

CONSTITUTION AND BYLAWS
OF
AMERICAN LEGION AUXILIARY
TARPON SPRINGS UNIT 46, INC
DEPARTMENT OF FLORIDA
1254 SOUTH PINELLAS AVENUE
TARPON SPRINGS, FL 34689

March 13, 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 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, Tarpon Springs Unit 46, Inc. Department of Florida.*

ARTICLE II – NATURE

Section 1: The American Legion Auxiliary, Tarpon Springs Unit 46, Inc. is a civilian patriotic service organization that supports the mission of The American Legion.

Section 2: The American Legion Auxiliary, Tarpon Springs Unit 46, 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, Tarpon Springs Unit 46, Inc. Department of Florida, shall be as stated in the Preamble of 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 as listed below and shall be updated as appropriate.

Membership in the American Legion Auxiliary shall be limited to the following:

- (A) grandmothers, mothers, sisters, spouses and direct or adopted female descendants of members of the American Legion; and
- (B) grandmothers, mothers, sisters, spouses and direct or adopted female 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 eligibility periods and died in the line of duty or after an honorable discharge;
- (C) grandmothers, mothers, sister, spouses and direct or 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 6th, 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 dies in the line of duty or after an honorable discharge; and
- (D) 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 that are age 18 and older: provided, however, a member eligible under section 1 of this article, and who is under the age of 18 years and is married shall be classified as a Senior member.
- (B) Junior membership shall consist of that group under the age of 18 whose activities shall be supervised by the Senior membership. Upon reaching the age of 18, Junior members shall be automatically 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, 1st Vice President, 2nd Vice President, Treasurer, Chaplain, Historian, Sergeant-at-Arms and three (3) members at large. The Unit Secretary shall be appointed by the President. These officers shall assume the duties of their respective office upon election.

ARTICLE VI – EXECUTIVE COMMITTEE

There shall be an Executive Committee which shall consist of all of the officers, three (3) members at large and the immediate Past President, as well as the membership chairman.

ARTICLE VII – FISCAL YEAR

The Unit fiscal year shall be the same as the Department of Florida, July 01-June 30.

ARTICLE VIII – AMENDMENTS

Section 1: This Constitution may be amended by 2/3 vote of the members at a regular meeting, provided the proposed amendment was read at the previous meeting.

Section 2: Any amendments not having been read, may be adopted by the unanimous vote of the members that are 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 Unit 46, shall be entrusted to the Executive Committee and all proceedings of said committee shall be presented to the Unit membership at the next meeting for approval.

Section 2: A vacancy on the Executive Committee, from any other cause other than expiration of a term shall be filled by a majority recommendation of the entire committee. The member who is recommended shall then be ratified by the unit membership at the next regularly scheduled meeting. Said recommended member shall hold that position of office for the remainder of the term.

Section 3: The majority of the Executive Committee shall constitute a quorum for a meeting to be held.

Section 4: The Executive Committee shall meet as stated in the standing rules, special meetings may be called by the Unit President or majority of the executive committee at least 48 hours in advance. All committee members must be notified.

ARTICLE II – DUTIES AND POWERS OF OFFICERS

Section 1: Duties of the President – It shall be the duty of the President to preside at all meetings of the Unit and of the Unit Executive Committee; to enforce strict observance of the Constitution and Bylaws; to appoint members of Standing Committee; to create such other committees and appoint members thereof as deemed advisable; to perform other such duties as custom and parliamentary usage require and to appoint all officers not otherwise provided for, with the approval of the Executive Committee and Unit Members. It shall also be the duty of the Unit President to complete all Department required reports for chairmanships to which there is no chairman assigned.

Section 2: Duties of the Unit Vice Presidents – The 1st Vice President and 2nd Vice president, in that

order shall when called upon, assist the President. If the President is absent, the Vice President shall perform the duties of the President and shall succeed to the office until the President returns and is able to perform their duties as stated above.

Section 3: Duties of the Unit Secretary – The Secretary shall receive and answer any mail under the direction of the President; to keep on file all correspondence that is sent out or received; and to send and give notice to the members of all meetings. The Secretary will be responsible for taking notes of the meetings of the Unit and to keep all the information, records or filings of the office in order. The Secretary is vested with such authority as it is needed to carry out the duties of the office for the good of the American Legion Auxiliary.

Section 4: Duties of the Treasurer – The Treasurer of the Unit shall receive all the monies belonging to the Unit and be able to account for their being. The Treasurer will pay the bonding fee as determined by the Department Office and shall maintain separate funds for all donations, fundraisers, events and membership dues. The Treasurer shall pay orders signed by the President and shall maintain their order as vouchers as well as keeping all receipts and expenditures. An annual report with such reports as deemed necessary by the Unit Executive Committee. The Treasurers accounts shall be audited annually/ The Treasurer shall be responsible for paying all current bills before transferring funds, books, vouchers, and papers that belong to the Unit when being turned over to the successor.

Section 5: Duties of the Chaplin – The Chaplin shall offer the members a prayer at the opening and closing of each meeting and shall perform any other duties that might be directed by the President. The Chaplain is to notify the President and the Secretary as well as the Treasurer of any deceased members on a monthly basis.

Section 6: Duties of the Historian – It shall be the responsibility of the Historian to complete the historical records of the Unit.

Section 7: Duties of the Sergeant-at-arms – The Sergeant-at-arms shall preserve order at the meetings of the Unit and to perform any such duties as may be requested by the president.

ARTICLE III – DUES

Section 1: The annual Senior membership dues to the Unit shall be stated in the Standard Rules which shall include the Department and National per capita. The annual dues for the Junior membership shall be 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 classified as delinquent and shall be suspended from all membership privileges. Payment of back dues, after suspension, shall be suspended, shall reinstate such member to active membership. Any member delinquent to December 31 of the year of the delinquency shall automatically be dropped from the rolls and may be reinstated by only paying back dues or by re-establishing eligibility and making application as a new member.

ARTICLE IV – UNIT MEETINGS

Section 1: The regular scheduled meeting of the American Legion Auxiliary, Tarpon Springs Unit 46, 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 this Unit that shall constitute a quorum at any regular scheduled meeting of the Unit shall be stated in the Standing Rules.

Section 3: Special meetings of this Unit may be called by the President, a majority of the Executive Committee with the President notified, or upon written request of three (3) members of the Unit. All unit members must be notified at least 48 hrs in advance of said special meeting.

Section 4: In the event of an emergency, or where deemed by the President, where an in-person meeting cannot be held, an electronic meeting may be held. Nominations and elections may be held electronically or via a drive through voting station, provided all members have been notified via email, text, phone calls and/or regular postal mail.

ARTICLE V – ELECTION

Section 1: In order to participate in the election of the Unit Officer, a member shall have paid the 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.

Section 3: All Officers and Executive Committee members shall be elected at a meeting duly called for the purpose not more than 90 days prior, nor less than 15 days prior to the Department Convention.

Section 5: Vacancies in office between annual elections shall be filled by the recommendation of the majority of the Executive Committee and ratified by the Unit Membership.

Section 6: Delegates and Alternates to District Constitutional Conference or Department Convention shall be elected not less than 2 weeks prior to the Conference or Convention. Alternates shall have priority in the order of their election.

Section 7: The Unit Secretary shall notify the Department Membership Coordinator of the Names and addresses of the newly elected officers within 10 days of said election and certification to be made via online form provided by department headquarters.

ARTICLE VI – COMMITTEES

Section 1: The Unit shall have the following Core Committee: 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.

Section 2: A Nominating Committee, composed of 4 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 to be presented by this committee. This committee is to form no later than 2 months prior to the election, The report of this nominating committee shall be made at the regular meeting prior to the meeting designated for election. Nominations from the floor may also be made at this time.

Section3: A Budget/Audit Committee composed of 3 members and the Unit Treasurer, shall be elected by the general membership, for the purpose of presenting a budget for the ensuing year and performing internal audits as necessary to maintain a balanced treasury ledger. The Treasurer will not have a vote on the budget, their sole purpose being presenting past treasurer reports, budgets and minutes and the recording of the new budget.

ARTICLE VII – TRANSFERS

Transfer of membership from one Unit to another in the Department of Florida, shall be upon application of the member and acceptance by the other Unit, in conformity with National and Department Constitution and Bylaws. There shall be no fee charged for a member to transfer from Unit to Unit.

ARTICLE VIII – DISCIPLINE

Section 1: For any violation of this Unit, State of 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. 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 paid by the appellant.

Section 2: Liabilities: No members, or groups of members, shall subject this Unit to liability without authorization of the Unit.

Section 3: Neither this Unit in the Department, nor any members thereof, shall circularize any other Unit or member with the consent of the Department Executive Committee.

ARTICLE IX – PARLIAMENTARY AUTHORITY

The Unit shall be governed by "Robert's Rules of Order, Newly Revised" on all points not covered by the 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: 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, BYLAWS AND STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING HELD ON __ March 13th, 2024 __.

x Christine Massey 3/13/24 x [Signature] 3/13/24
Unit President Date Unit Secretary Date

x Christine Massey 3/13/24
Unit Constitution and Bylaws Chairman Date