

**CONSTITUTION AND BYLAWS OF
AMERICAN LEGION AUXILIARY
KIRBY STEWART UNIT 24, INC.
DEPARTMENT OF FLORIDA
2000 75th STREET WEST
BRADENTON, FL 34209
2021**

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 Kirby Steward Unit 24, Inc., Department of Florida.*

ARTICLE II – NATURE

Section 1: American Legion Auxiliary Kirby Stewart Unit 24, Inc. is a civilian patriotic service organization that supports the mission of The American Legion.

Section 2: American Legion Auxiliary Kirby Stewart Unit 24, 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 Kirby Stewart Unit 24, 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 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; and
- (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 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) 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 Senior membership with full privileges.

(c) 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, Second Vice President, Secretary, Treasurer, Chaplain, Historian, Sergeant-at-Arms, Assistant Sergeant-at-Arms who shall serve through June 30th.

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. 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 recommendations of said committee shall be presented to the Unit at the next meeting for approval.

Section 2: A vacancy on the Executive Committee shall be filled by recommendation of the Executive Committee to membership and ratification by the membership. A person so appointed shall hold office for the unexpired term of the member 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 (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. Standing Rules under meetings, Section I indicates how meetings can be conducted.

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 chairs of Standing committees; to create such other committees and appoint chairs thereof as deemed advisable; to perform other such duties as custom and parliamentary usage required.

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 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 of the office 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 active military, veterans and their families. 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 annually. All current bills shall be paid 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 the Membership Chair of deceased members.

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 and the Assistant-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 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 re-establishing eligibility and making application as a new member.

ARTICLE IV – UNIT MEETINGS

Section 1: The regular scheduled meeting of American Legion Auxiliary Kirby Stewart Unit 24, 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: Elections shall be by ballot, email or other electronic means, and a majority of the votes cast shall be necessary for a nominee to be declared the winner. 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 (90) days prior, ~~not~~ **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 ten (10) days prior to Convention, certification to be made on forms furnished by Department.

Section 5: 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 and 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 the responsibility of the appellant.

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

ARTICLE IX – PARLIAMNTARY 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 February 18, 2021.

Donna Anderson
Unit President

Unit Secretary

John M. Dancette
Unit Constitution and Bylaws Chairman

Joyce Magnus

Kathleen M. Murrell
Department Constitution and Bylaws Chairman

APPROVED 3/17/2021

RECEIVED MAR 22 ENT'D

STANDING RULES

AMERICAN LEGION AUXILIARY KIRBY STEWART UNIT 24, INC.

DEPARTMENT OF FLORIDA

In addition to the articles in the Constitution and Bylaws, the Unit shall have the following rules.

MEETINGS

1. The regular scheduled meeting of American Legion Auxiliary Kirby Stewart Unit 24, Inc. shall be held on the 3rd Thursday of each month, unless otherwise specified and shall be called to order at 7:00 PM. An Executive Committee meeting shall be held on the 3rd Thursday of the month, unless otherwise specified and shall be called to order at 6:15 PM. All Unit and Executive Committee meetings may be held in person or via electronic means.
2. Fifteen (15) members of this Unit shall constitute a quorum at any regular scheduled meeting of the Unit.
3. No person shall be permitted to enter the room during the opening or closing ceremonies. If at the conclusion of the formal opening, a Quorum has not arrived, no business shall be transacted.
4. No member of this Unit shall criticize another member or Unit. Personal differences and questions shall not be brought before the Unit, but the person with a grievance shall discuss it with the President who will make provisions for it to be handled through the proper channels in the proper manner.
5. No alcoholic beverages are allowed in an Executive Committee or Unit meeting.
6. All telecommunication devices will be silenced during meetings.
7. Anyone attending a Unit or Executive Committee meeting under the influence of alcohol or drugs, or who becomes disruptive, will be asked to leave the meeting.
8. No Unit officer or member shall make the membership list available to any prospective candidate for office nor any outside organization or group of people not associated with the American Legion Auxiliary. The list is the property of the Unit.

MEMBERSHIP

1. The annual Senior membership dues of the Unit shall be \$35.00 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.
2. All new members must be voted on individually by the Unit membership after eligibility is confirmed. Membership cards will be presented to new members after meeting in which they were confirmed.
3. All transfers shall be upon application of the member to and acceptance by the Unit.
4. Any Auxiliary members completing fifty (50) years of continuous membership will receive a membership card with their dues paid for by the Unit.

5. All Unit members shall have a copy of the Constitution, By-Laws and Standing Rules of the Unit.

COMMITTEES

1. In addition to the Core Committees listed in the Bylaws, the Unit shall have the following Committees: Auxiliary Emergency Fund (AEF), Bingo, Community Service, Education, Girls State, Junior Activities, Leadership, Legislative, Membership, Past Presidents Parley, Poppy, and Public Relations. All Committee Chairpersons shall have a copy of the committee budget, the Constitution, By-Laws and Standing Rules.
2. Each Committee shall have a minimum of three (3) members. The Chair, within 30 days of appointment by the President, shall be responsible for providing names, addresses, emails, and phone numbers of their committee members to the President.
3. All monies from fundraising activities shall be turned over to the Treasurer and reported by the next meeting.
4. Each Committee is responsible for check requests within their budget and distribution or presentation of the check to the budgeted area.
5. Committee Chairpersons are not granted independent authority for decisions affecting the Unit. Any decisions pertaining to the Unit must receive prior recommendation from the Executive Committee and voted on by members at a regular meeting.
6. All Committee Chairpersons shall make bi-annual and annual report from questionnaires furnished by Department. One copy should be filed with the Unit President with another copy to the respective District Chairpersons.
7. All Committee Chairpersons shall turn over any book(s), bulletins, etc., in their possession to the newly elected President seven (7) days after election of new officers.

ELECTIONS AND INSTALLATION

1. Nominations will be open from the floor at the election meeting and the two meetings prior to the election by the secretary and any candidate must accept nomination verbally or in writing.
2. Voting will be by ballot. In the event of a natural disaster, voting can be done by email or other electronic means. When voting by ballot, all membership cards shall be presented when signing the register on election night. The Sergeant-at-Arms, with the assistance of the Assistant Sergeant-at-Arms, will verify the card, making a check behind the member's name, and hand them a ballot if they are a current member. No nominee for office may be involved in the election process, with exception of Sergeant-at-Arms and Assistant Sergeant-at-Arms due to their published responsibilities. No ballots will be opened until election is announced closed.
3. When new officers are elected, they shall assume duties July 1st.
4. Installation shall take place at the time and manner set by the incoming President with the outgoing President being responsible for the plans for the Auxiliary.

5. A check in the amount of fifty dollars (\$50) shall be drawn in the name of the Installing Officer, placed in a card, and given to the incoming President to present when the Installation of Officers is completed.

OFFICERS

1. Unit elected Officers, consisting of President, Treasurer, and Secretary are authorized to sign checks for disbursement of funds from the Unit treasury. All checks MUST have two of the three above signatures, unless written permission from National and /or Department states otherwise. No check shall be signed by a person who is the payee.
2. If the Treasurer is absent, only the Secretary or President can deposit Auxiliary funds.
3. 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.
4. When deemed necessary, a Recording Secretary and a Corresponding Secretary may be elected to carry on the duties normally performed by the Secretary.
5. A Budget Committee shall be formed with the Treasurer as Chair and composed of two (2) members, for the purpose of presenting a budget for the ensuing year.
6. Budget items do not require Unit action. Items not in the budget require a motion for the expenditure of funds, as gifts, donations, or over-expenditure of funds at a regularly scheduled Unit meeting.
7. An audit of the Treasurer's books must commence by nomination of a new officer and be completed within 45 days after July 1st. The President will appoint three (3) members at large with the Treasurer being present to answer questions.
8. The President may spend up to a maximum of \$600.00 per year for discretionary spending, with the approval of at least three (3) Executive Officers. The President must report money spent at the next regular meeting.
9. The Sergeant-at-Arms, with assistance from the Assistant Sergeant-at-Arms, will preserve order at all times and any member that does not comply will be escorted from the meeting.
10. When the President goes out of office, they will receive the Past President Pin. If they succeed themselves the next year, they will receive a gift equivalent to the cost of the Past President Pin. It is the responsibility of the Secretary or Treasurer to do this for the President.

FALL CONFERENCE AND DEPARTMENT CONVENTION

1. The President shall have their room paid for at the Fall Conference for a two-night stay. They must attend all applicable meetings and give a report of said meetings at the following Unit Auxiliary meeting.
2. The President determines the officers for the Department Convention with room expenses determined by the budget.

3. If any Auxiliary member wishes to attend the Convention, then they must pay their own way.
4. All officers must attend all the meetings pertaining to their office and give a report of said meeting at the following Unit Auxiliary Meeting.
5. Members receiving monies from Department, or spouses receiving monies, shall not receive monies from the Unit for conference or convention attendance.

MISCELLANEOUS

1. The Unit shall be guided by the Code of Ethics as published in the National Auxiliary Standing Rules on pages 23-27.
2. No one has the authority to remove property belonging to Unit 24 from the Post Home. All books and records including checkbook must remain in the Auxiliary 24 locked office. All monies and checkbook must be securely locked by the treasurer. In the absence of the Treasurer, the President will secure the locking of the checkbook and monies.
3. A check in the amount of fifty dollars (\$50) shall be presented to the Department President when they make their official visit.

Standing Rules are adopted by a majority vote and may be amended by two-thirds (2/3) vote at any Unit meeting.

THESE STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON September 17, 2020

Anna Rodsson

Unit President

Karen Graham

Unit Secretary

John M. Donnelly Jr.

Unit Constitution and Bylaws Chairperson

Patricia M. Malt

Department Constitution & Bylaws Chairperson

APPROVED

9/29/2020

Date Approved

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