

**CONSTITUTION and BYLAWS OF
AMERICAN LEGION AUXILARY**

Ellenton Unit 325, INC.

Department of Florida

3412 US HIGHWAY 301 N Unit 103

ELLENTON, FL 34221

January 2020

PREAMBLE

RECEIVED APR 06 2020

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 good will 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 Auxillary Ellenton Unit 325, Inc., Department of Florida.

ARTICLE II – NATURE

SECTION 1. The American Legion Auxiliary Ellenton Unit 325, Inc. is a civilian organization that supports the mission of The American Legion.

SECTION 2. American Legion Auxiliary Ellenton Unit 325 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 – OBJECTIVE

The objective of the American Legion Auxiliary, Ellenton Unit 325, Inc. shall be as stated in the Preamble of the Constitution.

ARTICLE IV – ELIGIBILITY

SECTION 1: Membership in the American Legion Auxiliary shall be limited to the grandparents, parents, siblings, spouse and direct and adopted descendants of members of The American Legion and to the grandparents, parents, siblings, spouse and direct and adopted descendants of all men and women who were in the Armed Forces of the United States during any of the following periods: April 6, 1917 to November 11, 1918; and anytime after December 7, 1941 who being citizens of the United States at the time of their entry herein, served on active duty in the Armed Forces of any of the governments associated with the United States during any of said periods, and died in the line of duty or after honorable discharge; and to those who of their own right are eligible to 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 over the age of eighteen years provided, however, that a spouse under the age of eighteen years, who is eligible under Section I of this article shall be classed as a Senior member.
- b. Junior membership shall consist of that group under the age of eighteen years, whose activities shall be supervised by the senior membership. Upon reaching age of eighteen years, 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, Secretary, Treasurer, Historian, Chaplain, Sergeant-at-Arms who shall serve until their successors are duly installed or as otherwise provided.

ARTICLE VI – EXECUTIVE COMMITTEE

There shall be an Executive Committee which shall consist of the officers and 4 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 a two-thirds vote of the members present at a regular Unit meeting, provided the proposed amendments shall have been read at the previous meeting.

SECTION 2: Amendments not having been read at 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 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 she succeeds.

Section 3: A majority of the members of the Executive Committee shall constitute a quorum.

Section 4: Special meetings of this Unit may be called by 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 at least forty-eight (48) hours in advance. At special meetings only business specified shall be transacted.

Article I: Duties and Powers of Officers

SECTION 1: Duties of the Unit President- Shall preside at all Unit and Executive Board meetings; to enforce strict observance of the Constitution and Bylaws; to appoint members of the standing committees; to create such other committees and appoint members thereof as she deems advisable; to perform such other duties as custom and parliamentary usage require; and appoint all officers not otherwise provided by.

SECTION 2: Duties of the Vice President-Assist the President, and their absence, perform their duties, and shall succeed them in office in case of death, resignation or removal.

SECTION 3. Duties of The Secretary- Record of all the proceedings and transactions of all meetings of the Unit. To act as custodian of all books, papers and records; to keep a record of names and addresses of the member, showing the source of their eligibility; to send out such notices as directed by the President; to process the correspondence of the Unit; to keep on file in a comprehensive manner, copies of all the correspondence sent and received; and perform such other duties as shall be required by the President.

SECTION 4: Duties of the Unit Treasurer-Receive all monies belonging to the Unit and to account for them. They shall keep an accounting of receipts and expenditures, making a monthly report there on, and such other reports as may be deemed necessary by the Unit Executive Committee. The accounts shall be audited annually. They shall pay all current bills before transferring all funds, books, and papers belong to the Unit to the successor. They shall maintain two separate funds, namely a General Fund and Poppy Fund. All Poppy donations shall be placed in Poppy Fund and used to assist the Veteran and his/her children.

SECTION 5: Duties of the Chaplain-Offer prayer at the opening and closing of each business meeting of the Unit. They are responsible for all activities in the spiritual nature and notify Department of any deceased members on a monthly basis.

SECTION 6: Duties of Historian- Compile historical records of the Unit and to make a report to the Department.

SECTION 7: Duties of the Sergeant-at-Arms-Preserve order at the meetings of the Unit and to perform such other 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 31st shall be classed as delinquent and shall be suspended from all membership privileges. Payment of back dues after suspension shall reinstate a member to active membership. A member delinquent to December 31st of the year of delinquency shall be automatically 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 meetings of the Ellenton Auxiliary Unit 325, 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.

Section 3: All officer and executive committee members shall be elected annually at a meeting duly called for that purpose not more than 90 days nor less than 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: 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 at a Unit meeting not less than two weeks prior to convention. Alternates shall have priority in order of their election.

ARTICLE VI – COMMITTEES

This 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/organization support committees as provided in the Standing Rules.

ARTICLE VII- TRANSFERS

Transfer of membership from one Unit to another shall be upon application of the member to, and acceptance by, the other Unit, in conformity with National and Department Constitutions and Bylaws.

ARTICLE VIII-DISCIPLINE

Section 1: For any violation of the Unit, Department or National Constitutions, or for conduct improper and prejudicial to the welfare of the American Legions Auxiliary or of the American Legion, any member may be expelled from membership or any officer may be removed from office by a two-thirds vote at a Unit meeting called for that purpose; said expulsion or removal to be binding only in the event that said member or officer shall have been at least fifteen day notice in writing by Unit Secretary of the charges and the hearing thereon. Either party has the right to appeal to the Department Executive Committee and their action thereon shall be final. The expenses 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

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 a two thirds 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 be automatically amended to conform to the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxilliary.

THIS CONSTITUTION AND BYLAWS WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON JANUARY 22, 2020.

X Linda Legee UNIT PRESIDENT

X Shelly Cochran UNIT CONSTITUTION AND BYLAWS CHAIRMAN

X Kathy UNIT SECRETARY

X Barbara McMillan DEPARTMENT CONSTITUTION AND BYLAWS CHAIRMAN

3/15/2020 APPROVED
DATE APPROVED

RECEIVED
MAR 09 2020

- 1. The regular scheduled meeting of the American Legion Auxiliary Ellenton Unit 325 Inc. shall be held on the 4th Wednesday of each month, unless otherwise specified and shall be called to order at 6:30pm. An Executive Committee meeting shall be held when needed by the President.**
- 2. Five elected officers of this Unit shall constitute a quorum at any regular scheduled meeting of the Unit.**
- 3. The annual Senior membership dues of the Unit shall be \$35 to include Department and National per capita. The annual dues of the Junior membership shall be \$5 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.**
- 5. Unit elected officers, consisting of the President, Vice President and Treasurer, checks for disbursement of funds from the Unit treasury. All checks must have two of the three above signatures.**
- 6. All members responsible to 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 Corresponding Secretary may be elected/appointed to carry on the duties normally performed by the Secretary.**
- 8. A Budget Committee composed of three 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 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 months prior to election.**
- 10. Delegates and alternates to a Department Convention shall be elected at a Unit meeting, not less than two weeks prior to convention. One night stay and \$50 per day for two days meals will be paid for by the Unit. Members will need to turn in receipts for reimbursement of food after event. Does not**

include reimbursement for alcohol. Rooms will be reserved with member's own credit card and reimbursed with receipt after event for 1 nights cost. The number of Delegates elected to go will be determined by the monies available. Any Delegate attending convention will participate in all business sessions. A report on classes attended and what was learned will be shared with all members at the next meeting.

11. A gift of \$50 with a card will be presented by the President to the District President/or Installing Officer after Installation and or Initiation Ceremonies are completed. In the event the District President on an official visit such as escorting the Department President, a check will be presented to a charity of their choice. The amount will be determined as approved in the budget or otherwise voted on the members at a meeting.
12. A luncheon ticket shall be paid for each member attending Constitutional Conference, School of Instruction, ABC Class or any other official training/meeting. Mileage may also be included if agreed upon prior to event.
13. Membership due for the 1st year of a spouse of an Active Duty person will be paid for by the Auxiliary.
14. The Auxiliary will donate 1/3 of the cost of a food event when all three departments- Post/Sons/Auxiliary are hosting together and the event has no charge to members.
15. Incoming officers shall have their membership dues paid by the Unit for the year of service.
16. Unit meetings and voting may be held by electronic means during emergency situations.

THESE STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON MARCH 24, 2021.

X Linda J. LeGeer UNIT PRESIDENT
X Shelley Colwell UNIT CONSTITUTION AND BYLAWS CHAIRMAN
X [Signature] UNIT SECRETARY
X Catherine McMillin DEPARTMENT CONSTITUTION AND BYLAWS CHAIRMAN
3/30/2021 DATE APPROVED

APPROVED

RECEIVED APR 06 2021