

# CONSTITUTION AND BYLAWS OF

(American Legion Auxiliary, Knowles G. Oglesby Unit 3, Inc.)

## AMERICAN LEGION AUXILIARY DEPARTMENT OF FLORIDA

1575 Hwy 17 South, Bartow FL 33830

January 11, 2024

### 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 Great 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, Knowles G. Oglesby Unit 3, Inc.

#### Article II - Nature

Section 1. The American Legion Auxiliary, Unit 3 is a civilian patriotic service organization of women that supports the mission of the American Legion.

Section 2. The American Legion Auxiliary, Unit 3 shall be absolutely nonpolitical and shall not be used for dissemination of partisan principles or for promotion of the candidacy of any person seeking public office or preferment.

#### Article III - Objective

Section 1. The objective of the American Legion Auxiliary, Knowles G. Oglesby Unit 3, 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 grandmothers, mothers, sisters, wives, and direct and adopted female descendants of members of The American Legion, and to the grandmothers, mothers, sisters, wives, and direct and adopted female 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; December 7, 1941 to December 31, 1946; June 25, 1950 to January 31, 1955; February 28, 1961 to May 7, 1975; August 24, 1982 to July 31, 1984; December 20, 1989 to January 31, 1990; August 2, 1990 to the date of cessation of hostilities as determined by the Government of the United States; all dates inclusive, or who being citizens 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 any of said periods, and died in line of duty or after honorable discharge; and 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 over the age of eighteen years; provided, however, that a wife under the age of eighteen years, who is eligible under Section 1 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 the age of eighteen years, Junior members shall automatically be admitted into Senior membership with full privileges.

## **Article V - Unit Officers**

Section 1. The Unit shall elect annually a President, First Vice President, Second Vice President, Secretary, Treasurer, Chaplain, Historian and Sergeant-at- Arms.

**(President, Secretary and Treasure are the absolutely required officers)**

## **Article VI - Executive Committee**

Section 1. There shall be an Executive Committee which shall consist of the officers and three (3) additional members-at-large elected by the Unit, Chairmen of the standing committees and all past Presidents in good standing.

## **Article VII - Fiscal Year**

Section 1. The fiscal year shall be the same as that of the Department. (July 1 through June 30 each year)

## **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 previously 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 existing in the Executive Committee from, any cause other than the expiration of a term shall be filled by a majority vote of the members present. A person so elected shall hold office for the unexpired term of the member whom she succeeds.

Section 3. Three (3) members of the Executive Committee shall constitute a quorum.

Section 4. The Executive Committee shall meet once a quarter on the second Thursday at 5:30 PM. Special meetings may be called by order of the president if on written request of at least three (3) members of the Executive Committee.

### **Article II – Elections**

Elections shall be held annually.

Elections shall be done by ballot &/or electronically via e-mail or text and a majority of votes cast shall be necessary to elect. If there is only one person nominated for an office the ballot may be dispensed with and that nominee declared a winner.



## **Article III – Discipline**

Sec. 1. For any violation of the Unit, Department or National Constitutions, or for conduct Improper and prejudicial to the welfare of the American Legion 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 duly 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 a fifteen (15) day 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 said appeal shall be borne by the appellant.

Sec. 2. Neither this unit in the Department or any member thereof shall circularize any other Unit or Member thereof without the consent of a Department Executive Committee.

Sec. 3. Liabilities: No member or group of members shall subject this Unit to liability without authorization of the Unit.

## **Article IV – Parliamentary Authority**

Sec. 1. The Unit organization shall be governed by “Robert’s Rule of Order, Newly Revised” on all points not covered in National and or Department and this Constitution and Bylaws.

## **Article V – Amendments**

Sec. 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.

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

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

## **Article VI – Unit Monies**

Section 1. All money is to be deposited into a banking institution that is Federally insured. Two (2) signatures are required for any withdrawal. The National Constitution and Acts of the National Convention constitute the Fundamental Law of the Auxiliary and Department Conventions. The act of the Department Convention and the Department Executive Committees must conform to the Constitution of the Department in which it is located. Any provision of a Unit Constitution which conflicts with the Constitution of the Department Executive Committee is invalid and without effect. In a few Departments, the adoption of a uniform Unit Constitution and By-Laws prescribed by the Department is mandatory.

These Constitution & Bylaws and Standing Rules were read and approved at a regular scheduled meeting held on Thursday, Jan 11. 2024

*Dianne Tucker*

Unit President, Dianne Tucker

*Karen Petrunyak*

Unit Sec. Karen Petrunyak

*Sherry Brading*

Unit C&B Chairman, Sherry Brading

*2/25/2024*

Date

APPROVED

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Department Constitution & Bylaws Chairman

\_\_\_\_\_

Date

## **STANDING RULES**

1. This Unit shall have the following Standing Committees.  
Americanism, Cavalcade of Memories, Children and Youth, Community Service, Constitution and By-Laws, Education, Finance, Veterans Affairs & Rehabilitation, Leadership, Legislative, Membership, National security, Poppy, Public Relations.
2. Unit Delegates and Alternates to the Department Convention and Mid-Winter Conference shall attend all meetings of the Convention or Conference and be ready to make a report on said meetings at the next regular Unit meeting.
3. The Unit President shall be Chairman of the Delegation to the District Constitution Conference and/or the Department Convention; the elected delegates will elect a Chairman.
4. All members in good standing may be elected as a Delegate or Alternate to Department Convention or Conference.
5. At the regular Unit Meeting in January, the members shall elect a Nominating Committee. The Nominating Committee shall present the slate of Nominations for Officers at the regular Unit Meeting in March, April and May. After their final report the election of Officers will be held. Nominations may be made from the floor at this meeting.
6. In order to participate in the election of Unit Officers, a member shall have paid her dues for the current fiscal year within which the election is held. No member should accept a nomination for office or accept a chairmanship if she knowingly cannot attend meetings regularly or fulfill all obligations required for her office or chairmanship.
7. All Officers of this Unit shall be installed at a time coincident with the installation of the Officers of the Knowles G. Oglesby Post 3 of the American Legion.
8. Resignation of any Officer must be in written form stating reason and presented to the Chairman of the Executive Committee. All resignations shall be automatically accepted.
9. The regular meeting of the Executive Committee shall be held on the second Thursday of every month 5:30 PM. Special meetings may be called during the month if needed.
10. Three (3) members shall constitute a quorum at a meeting of the Executive Committee.
11. Upon the death of an active member of the Auxiliary of her husband, child, grand-parent or parent, a memorial will be made to the scholarship fund. All members shall receive an appropriate card in the event of illness, hospitalization or bereavement.



12. The President can automatically disburse funds up to but not to exceed \$100.00 for visitation of Department Officers or Programs of the American Legion Auxiliary.
13. The official contact with the Knowles G. Oglesby Post 3 of the American Legion shall be through the Unit President and the Post Commander or the Liaison of the Legion and Auxiliary.
14. A voluntary collection of \$1.00 per member shall be taken at each regular Unit meeting to be put in a Friendship Fund to be administered by the Chaplain. This fund will be used for cards, stamps, gifts and memorials for Unit, District, Department and National American Legion Auxiliary Members.
15. \$200 of the profit from the Ways and Means projects will be transferred on our books to the Sunshine Fund that will be administered by the Chaplain. This fund will be used for cards, stamps, gifts and memorials for Unit, District, Department and National American Legion Auxiliary members.
16. A Kitchen Committee consisting of three (3) members shall be established to organize and publicize all fund raising functions in the Kitchen.
17. A Kitchen fund in the amount of \$150.00 shall be established for the operation of the kitchen during fund raising activities. All receipts are to be turned over to the Treasurer to be reimbursed up to the stated amount. The Chairmen of the chairman of the committee shall be responsible for the dispersion of funds and receipts.
18. The Treasurer can automatically dispense funds up to \$100.00 for supplies such as stamps, envelopes and other supplies to meet the needs of the Treasurer and Secretary.

***Duties of the Unit President:*** It shall be the duty of the President to preside at all meetings of the Unit and Unit Executive Committee; 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 to appoint all officers not otherwise provided for.

***Duties of the Vice President:*** The First and Second Vice President in the order named shall, when called upon, assist the President and in her absence, perform her duties, and shall succeed her in office in case of death, resignation or removal.

***Duties of the Secretary:*** It shall be the duty of the Secretary to record the proceedings and transactions of all the meetings of the Unit; to act as custodian of all books, papers, and records; to keep a record of names and addresses of the members, showing the source of their eligibility; to send out such notices as are 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 of her by the President.

***Duties of the Treasurer:*** It shall be the duty of the Unit Treasurer to receive all money belonging to the Unit and to account for them. The Treasurer shall pay all legal debts and shall retain all receipts as her vouchers. She shall keep account of her receipts and expenditures, making an annual report and such other reports as may be deemed

necessary by the Unit Executive Committee. Her Accounts shall be audited annually. She shall pay over to and deliver to her successor, all money, vouchers, books and papers belonging to the Unit.

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

***Duties of the Sergeant-at-Arms:*** It shall be the duty of the Sergeant-at-Arms to preserve order at the meetings of the Unit and to perform such other duties as may be requested by the President.

***Duties of the Chaplain:*** It shall be the duty of the Chaplain to offer prayer at the opening and closing of each meeting, and to perform such other duties as the President may direct. The Chaplain shall mail appropriate cards to the ill and bereaved members of the Unit.

Where deemed necessary, a Recording Secretary and a Corresponding Secretary may be elected to carry on the duties normally performed by the Secretary.

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

## DUES

Section 1. The annual membership dues for Seniors of this Unit shall be Forty Five (\$45.00) dollars for Seniors which shall include the Department and National Per Capita. Beginning for 2021 dues

Section 2. The annual membership dues for Junior Members of the Unit shall be Ten Dollars (\$10.00) which shall include Department and National Per Capita. Beginning for 2021 dues.

Section 3. A member failing to pay annual dues 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 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.

## UNIT MEETNGS

Section 1. The regular meetings of the American Legion Auxiliary, Knowles G. Oglesby Unit 3, Inc. shall be held on Second Thursday of every month beginning in Jan of each year and shall be called to order at 6:00 pm unless the regular meetings fall on a National Holiday or during a Natural Disaster. Meetings may be held at other times should the need arise and as long as members are aware at least 48 hours prior to meeting. Meetings can also be done electronically should the need arise.



Section 2. An Annual meeting of this Unit shall be held each year for the purpose of electing officers. Elections are to be held not more than 60 days or less than 15 days prior to Department Convention.

Section 3. Special meetings of this Unit may be called by the President, by a majority of the Executive Committee or by members of the unit upon written or electronic request,

Section 4. Four (4) members shall constitute a Quorum at any meeting of the Unit.

### **NOMINATIONS**

Section 1. Nominations shall be open from the general meeting in March until the general meeting in May at which time nominations will be closed just before voting. Nominations may be made at any time during those periods and made in person, via email or written notice provided the member is in good standing and the nominee accepts the nomination.

### **ELECTIONS**

Section 1. Election shall be by ballot or can be made electronically via email directly to the nominating committee &/or President and the majority of votes cast shall be necessary to elect. Where there is only one candidate for an office, &/or the entire board has one candidate for each office, the slate of officers can be read by the secretary and voted on via voice.

Section 2. Delegates and alternates to a Department Convention shall be elected at a Unit meeting two (2) weeks prior to the Department Convention. Alternates shall have priority in the order of their election.

Section 3. All Officers and Executive Board Members shall be elected annually at a Unit meeting not more than 60 days or less than 15 days prior to the Department Convention. The office of Secretary will be an elected position.

### **NEW MEMBERS AND TRANSFERS**

Section 1. New Members, upon application shall be presented to the unit by the Membership Chairman for acceptance. Upon acceptance by vote of the membership, the new member shall be given a membership card.

Section 2. Transfer of membership from one Unit to another in the Florida Department shall upon application of the member to and acceptance by, the other Unit in conformity with National and Department Constitution and By-Laws. The Membership Chairman shall be responsible for presenting the Transfer to the Membership for acceptance.

A nominating committee composed of three members shall be elected for the purpose of presenting a slate of Unit officers for the ensuing year.

These Standing Rules were read and approved at a regularly scheduled meeting held on Thursday, Jan 11, 2024

*Dianne Tucker*

Unit President, Dianne Tucker

*Karen Petrunyak*

Unit Sec. Karen Petrunyak

*Sherry Brading*

Unit C&B Chairman, Sherry Brading

2/25/2024

Date

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Department Constitution & Bylaws Chairman

\_\_\_\_\_  
Date