

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

STANDING RULES
OF
AMERICAN LEGION AUXILIARY
BERT HODGE UNIT #45, INC.

PREFACE

The American Legion Auxiliary, Bert Hodge, Unit #45 Standing Rules are duly adopted by the appropriate unit governing body of the American Legion Auxiliary, Bert Hodge, Unit #45 to provide guidance to the American Legion Auxiliary, Bert Hodge, Unit#45, general membership. Standing Rules have the same importance as the Unit Constitution and Bylaws and may be amended as frequently as needed.

Standing Rules that specifically state "As provided in the Unit Bylaws" can only be amended by action of the Unit general membership.

Except when otherwise specified in the Bylaws or these Standing Rules, a standing rule may be amended or rescinded by a two-thirds vote, in addition to these Standing rules, supplementary unit policies or rules may be adopted as they are needed from time to time by the Unit Executive committee or Unit general membership.

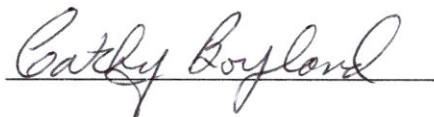
1. The regularly scheduled meeting of American Legion Auxiliary Bert Hodge Unit #45 shall be held on the 2nd Thursday of each month, unless otherwise specified and shall be called to order at 7:00 PM.
2. Four (4) members of this Unit shall constitute a quorum at any regular scheduled Unit meeting.
3. Executive Board meetings will meet at 10:00 AM on the Tuesday prior to the Auxiliary general membership meeting unless otherwise specified.
4. The annual senior membership dues of the Unit shall be \$40.00 to include Department and National per capita. The annual dues of the Junior membership shall be \$10.00 to include the Department and National per capita.
5. Our finances, minutes, and other business discussion in the regular scheduled meeting and the Executive meeting are not to be discussed outside of our membership.
6. Treasurer shall deposit all monies received into Unit account the next business day.
7. Three Unit elected officers (President, Treasurer and third officer approved by the Executive Committee) are authorized to sign checks for disbursement of funds from the Unit account. All checks MUST have two of the three appointed signatures.

8. All money is the responsibility of the Treasurer. All monies received by members shall go directly to the Treasurer within 5 business days. When received, the funds are to be placed in the designated preprinted envelopes and go directly to the Treasurer or place in designated cash box. No exceptions.
9. The designated signers of the banking account (President, Treasurer and a third officer) shall be changed within three (3) business days of installation or resignation.
10. All receipts, bank statement and checks shall be held for (7) seven years for the purpose of an audit by the Auxiliary and the IRS. All Treasurer documents must be stored in the auxiliary office.
11. A Budget Committee composed of three (3) or four(4) members shall be appointed by the incoming President, for the purpose of presenting a budget for the upcoming year by the August Unit meeting.
12. The Treasurer's report is to be read at the general membership meeting and then approved by the general membership. Copies will be distributed to the Unit President, Secretary and Treasurer.
13. If requested, Treasurer's reports can be reviewed at the Treasurers convenience at the Post. They shall not to be copied, captured by camera or removed from the Unit meeting room.
14. Treasurer may make all mandatory payments to the Department without membership vote. This includes payment for Yearly Quotas, ALAMIS and Sunbiz.
15. 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.
16. There will be NO reimbursements without a purchase receipt and approval prior to purchase.
17. Event/Project funds for a specific program CANNOT be moved or used for any reason other than what they were raised for. At end of the fiscal year if funds are not needed, Program Chair or Committee may ask the membership for funds to be transferred to general funds. Budgeted money is not included in this restriction.
18. All projects/events requiring funding must be voted on by the general membership and approved prior to any purchases. All receipts must be presented for reimbursement. All projects should be completed by the end of the fiscal year.
19. The Unit shall undergo an annual financial review each July by an audit committee of at least three members and will not include signers on the checks. The Treasurer will be there for any questions. Additional officers or credentialed financial experts may be invited to participate.

20. The Unit President is authorized to expend funds up to the amount of one-hundred dollars (\$100.00) per month for the purpose of incidental emergencies (occurring merely by chance or without intention or calculation) upon presentation of receipts. All expenditures over this amount must have approval by vote of the Unit membership at the subsequent scheduled meeting. This discretionary fund does not roll over to the next month.
21. The Unit will pay delegates registration fees when attending the Department Convention and Conference.
22. An amount up to forty-five dollars and zero cents (\$45.00) can be used for funeral expenses of a Post or Unit member or immediate family. This could be flowers, flag, membership dues, ALA Jr. Memorial Scholarship Fund etc. No vote is required by the Unit. Approval is however needed by the President before expenditures are made. In the event of his/her absence, the 1st Vice may give approval. The Unit President must announce it at the next membership meeting.
23. The Unit may have the following Committees: Americanism, Children & Youth, Constitution and Bylaws, Membership, National Security, Audit, Veteran's Affairs and Rehabilitation, Historian, Community Service, Education, Girls State, Past Presidents Parley, Poppy, and other mission and member/organizational support committees as membership allows.
24. A Nominating Committee, composed of three (3) members, shall be appointed by the President for presenting a slate of officers for the ensuing year. The committee shall have the permission of each candidate for an office before presenting at the meeting by this committee. This committee is to form no later than two (2) months prior to the election. Generally, the nominating committee is formed in March, nominations are made in April, and voting is completed in May.
25. Election ballots shall be counted by an Election Board. Election Board will be appointed by the Nominating committee and must include at least two current Unit auxiliary members or District or Department officers as judges. No candidates on the election ballot will be allowed to count the ballots.
26. Ballots are counted in secret in a separate room. The judge shall announce the name of the winner but not the number of votes received. Ballots shall be destroyed after results are tallied and announced.
27. If only one person is running for an office, no election ballot is necessary. If more than one person is running for an office, ballots will be cast to determine the office holder.
28. Upon election confirmation new officers shall begin their term July 1 of each fiscal year, or earlier, if any current officer resigns, is removed, or if an office is vacant.
29. Installation of officers is the responsibility of the out-going Unit President.
30. All Unit documents shall be handed over within three (3) business days of installation or upon an officer's resignation (president to president, treasurer to treasurer, etc.) If the position is vacant, documents shall be given to current highest officer (President, Vice President, etc...)
31. The Vice President will temporarily assume presidential duties if the current President's office is vacated for any reason. The position will then be appointed by the Executive Committee.

32. Membership Chair shall present a welcome packet to all new members containing greetings and pertinent information including Constitution and Bylaws, Standing Rules, Officers, meeting schedule, etc.
33. Fifty (\$50) dollars will be allotted each year for a gift for the out-going President.
34. Name badges will be ordered for new members after they attend three consecutive general meetings.
35. A minimum of 10% of net proceeds from each fund-raising activity is suggested to go into the Unit General Fund. The Program Chair of each fund-raising activity may make a recommendation to the general membership for additional funds to go into the General Fund for administrative purposes.
36. Delegates and Alternates to the Department Convention shall be elected at a Unit meeting not less than two (2) weeks prior to the Department Convention. Delegates and Alternates shall have priority in the order of their election.
37. The Unit shall be guided by the Code of Ethics as published in the National Auxiliary Standing Rules.
38. Special meetings of the Unit may be called by the Unit President, by a majority of the Executive Committee, or upon written request of three (3) members of the unit.
39. The Unit shall have Committees and Chairs appointed as deemed necessary by the Unit President.
40. Any Auxiliary member that is removed from Unit 45 will not be allowed to attend any Unit meeting or function.
41. Any member removed from Unit 45 Auxiliary is not allowed to return.

THESE STANDING RULES WERE READ, VOTED ON AND APPROVED AT
OUR REGULAR UNIT MEETING ON APRIL 11, 2024



Cathy Boyland
Unit President



Dianne Sanders
Unit Secretary