

## CONSTITUTION AND BYLAWS

OF  
AMERICAN LEGION AUXILIARY  
SOUTH LAKE MEMORIAL UNIT #55, INC.  
DEPARTMENT OF FLORIDA  
1063 W. DESOTO STREET CLERMONT, FL 34711

Revised November 24, 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 South Lake Memorial, Unit #55, Inc., Department of Florida*.

### ARTICLE II - NATURE

**Section 1:** American Legion Auxiliary South Lake Memorial Unit #55, Inc. is a civilian patriotic service organization that supports the mission of The American Legion.

**Section 2:** American Legion Auxiliary South Lake Memorial Unit #55, 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 South Lake Memorial Unit #55, 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:

- a. grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion; and
- b. grandmothers, mothers, sisters, spouses, and direct and 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 honorable discharge;
- c. 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 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 of after honorably discharged; and
- d. 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 aged 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 be comprised of members 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, First Vice President, Second Vice President, Secretary, Treasurer, Chaplain, Historian, Sergeant-at-Arms, and an Assistant Sergeant-at-Arms who shall serve until their successors are duly installed, but no later than July 1<sup>st</sup>, the beginning of the fiscal year.

## **ARTICLE VI - EXECUTIVE COMMITTEE**

There shall be an Executive Committee, which shall consist of all officers and no more than 5 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, July 1 through June 30.

## **ARTICLE VIII-AMENDMENTS**

**Section 1:** This Constitution may be amended by two-thirds (2/3) vote of the members 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:** Where this Constitution is silent, the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary shall apply.

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## 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 proceedings of said committee shall be presented to the Unit at the next meeting and documented in the minutes.

**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 they succeed.

**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 and the Secretary shall record attendance and the result of such special meeting and presented at the next meeting of the membership as new business.

### ARTICLE II - DUTIES AND POWERS OF OFFICERS

**Section 1:** Duties of the Unit President – The Unit President shall be familiar with the duties of all officers and committee chairs and encourage and inspire them in their work. It is the responsibility of the President to see that all officers are supplied with all available information and material from department and National Headquarters. The Unit President should preside at all meetings of the Unit and Unit Executive Committee and require adherence to the Constitution and Bylaws, rules and regulations of the Unit. The President shall appoint members of Standing Committees; to create such other committees as necessary. and to appoint members thereof as they deem advisable to perform other such duties, and to appoint all non-elected officers not otherwise provided for.

**Section 2:** Duties of the Vice President - The First and Second Vice Presidents, in the order named, shall, when called upon, assist the President and in their absence, perform their duties and shall succeed them in office in case of death, resignation or removal.

**Section 3:** Duties of the Secretary - It shall be the duty of the Secretary to receive and answer official mail under the direction of the President; to keep on file, in a comprehensive manner, copies of all correspondence sent and received; and to

send and give notice of all meetings. It shall be the duty of the Secretary to record the proceedings and transactions of all meetings of the Unit; and to keep all books, papers and records that are needed to carry on the working of the office and care for the archives of the Unit. They are hereby vested with such authority as it is necessary to carry out the duties of their Office for the good of the American Legion Auxiliary.

**Section 4:** Duties of the Treasurer - It shall be the duty of the Treasurer to receive all monies belonging to the Unit and account for them. They shall pay the bonding fee as determined by the Department Office. They shall maintain separate funds, namely a General Fund, a Poppy Fund and any additional separate reserve fund required by the Unit for any other program. All Poppy donations shall be placed in the Poppy Fund and be used to assist a Veteran or his/her children. Similarly, all other program related funds shall only be used for their prescribed purpose/charity. The Treasurer shall keep an accounting of the receipts and expenditures, making an annual report thereon and such other reports as may be deemed necessary by the Unit Executive Committee. The account shall be audited annually. The Treasurer shall pay all current bills before transferring all funds, books, vouchers, and papers belonging to the Unit to their successor prior to July 1st.

**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 which may include sending cards, visiting members or coordinating support to Unit members during a time of need. The Chaplain shall notify Department of any deceased members monthly.

**Section 6:** Duties of the Historian - It shall be the duty of the Historian to compile the historical records of the Unit including capturing pictures and writing articles for the district newsletter on behalf of the Unit. The Historian shall also make a report to the Department no later than April 1<sup>st</sup> of the Unit's events which is submitted to Department.

**Section 7:** Duties of the Sergeant-at-Arms - It shall be the duty of the Sergeant-at-Arms or Assistant Sergeant-at-Arms to preserve order at the meeting of the Unit, set up and tear down the meeting space, announce guests, lead the Pledge of Allegiance, take attendance, check membership cards and to perform other such duties as may be requested by the 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 December 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 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 American Legion Auxiliary, South Lake Memorial, Unit #55, 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; In addition to those who can call a Special Meeting referenced in Article I Section 4, three (3) members in good standing can call a special meeting by written request to the President

#### **ARTICLE V - ELECTION**

**Section 1:** Elections shall be held annually. To participate in the election of the Unit Officers, a member shall have paid their 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 for the nominee to be declared. If there is only one person nominated for an office that nominee shall be declared the 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:** 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 may 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 -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 other 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. 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 the authorization of the Unit.

## 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 at a regular meeting, provided the proposed amendment shall have been read at the previous meeting.

**Section 2:** Where these Bylaws are silent, the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary shall apply.

THESE CONSTITUTION AND BYLAWS WERE READ, VOTED ON AND APPROVED AT A REGULAR SCHEDULED MEETING HELD ON DECEMBER 3, 2024

*Donna Schneider*

President

*Yvonne Hargis*

Unit Constitution and Bylaws Chair



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