152 HARBOR BLVD, PORT CHARLOTTE, FL 33952

January 31, 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 the **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, Port Charlotte, Unit 110 Inc., Department of Florida.

ARTICLE II - NATURE

Section 1: American Legion Auxiliary Port Charlotte, Unit 110, Inc. is a civilian patriotic service organization that supports the mission of The American Legion.

Section 2: American Legion Auxiliary Port Charlotte, Unit 110, 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 Port Charlotte, Unit 110, Inc., Department of Florida, shall be as stated in the Preamble to the Constitution.

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ARTICLE IV – ELIGIBILITY

- Section 1:**
1. **Membership in the American Legion Auxiliary shall be limited to the: Grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion; and**
 2. **grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who served in either of the following periods: April 6, 1917, to November 11, 1918 and any time after December 7, 1941 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 direct 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: April 6, 1917, to November 11, 1918; and any time after December 7, 1941 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.

- A. Senior membership shall be composed of members age eighteen (18) and older; provided, however, a member eligible under section 1 of this article, and who is under the age of eighteen (18) year's and married shall be classified as a Senior.
- B. Junior membership shall consist of that group under the age of eighteen (18) years, whose activities shall be supervised by the senior membership. Upon reaching the age of eighteen (18), junior members shall automatically be admitted into senior membership with full privileges.
- C. Dues for both classes shall be paid annually or for life.

ARTICLE V - UNIT OFFICERS

Section 1: The Unit shall elect annually a President, First Vice President, Second Vice President, Treasurer, Chaplain, Historian, Sergeant-at-Arms, Assistant Sergeant-at-Arms who shall serve until their successors are duly installed or as otherwise provided. (or a combination of some of these officers.) Secretary to be appointed.

ARTICLE VI - EXECUTIVE COMMITTEE

There shall be an Executive Committee, which shall consist of all officers and 3, (three), additional Members at Large elected by the Unit. 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.

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, from 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 **being succeeded**.

Section 3: A majority of the 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 emergency, 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 the President deems 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 President** - The First and Second Vice Presidents, in the order named, shall, when called upon, assist the President and in the President's absence, perform the duties and shall succeed the President in 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 carry on the working of the office and care for the archives of the Unit. The Secretary is hereby vested with such authority as it is necessary to carry out the 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 Fund. All Poppy donations shall be placed in the Poppy Fund and be used to assist the Veteran and his/her children. **The Treasurer** shall keep an accounting of receipts and expenditures, making an annual report thereon and such other reports as may be deemed necessary by the Unit Executive Committee. **The Treasurer** accounts shall be audited annually. **The Treasurer** shall pay all current bills before transferring all funds, books, vouchers and papers belonging to the Unit to the 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 Department of any deceased members on a monthly basis.

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.

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, Port Charlotte, Unit 110, 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.

ARTICLE V - ELECTION

Section 1: Elections shall be held annually. In order 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. **Elections may be held virtually in**

the event of a national crisis or incriminate weather conditions. However, if elections are held virtually all members must be notified prior to the election date.

- Section 3:** All Officers and Executive Committee members shall be elected at a meeting duly called for the purpose not more than ninety, (90), days prior, nor less than fifteen, (15), 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 fifteen, (10), days prior to Convention, certification to be made on forms furnished by 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, (2), 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 Core Committees: Americanism, Children & Youth, Constitution and Bylaws, Membership, National Security, Audit, Veterans Affairs and Rehabilitation, and such other mission 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.

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 expenses of the said appeal shall be borne by the appellant.~~
- 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 National and/or Department Constitution and Bylaws.

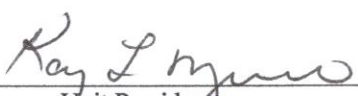
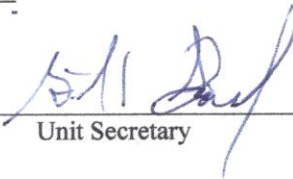
ARTICLE X - AMENDMENTS

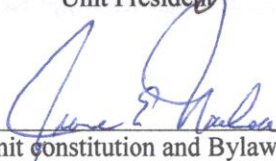
- Section 1:** These Bylaws may be amended by two thirds, (2/3), vote of the members present at a regular meeting, provided the proposed amendments shall have been read at a previous Unit meeting.

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.

THIS CONSTITUTION AND BYLAWS WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON 1-23-23:

X  X 
Unit President Unit Secretary

X 
Unit constitution and Bylaws Chairman

STANDING RULES

1. The regular scheduled meeting of American Legion Auxiliary, Port Charlotte Unit 110, Inc, shall be held on the second Wednesday of each month, unless otherwise specified and shall be called to order at 6 p.m. An Executive Committee meeting shall be held the second Wednesday of the month unless otherwise specified and shall be called to order at 5:15 pm.
2. Seven (7) members of this Unit shall constitute a quorum at any regularly scheduled meeting of the Unit.
3. The annual Senior membership dues of the Unit shall be \$50 to include Department and National per capita. The annual dues of the Junior membership shall be \$10.00 to include the Department and National per capita.
4. In addition to the Core Committees listed in the Bylaws, the Unit may have the Following Committees: Auxiliary Emergency Fund (AEF), Community Service, Education, Girls State, Cavalcade of Memories, Junior Activities, Leadership, Legislative, Past Presidents Parley, Poppy and Public Relations. All outgoing chairpersons should provide any information they have to incoming chairperson.
5. Unite Elected Officers, consisting of the President, 1st Vice President, Treasurer, and Membership Chairmen are authorized to sign checks for disbursement of funds from the Unit treasury. All checks MUST have two of the 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. Where deems necessary, a Recording Secretary and a Corresponding Secretary may be elected/appointed to carry on the duties normally performed by the Secretary.
8. 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.
9. A Nominating Committee composed of three (3) members for the purpose of presenting a slate of officers for the ensuing year. The committee shall have the permission of each candidate for an office in order to be presented by this committee. This committee is to form no later that two (2) months prior to elections. The member of the nominating committee shall not be barred from becoming candidates for office.
10. Yearly elections may be by voice if there is only one candidate; but where there is more than one candidate for the same office, elections shall be by ballot and the majority of votes cast shall be necessary to elect. Elections shall be held no mor than 90 days, nor less than 15 days prior to Department Convention.
11. **The unit shall sponsor delegates to attend each convention and conference. The delegates shall be either Officers, Board members of Chairmen. The Unit will pay their entrance fee to these events. Each delegate or alternate shall be**

allowed \$25.00 per day for meals as long as they attend the majority of meetings. Up to two (2) rooms for eight (8) delegates will be paid by the Unit. Alternates shall pay for their own hotel accommodations. All members may attend such functions at their own expense except for their registration fees if not delegates or alternates. The Unit will cover the expense of one (1) room, if at the determination of the Unit President to attend the Fall Workshop meetings.

12. Annually the Unit will honor all "early bird" members by notation of this status on their membership cards. Members will be considered to be an early bird by paying dues prior to September 30th.
13. The Executive Committee shall maintain an Emergency Fund of \$100.00 which may be spent by the membership. The Executive committee shall have the ability to vote on situations of financial hardship to pay dues for needy members or to allow members to pay only the fees required by the Department on a case by case basis for the current membership year.
14. An audit committee consisting of three (3) members shall be appointed by the President for the purpose of auditing the books of the treasurer. The Treasurer should be present during the audit to answer questions only. No one on the Audit Committee shall have the authorization to sign checks.
15. The Unit will participate in a least one Community service even annually.
16. The Unit will participate in at least one Education Project annually. This may include donations of school supplies and/or teacher appreciation awards to our adopted school.
17. The Unit shall purchase eight (8) District picnic tickets as provided to us and give them to members wishing to attend on a first come basis and will purchase items for the picnic as assigned to our Unit by District.
18. The Unit will conduct a minimum of two (2) fundraisers. Proceeds of the fundraisers to the Department President's annual project and a project determined by the Executive Committee.
19. The Unit will provide gifts to visiting District and Department Officers. Gifts and costs will be at the discretion of the President or an appointee.
20. The Unit shall pay for the first year's dues of veterans eligible for membership in the American Legion wishing to join the Unit and will require only the fees required by Department for subsequent years of membership.
21. The Unit shall provide a donation to the Department and National Scholarship fund.
22. The unit shall participate in the Girls State program annually with the number of delegates determined by funds available.
23. The Unit Shall participate in a minimum of two (2) Patriotic Holiday Ceremonies annually.
24. The Unit shall pay rent and /or electricity costs to Post 110 for the use of our office building as determined by the Post Leadership and availability of Unit funds. The Unit shall also maintain a separate telephone at Unit expense which the cost may vary.

25. The Unit shall make an annual donation in support of local Veterans Rehabilitation and/or their family's welfare in our Unit Constitution.
26. Honorary Life Membership is awarded by the Unit to a member who has given many years of dedicated service to the American Legion Auxiliary. The Unit shall pay their annual dues on the first transmittal of each membership year for the duration of their lives unless they transfer out of Unit 110. Honorary Life memberships may be awarded by a majority vote of the Executive Committee.
27. The Unit shall accept only the annual per capita fee due to Department for the payment of back dues providing that the current year's dues are paid in full.
28. Poppy Distribution shall Be held annually during Memorial Day week and may be held a second time during the first week of November if desired. (Once this has been approved by the Department of Florida for a second distribution date for this Unit.). The Unit shall order 1000 poppies each year.
29. New Membership Initiations shall be held at a minimum of twice per year.
30. The Unit has adopted a dress code for officers and members may choose at their discretion to abide by the code. For special occasions, uniform will consist of a white shirt, dark pants or skirt and a flag scarf.
31. The Unit shall purchase unit guides for all officers and committee chairpersons at the start of each physical year. Plus, a copy of the handbook and unit guide shall be maintained in the auxiliary office for all to use.

THESE STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR REGULAR
UNIT MEETING ON May 10, 2023

X

[Signature]
PRESIDENT

X

[Signature]
UNIT SECRETARY

X
