

APR 18 2024

**CONSTITUTION AND BYLAWS  
OF  
AMERICAN LEGION AUXILIARY  
BERT HODGE UNIT #45, INC.**

DEPARTMENT OF FLORIDA  
316 OSCEOLA STREET  
Palatka, FL 32177

**April 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 all wars; 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 Bert Hodge Unit #45, Inc., Department of Florida.*

**ARTICLE II-NATURE**

Section 1: American Legion Auxiliary, Bert Hodge Unit #45, Inc. is a civilian patriotic service organization that supports the mission of The American Legion.

Section 2: American Legion Auxiliary, Bert Hodge Unit #45, 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, Bert Hodge Unit #45, Inc, Department of Florida, shall be as stated in the Preamble to the Constitution.

### **ARTICLE IV--ELIGIBILITY**

Section 1: Membership in the American Legion Auxiliary shall be limited to the grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion, and to the 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 any of the following periods: April 6, 1917 to November 11, 1918: and any time after December 7, 1941: 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 the 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 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 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 for both classes shall be paid annually or for life.

### **ARTICLE V—UNIT OFFICERS**

Section 1: the Unit shall elect annually a President, Vice President, Treasurer, Chaplain, Historian and Sergeant-at-Arms, who shall serve until their successors are duly installed or otherwise provided (or a combination of some of these officers.) The Secretary shall be appointed by the in-coming President.

## **ARTICLE VI—EXECUTIVE COMMITTEE**

There shall be an Executive Committee, which shall consist of all officers and three 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 present at a regular Unit meeting, provided the proposed amendment shall have been read at the previous meeting or distributed at least ten (10) days prior to voting.

Section 2: 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 proceeding of said committee shall be presented to the Unit at the next meeting for approval.

Section 2: A vacancy on the Executive Committee, from any cause other than 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 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 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 members of Standing Committees; to create such other 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--Vice President 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- The duties of the secretary are administrative and require the ability to be adept with email. The unit secretary makes a record of all business transacted at each unit and executive board meeting (the minutes); receiving and answering official email under the direction of the President; to keep on file, in a comprehensive manner, copies of all correspondence sent and received; counts a rising vote when requested by the president; prepares a statement of unfinished business to come before the meeting for the use of the presiding officer; has on hand for reference at each meeting a list of the names of members of all standing committees, a copy of the unit's bylaws, and correspondence sorted for reading; and is responsible for sending all name and address changes to Department Headquarters. The Secretary will also perform other duties requested by the President.

Section 4: 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 keep two separate funds: a general fund and a poppy fund. All poppy donations shall be placed in the poppy fund and be used only to help veterans or active-duty military and their families following the poppy guidelines of the national organization. The treasurer shall keep all receipts and account for expenditures in a monthly report and such other reports as may be considered necessary by the Unit Executive Committee. Unit accounts shall be audited annually. All current bills shall be paid before transferring all funds, books, and papers belonging to the Unit to the treasurer's 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 Department of any deceased members on a monthly basis.

Section 6: Duties of the Historian- It shall be the duty of the Unit historian to compile and record the activities and accomplishments of the unit. Unit historians are encouraged to keep a factual continuing story of the accomplishments of each program in the Unit.

Section 7: Duties of the Sergeant-at-Arms- It shall be the duty of The Sergeant-at-Arms to keep order at the Unit meetings and perform other related duties as may be requested by the Unit 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 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 31st of the year of the delinquency shall automatically be 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 scheduled meeting of American Legion Auxiliary, Bert Hodge Unit #45, 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.

Section 4: Electronic meetings and voting may be held during an emergency situation or at any time a Unit's officers deem necessary. Notification of an electronic meeting and/or voting must be sent to each member of the Unit via email or regular mail if no email address is available and shall contain an agenda and any documents that participants will need to reference in advance so that participants can follow the flow of the meeting and/or voting procedure. Minutes of the electronic meeting must be created as well as recording the motions and votes.

## **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, 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 the newly elected officers, not less than ten (10) days prior to Convention, certification is 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 Committees as stated 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 new 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. Both parties 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.

### 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 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: 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 APRIL 11, 2024.



Cathy Boyland, Unit President



Dianne Sanders, Unit Secretary