

THE AMERICAN LEGION AUXILIARY
FRIERSON – NICHOLS UNIT 8, INC.
300 AVE M N.W.
WINTER HAVEN, FLORIDA 33881
February 13, 2020

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 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, FRIERSON-NICHOLS UNIT 8, INC. Department of Florida

ARTICLE II – NATURE

Section 1: American Legion Auxiliary Frierson-Nichols Unit 8, Inc. is a civilian patriotic service organization that supports the mission of the American Legion.

Section 2: American Legion Auxiliary, Frierson-Nichols Unit 8, Inc. shall be absolutely nonpolitical and shall not be used for the 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, Frierson-Nichols Unit 8, Inc. Department of Florida shall be as stated in 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 provided as follows and shall be updated as appropriate.

(1) grandmothers, mothers, sisters, spouses and direct and adopted female descendants of member 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 dies in the line of duty 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 eighteen (18) and older; provided, however, a member eligible under Section 1 of this article, and who is under the age of eighteen (18) years and married shall be classified as a Senior.

(b) Junior membership shall be comprised of members 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 the Senior membership with full privileges.

(c) Dues for both classes shall be paid annually or for life.

ARTICLE V – UNIT OFFICERS

This Unit shall elect annually a President, First Vice-President, Second Vice-President, Treasurer, Historian, Chaplain, Sergeant-At-Arms and Assistant Sergeant-At-Arms who shall serve until their successors are duly installed or as otherwise provided. Secretary (shall be appointed),

ARTICLE VI – EXECUTIVE COMMITTEE

There shall be an Executive Committee which shall consist of all officers and three (3) additional Members at Large, elected by the Unit and the Unit's immediate Past President. The term of office for members of the Executive shall be for one year.

ARTICLE VII – FISCAL YEAR

The fiscal year of this Unit shall be the same as that of the Department of Florida.

Article VIII – AMENDMENTS

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

Section 2: Amendments not having been previously read 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 regular meeting for approval.

Section 2: A vacancy existing in the Executive Committee from any cause other than the 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 whom she succeeds.

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 PRESIDENT: It shall be the duty of the President to preside at all meetings of the Unit and Unit Executive meetings; to enforce strict observances of the Constitution and Bylaws; to appoint members of Standing Committees; to create other such committees and appoint members thereof as deemed 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 if absent, perform the duties of the office and shall succeed to the office in case of death, resignation or removal.

Section 4: DUTIES OF THE SECRETARY: The Secretary shall be appointed by the President for each term. 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 meeting 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 of the office successfully for the good of the American Legion Auxiliary.

Section 5: 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, namely a General Fund and Poppy Fund. All Poppy donations shall be placed in the Poppy fund and be used to assist a Veteran and his/her children. The Treasurer shall keep an accounting of the receipts and expenditures, making an annual report thereon and such other reports as may be deemed necessary by the Unit Executive Committee. The accounts shall be audited semi-annually. All current bills shall be paid before transferring all funds, books, vouchers and papers belonging to the Unit to the successor.

Section 6: 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 7: 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 8: 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.

Section 9: DUTIES OF THE ASSISTANT SERGEANT-AT-ARMS: The Assistant Sergeant-At-Arms shall assist the Sergeant-At-Arms with her duties and in the absence of the Sergeant-At-Arms, assume the duties assigned to her.

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 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 of the year of the delinquency shall automatically be dropped from the rolls and may be reinstated only by paying all back dues or by re-establishing eligibility and making application as a new member.

ARTICLE IV – UNIT MEETINGS

Section 1: The regular scheduled meeting of American Legion Auxiliary, Frierson-Nichols Unit 8, 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 dues for the current fiscal year within which the election is held.

Section 2: Election 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 that purpose not more than ninety (90) days prior not less than fifteen (15) day prior to Department Convention. The Secretary shall be appointed by the Unit President.

Section 4: The Unit shall notify the Department Secretary of the names and addresses of such newly elected officers, not less than ten (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 shall be upon application of the member to, and acceptance by, the other Unit in conformity with National and Department Constitution and By-Laws;

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 removed from office, by 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 expense of 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

This Unit shall be governed by "Roberts Rules of Order, Newly Revised", on all points not covered in National and/or Department Constitution and By-Laws,

ARTICLE X – AMENDMENTS

Section 1: These By-Laws may be amended by a two-thirds (2/3) vote of the members present at a regular meeting, provided the proposed amendments shall have been read at the 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 be automatically amended to conform to the National and Department Constitution and By-Laws and Standing Rules of The American Legion Auxiliary.

THIS CONSTITUTION AND BYLAWS WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON FEBRUARY 13, 2020.

Audra Anderson 2-13-20
Unit President Date

Joann O'Callaghan 2/13/2020
Unit Secretary Date

Bonnie Guilford
Unit Constitution and Bylaws Chairman

2/13/20
Date

Patricia McQuillan
Department Constitution & Bylaws Chairman

APPROVED

2/21/2020
Date Approved

RECEIVED
FEB 26 2020

STANDING RULES

1. The regular scheduled meeting of the American Legion Auxiliary Frierson-Nichols Unit #8, Inc. shall be held on the second Thursday of each month, unless otherwise specified and shall be called to order at 6 PM. An Executive Committee meeting shall be held the 1st Tuesday in the months of July, October, January and April unless otherwise specified and shall be called to order at 6 PM. Meetings to be held at the Post 8 Home unless otherwise specified.
2. Unit members present shall constitute a quorum at any regular scheduled meeting.
3. The annual Senior membership dues of this Unit shall be \$40.00 to include Department and National per capita. The annual dues of the Junior membership shall be \$5.00 to include the Department and National per capita.
4. In addition to the Core Committees listed in the Bylaws, the Unit shall 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, Veterans & Rehabilitation (VA&R)
5. Unit Officers, consisting of the Treasurer, President and Secretary are authorized to sign checks for disbursement of funds from the Unit treasury. All checks MUST have two (2) of the three (3) signatures above.

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 deemed necessary, a Recording Secretary and a Corresponding Secretary may be appointed to carry on the duties normally performed by the Secretary.
8. A Budget Committee composed of five (5) members, including the Unit Treasurer, shall be appointed by the President, for the purpose of presenting a budget for the ensuing year. The Treasurer shall be the Finance Committee Chairman. The Budget shall then be presented to the membership at regular meeting in August. The budget will be discussed in its entirety prior to the membership voting on its acceptance.
9. 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 the permission of each candidate for an office in order to be presented by this committee. This committee is to form no later than two (2) months prior to election. The first person nominated will be the Chairman of the committee. The Committee Chairman will report to the Unit at each meeting the slate of members running for office until the night of Elections. Nominations from the floor will only be allowed at the meeting the elections are held.
10. This Unit shall be guided by the Code of Ethics as published in the National Auxiliary Standing Rules on pages 23-27.

11. The First Vice President shall be Membership Chairman of this Unit. A \$5.00 initiation fee will be collected for all Senior membership applications to cover the cost of initiation supplies.
12. The Membership Committee shall consist of three (3) members, the First Vice President, Treasurer and one member of the Executive Committee.
13. The Second Vice President is the Official Host of this Unit. This officer shall prepare sign in sheets and be responsible for the Pot O' Gold drawings at each meeting. The officer should arrive 30 minutes prior to the meeting time to greet newcomers and answer any questions they may have. The Second Vice President shall be responsible for providing refreshments with an allowance of \$20 per month with an additional \$25 for the months with Girls State selection (February) and the Initiation of new members and honor shields (March).
14. Audit: This three (3) member committee shall be appointed by the President. Unit accounts shall be audited in the months of January and July. The July audit shall be completed at the end of the Administrative year and before turning the books over to the new Treasurer.
15. Any member who has passed through the initiation process and received their membership pin will not be charged another initiation fee if they should drop their membership for a period of time and then decide to rejoin. They shall be reinstated into membership without going through a second initiation and will not receive a second membership pin. If they no longer have their membership pin, for whatever reason, and wishes to have one, they shall be responsible for purchasing.
16. An officer may not be removed from office for non-attendance. If this should occur, the officer will be asked to submit a letter of resignation. At that time, the position may be filled by someone willing to serve.
17. The President shall approve all orders directing the disbursements of funds. In an emergency they can automatically disburse funds up to but not to exceed \$100.00. This will then need to be approved by the membership at the next scheduled regular meeting.
18. Officers of this Unit shall be installed at a special meeting of Unit 8 or can be held jointly with the members of Post 8. This installation shall signal the beginning of the Administrative Year.
19. In order to participate in the election of Unit officers, a member shall have paid their dues for the current fiscal year within which the election is held.
20. The official contact with Frierson-Nichols Post 8 of the American Legion shall be through the Unit President and Post Commander.
21. Resignation of any Unit Officer must be in written form stating reasons and presented to the Chairman of the Executive Committee. All resignations shall be automatically accepted.
22. Upon the death of a member of this Auxiliary Unit, or their husband, wife, children or parents, a donation of \$15 will be sent to the Department Memorial Scholarship Fund in the member's name.

23. Returned check policy: Hold membership card unit check clear bank. The bank will only run the check through once; member must then pay the amount of the check and returned bank fee by cash or money order and include a service fee of \$40.00 to cover the bank fee. We will not accept another check from that member.
 24. When a member receives their 50-year honor shield, they will also receive a framed 50-year certificate.
 25. In an emergency, The Executive Committee has the authority to disburse funds not to exceed \$200.00. This will need to be approved by the membership at the next scheduled regular meeting.
 26. The President, Secretary and Treasurer will be responsible each year to be sure the taxes have been filed. The Unit fiscal year is July through June and may not always fall into the same as the Administrative year.
 27. Any Unit 8 member, who is installed as President of this Unit and fulfills their obligation for the entire fiscal year, will automatically become eligible for an Honorary Life Membership from this Unit at the completion of their year in office. If this member already has this status, then no additional compensation will be provided. Any President presiding after 2011 will automatically fall under this rule if not already implemented
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28. Unit 8 will pay dues for any incoming officer for the term of their office. The officer may be responsible for reimbursing the Unit for those dues if said officer submits a resignation letter. This will then be the decision of the Executive Committee.
 29. The Treasurer will be responsible for filing the Annual Report each year. This must be done No later than May 1st of each year or a \$400 late fee will be incurred.
 30. Rooms for convention: The President shall be responsible for reserving a block of rooms in January of the convention year. Rooms will be paid for by the Unit. The Unit credit card can be used for reserving these rooms
 31. Rooms for Fall Conference: The President shall be responsible for reserving a block of rooms in August. The Unit Credit card can be used for reserving these rooms.
 32. The Unit will pay for delegate rooms at Fall Conference and Convention providing the two (2) Senior delegate rule is followed. A \$40.00 per Diem will be allowed for 2 classes during the Breakout sessions as well as the full day of the General session. If only one class is attended and/or only a half day of the General session, delegate will receive a \$20.00 per diem.
 33. Any member of the American Legion wishing to hold a duo membership in Unit 8- may do so by only paying the cost due to the Department of Florida at that time.

CONVENTION DELEGATE RULES:

- (A) Each year the outgoing and incoming officers will be automatic delegates to the Department Convention.
- (B) Any member of this Unit serving as a Department Committee Chairman, Committee Member or Department Officer will be an automatic delegate. Department Officers, who have their own vote, will be courtesy delegates, receiving room (if not paid by Department) and per diem only.
- (C) The remaining number of allowed delegates will be elected by vote of the Membership at the meeting so called for.
- (D) Delegates traveling alone or with another delegate and staying at the Convention Hotel will have the room paid for by the Unit, with a minimum of two (2) Senior attending delegates per room.
- (E) If single occupancy is desired, the member must make her own reservation. She will receive one-half (1/2) of the applicable nights room rate minus the resort and sales tax. This will be waived if the member is unable to be self-sufficient in need of assistance.
- (F) Delegates traveling with a spouse or significant other, whose room is paid for by the American Legion Post 8 or Squadron 8, will receive a \$40.00 per diem.
- (G) Delegates traveling daily from home to the convention center and returning each night will also receive a \$40.00 per diem.
- (H) For a delegate to be eligible for the full \$40.00 per diem – delegate must attend at least two classes during the breakout session and a full day at general sessions. If only one class is attended and/or only a half day of the General session delegate will receive \$20.00 per diem,
- (I) Any delegate reserving a room independently will have said room paid for by the Unit provided that the two (2) Senior attending delegate per room rule is followed. If not, said delegate will receive a \$40.00 per Diem.

35. These Standing Rules may be amended by a two-thirds (2/3) vote at any regularly scheduled meeting or if notice has been given, by a majority vote.

THESE STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON FEBRUARY 13, 2020.

Aida Anderson 2-13-20
Unit President Date

Joann O'Callaghan 2-13-2020
Unit Secretary Date

Korrie Jewell
Unit Constitution and Bylaws Chairman

2-13-20
Date

APPROVED

Arthur McMillan
Department Constitution & Bylaws Chairman

2/21/2020
Date Approved

RECEIVED
FEB 26 2020