

CONSTITUTION AND BYLAWS
OF
AMERICAN LEGION AUXILIARY
INDIAN RIVER UNIT 22, INC.
DEPARTMENT OF FLORIDA
241 PEACHTREE ST. COCOA, FL 32922

January 18, 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 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; 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 1- NAME

The Name of this organization shall be American Legion Auxiliary, Inc, Indian River Unit 22, Department of Florida.

ARTICLE 11- NATURE

Section 1: American Legion Auxiliary Indian River Unit 22, Inc. is a civilian patriotic service organization that supports the mission of the American Legion.

Section 2: American Legion Auxiliary Indian River Unit 22, 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 111 - OBJECT

The object of the American Legion Auxiliary Indian River Unit 22, 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.

The following was in the original document however, it has been formatted differently.

- (1) grandmothers, mothers, sisters, spouses and direct and adopted female descendants of members of the American Legion; and
- (2) grandmothers, mothers, sisters, spouses, (male and female), and direct or adopted 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 of the eligibility periods and died in the line of duty or after honorable discharge;
- (3) grandmothers, mothers, sisters, spouses (male and female) 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 of 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 at as 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 of 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, Secretary (appointed by President)*, Treasurer, Chaplain, Historian and Sergeant-at-Arms, (or a combination of some of these officers) who shall serve until their successors are duly installed or otherwise provided.

ARTICLE VI- EXECUTIVE COMMITTEE

There shall be an Executive Committee, which shall consist of all officers and two 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 (2/3) vote of the members present 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 automatically be amended to conform to the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary.

BYLAWS

ARTICLE 1- 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 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 meeting shall be given to all members of the Executive Committee; and, except in extreme emergency, shall be given at least forty-eight hours in advance. At special meetings only business specified shall be transacted.

ARTICLE 11- 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 the 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 deemed advisable to perform such other 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 President in the order named shall, when called upon, assist the President, 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 record the proceedings and transactions of all meetings of the Unit; to act as custodian of all books, papers and records, to process the correspondence of the Unit; to keep on file in a comprehensive manner copies of all correspondence sent and received; to perform other duties as shall be required by the President. 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 - The Treasurer shall be bonded. 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 the bonding fees determined by the Department Office. The Treasurer shall maintain (2) two separate funds, namely a General Fund and a Special Fund. All Special donations shall be placed in the Special Fund and be used to assist the veteran and their children. The Treasurer shall keep an accounting of receipts and expenditures, making a monthly 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 pay 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 Unit Chaplain to offer prayer at the opening and closing of each meeting, and to perform such other duties as the President and to notify Department of any deceased members on a monthly basis.

Section 6: Duties of the Unit Historian - It shall be the duty of the Unit Historian to compile historical records of the Unit and make a report to Department.

Section 7: Duties of the Unit 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 requested by the President.

ARTICLE 111- DUES

Section 1: The annual Senior 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, State 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 be automatically dropped from the rolls and may be reinstated only by paying all 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, Indian River Unit 22, 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 her 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 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 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 - 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 VIII - 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 IX - 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.

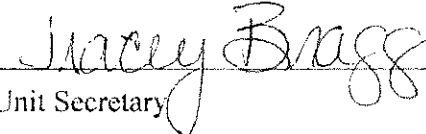
Section 3: These Bylaws shall automatically be amended to conform to the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary.

THIS CONSTITUTION AND BYLAWS WERE READ, VOTED ON AND APPROVED

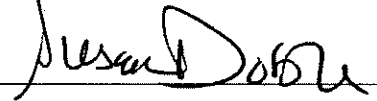
AT OUR REGULAR UNIT MEETING ON _____



Unit President



Unit Secretary



Unit Constitution and ByLaws Chairman

Department Constitution & Bylaws Chairman

Date Approved