

CONSTITUTION AND BYLAWS OF

Pinellas Park Unit 104

AMERICAN LEGION AUXILIARY DEPARTMENT OF FLORIDA

7550 60th Street North, Pinellas Park, FL 33781

DATE: April 6, 2019

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 the Great 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, Pinellas Park Unit No. 104, Department of Florida.

Article II – Nature

Section 1. The American Legion Auxiliary Pinellas Park Unit 104, Inc. is a civilian patriotic service organization of women that supports the mission of The American Legion.

Section 2. American Legion Auxiliary Pinellas Park Unit 104, Inc. shall be absolutely nonpolitical and shall not be used for dissemination of partisan principles nor for any promotion of candidacy of any person seeking public office or preferment.

Article III – Objective

Section 1. The objective of the American Legion Auxiliary, Pinellas Park Unit No. 104, Department of Florida shall be as stated in the Preamble of the Constitution.

Article IV – Eligibility

Section 1. Membership in The American Legion Auxiliary shall be limited to the grandmothers, mothers, sisters, wives and direct and adopted female descendants of members of the American Legion, and to the grandmothers, mothers, sisters, wives, 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, December 7, 1941 to December 31, 1946, June 25, 1950 to January 31, 1955, February 28, 1961 to May 7, 1975, August 24, 1982 to July 31, 1984, December 20, 1989 to January 31, 1990, August 2, 1990 to the date of cessation of hostilities as determined by the Government of the United States, all the dates inclusive, 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 over the age of eighteen years; provided, however, that a wife under the age of eighteen years, who is eligible under Section 1 of this article shall be classed as a Senior member.
- (b) Junior membership shall consist of that group under the age of eighteen years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen years, 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, Treasurer, Chaplain, Historian and Sergeant-at-Arms who shall serve until their successors are duly installed or as otherwise provided.

Section 2. The position of Secretary will be appointed.

Article VI – Executive Committee

There shall be an Executive Committee which shall consist of the 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 a two-thirds vote of the members present at a regular Unit 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 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 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 she succeeds.

Section 3. One-third 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 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 II – Duties and Powers of the 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 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 she deems advisable; to perform other such duties as custom and parliamentary usage required and appoint all 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 her absence, perform her duties and shall succeed her in office in the 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 all 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. She is hereby vested with such authority as necessary to carry out her duties successfully 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. She shall pay the bonding fee as determined by the Department office. She shall maintain two separate funds, namely a General Fund, and a Poppy Fund. All Poppy donations shall be placed in the Poppy Fund and be used to assist the Veteran and his/her children. She shall keep an accounting of her receipts and expenditures, making an annual report thereon and such other reports as may be deemed necessary by the Unit Executive Committee. Her accounts shall be audited annually. She shall pay all current bills before transferring all funds, books, vouchers and papers belonging to the Unit to her 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 Historian to compile the historical records of the Unit and to make a report to Department.

Section 7. Duties of the Sergeant – at – Arms – It shall be the duty of the Sergeant – at – Arms to preserve order at the meeting of the Unit and to perform 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 dues of the Unit shall be as stated in the Standing Rules which shall include the Department and National per capita.

Section 2. Dues shall be paid annually or for life. See Standing Rules

Section 3. 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 31st of the year of delinquency shall automatically be dropped from the rolls and may be reinstated only by paying all back dues or by re-establishing eligibility and making an application as a new member.

Article IV – Unit Meetings

Section 1. The regular scheduled meeting of the American Legion Auxiliary, Pinellas Park 104, 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 stated in the Standing Rules.

Section 3. Special meetings of this Unit may be called by the President, by a majority of the Executive Committee, or upon written or electronic request of members of the Unit.

Article V- Elections

Section 1. Elections shall be held annually. In order to participate in the election of the Unit Officers, a member shall have paid for the current fiscal year within which the election is held.

Section 2. Elections shall be done 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 that ninety (90) days prior, nor less than fifteen (15) days prior to the 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 the 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 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 and Youth, Constitution and Bylaws, Membership, National Security, Audit, Veterans Affairs and Rehabilitation, and such other mission and member/organizational support committee 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 the 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 Constitutions, or for conduct Improper and prejudicial to the welfare of the American Legion Auxiliary or of the American Legion, any member may be expelled from membership or any officer may be removed from office by a two-thirds vote at a Unit meeting duly called for that purpose; said expulsion or removal to be binding only in the event that said member or officer shall have been at least a fifteen (15) day 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; their action thereon shall be final. The expenses of 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 VII – Parliamentary Authority

The Unit organization shall be governed by “Robert’s Rule of Order, Newly Revised” on all points not covered in National and or Department Constitution and Bylaws.

Article VIII – Amendments

Section 1. These Bylaws may be amended by a two thirds 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 read may be adopted by the unanimous vote of the members present.

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

THESE CONSTITUTION AND BYLAWS WERE VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON APRIL 6TH, 2019.

Carrie Pannetti

Unit President-Signature-Carrie Pannetti

Christine Massey

Unit Secretary-Christine Massey

Christine Massey

Unit Constitution and Bylaws Chairman
Christine Massey

APPROVED

Linda Knoblach-Harkness

Linda Knoblach-Harkness
Department Constitution & Bylaws Chairman

2/14/19

Date Approved

RECEIVED

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STANDING RULES

Section 1. The Executive Committee meeting of Unit 104 shall be held on the 1st Saturday of each month and shall be called to order at 10 am. The regular meeting of the American Legion Auxiliary Unit 104 will follow the Executive Committee meeting on the 1st Saturday of each month, unless otherwise specified, and shall be called to order at 11 am.

Section 2. Ten (10) members shall constitute a quorum at any General meeting of the Unit.

Section 3. The annual membership dues of this Unit shall be \$35.00 for Senior membership paid annually or for life, and shall include the Department and National per capita. The annual membership for Junior membership shall be \$5.00 paid annually until the age of 18 years.

Section 4. In addition to the Core Committees listed in the Bylaws, the Unit shall have the following Committees: Auxiliary Emergency Fund (AEF), Community Service, Education, Girls State, Cavalcade of Memories, Junior Activities, Leadership, Legislative, Past President's Parley, Poppy and Public Relations.

Section 5. Where deemed necessary, a Recording Secretary and a Corresponding Secretary may be elected to carry on the duties normally performed by the Secretary.

Section 6. The office of Secretary may be combined with that of Treasurer and called "Secretary-Treasurer".

Section 7. Unit Officers, consisting of the President, Secretary and Treasurer are authorized to sign checks for disbursement of funds from the Unit treasury. All checks MUST have two of the three above signatures.

Section 8. 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.

Section 9. A nominating committee composed of three members shall be appointed for the purpose of presenting a slate of Unit officers for the ensuing year.

Section 10. An auditing committee composed of three impartial members shall be appointed by the Unit President for the purpose of auditing the Treasurer's accounts at the close of each term, and making a report of the audit to the Unit, OR the Unit President may hire an outside entity for full impartiality to conduct the audit if she deems necessary.

Section 11. A Budget Committee composed of the executive committee and chairmanships, shall be appointed by the president, for the purpose of presenting a budget for the ensuing year. All chairmanships must have submitted their budget for individual considerations. Any Member wishing to submit additional suggestions for considerations should present in writing their recommendations two (2) weeks prior to the executive committee meeting for preparation in order to be presented to the Executive Committee to present at the Membership meeting for discussion and approval.

Section 12. Election may be by voice vote if there is only one candidate; but where there is more than one candidate for the same office, election shall be by ballot and the majority of votes cast shall be necessary to elect. (A judge and two tellers will be appointed to this committee to count ballots when elections are completed by ballot.)

Section 13. Delegates and alternates to a Department Convention shall be elected at a Unit meeting duly called for that purpose not less than two weeks prior to the convention. Alternates shall have priority in the order of their election.

****Section 14.** The Chaplain shall send cards to all ill members and be responsible for purchasing flowers or a plant not to exceed forty Dollars (\$40.00) plus delivery for any auxiliary member having major surgery or hospitalized more than three (3) days. Chaplain will also send flowers or plant for an auxiliary member with a long term condition or injury not to exceed twenty-five dollars (\$25) plus delivery.

Section 15. In case of the death of a Unit member, the Chaplain shall mail sympathy cards to the next of kin. Ten Dollars (\$10.00) will be remitted to the Department of Florida earmarked for the Department Memorial Scholarship fund.

Section 16. Should a situation occur between meetings, the President shall be authorized to disperse no more than One Hundred Dollars (\$100.00). Should a true Emergency occur between meetings, the President shall poll the Unit Executive Committee. With majority approval, the Committee shall have the authority to disburse an additional (not to exceed) One Hundred Dollars (\$100.00). The expenditure may not be reversed by the membership at large and must be reported at the next regular meeting to the General membership.

Section 17. All Poppy funds collected during Poppy Days shall be counted by no less than the Treasurer and the Poppy chairman and/or the Unit President. These two (2) must count all the funds together and report the final amount to the General membership.

Section 18. Should the Treasurer leave town, she must leave the Checkbook and Deposit Book with either the Unit President or the Secretary of the Unit.

Section 19. Should the Secretary leave town, she must leave the Unit records with either the Unit President or Treasurer.

Section 20. All officer and Executive Committee member badges must be returned to the President at the last meeting of the current year. Each of the aforementioned are responsible for their badges and, if lost, shall reimburse the Unit at the current price.

Section 21. The President and Secretary are automatic Delegates, by virtue of their office, to the Constitutional Conference. If either is unable to attend, the alternate delegate(s) will be asked to replace them in the following order: First Vice President, Second Vice President, Treasurer, Chaplain, Historian, Sargent-at-Arms, Assistant Sargent-at-Arms, and the Executive Committee members at large. Delegates and Alternates to Constitutional Conference other than the President and Secretary and/or their replacements shall be elected from the members at large at a General Unit meeting.

Section 22. Automatic Delegates to the Department Convention shall be the incoming and outgoing Unit President and the incoming Secretary. Any Unit member who is currently serving as District President, District Officer or Chairman shall be an automatic delegate. If any of the aforementioned is unable to go, the alternate delate(s) to replace them will be asked in the following order: First Vice President, Second Vice President, Treasurer, Chaplain, Historian, Sargent-at-Arms, Assistant Sargent-at-Arms and the Executive Committee members at large.

Section 23. Delegates and Alternates, other than the officers named in #13 shall be elected from the members at large at a General Unit meeting.

Section 24. The outgoing Unit President shall be the Chairman of the delegation. Should she be unable to attend, the incoming President shall be the Chairman.

Section 25. As a courtesy to a Past Department President from Unit 104, she shall be paid the budget's allotted amount for a Delegate if she attends the Department Convention, virtue of her past office allows her a vote.

Section 26. The Chairman of the delegation shall receive a check to cover the amount of registration fee and shall be responsible for the registration of Delegates at the Department Convention.

Section 27. Hotel room expenses will be paid for Delegates based on double occupancy given that the delegate attends all meetings and reports back to the Unit either in writing or verbal report at the next Unit meeting in addition to a \$35 per day allotment and room cost in full. The president will have her own room paid in full.

Section 28. All Delegates and Alternates to the Department Convention shall bring back reports on their assigned chairmanships and provide to the Chairman of the Delegation at the next regularly scheduled meeting. These reports shall be in writing or verbal. If meetings are not attended and reported on by the Delegate or Alternate she will have to reimburse the room cost and daily allotment. The convention agenda will be discussed at the meeting prior to convention so all delegates and alternates can identify sessions that they plan to attend each day.

Section 29. For any Unit member that holds an office that is signing up to attend Workshop(if opened up to membership), hotel room expenses and a \$35 per day allotment will be paid for based on double occupancy given that the member attends all meetings and reports back to the Unit either in writing or verbally at the next unit meeting. If meetings are not attended and reported on by the member she will forfeit having the room paid for and must reimburse the room cost and daily allotment in full.

Section 30. The officers of the Unit shall be responsible for the purchasing of a gift for the outgoing Unit President using the money allotted in the budget.

Section 31. All Unit members present on the premises at the time of the Unit meeting will either attend the meeting or leave the premises.

Section 32. To ensure 100% reporting, in the event that Volunteers do not come forward to fill the Chairmanships, or the President chooses not to appoint them to individuals, the Chairmanships will become the responsibility of the following officers:

- a). President-National Security-Education-Girls State
- b). First Vice President-VA & R
- c). Second Vice President-Community Service
- d). Secretary-Membership -Constitution & Bylaws
- e). Treasurer-Auxiliary Emergency Fund-Public Relations
- f). Chaplain-Girls State
- g). Historian-Cavalcade of Memories
- h). Sergeant-at-Arms-Americanism
- i). Executive Committee Officer #1-Children & Youth (Includes Juniors)
- j). Executive Committee Officer #2-Poppies
- k). Executive Committee Officer #3-Co-Chairmanship with VA & R

The remaining chairmanships-Leadership and Past President's Parley, will be held by Past presidents/and or the outgoing President of the Unit unless otherwise specified.

Section 33. A \$20 fee will be charged to a member whose check is returned in addition to the amount of the check that was written to make good on the debt payable to the American Legion Auxiliary Unit 104.

Section 34. These Standing Rules may be amended by a two-thirds vote of the members present at a regular Unit meeting, or if notice has been given by a majority vote.

Section 35. The President, Membership Chairman and Treasurer shall each have a key to the Auxiliary closet. The purpose of the closet is to store Auxiliary records and supplies securely. Upon termination of term, all keys are to be given to the new incoming President for disbursement.

These Constitution, Bylaws and Standing Rules were read and approved at a regularly scheduled meeting held on April 6th, 2019.

Carrie Pannitti
Unit President-Carrie Pannitti

Christine Massey
Unit Secretary-Christine Massey

Christine Massey
Unit Constitution and Bylaws Chairman
Christine Massey

APPROVED

Stephen Hagan
Department Constitution and Bylaws Chairman

4/16/19
Date approved

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