

CONSTITUTION AND BYLAWS
OF
AMERICAN LEGION AUXILIARY
PINELLAS PARK, UNIT 104 INC.
7550 60TH STREET N, PINELLAS PARK, FL 33781

(02/11/2023)

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, Pinellas Park Unit No. 104 Inc, Department of Florida.

ARTICLE II - NATURE

Section 1. American Legion Auxiliary, Pinellas Park Unit No. 104, Inc. is a civilian patriotic service organization that supports the mission of The American Legion.

Section 2. American Legion Auxiliary, Pinellas Park Unit No. 104, 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

Section 1. The object of the American Legion Auxiliary, Pinellas Park Unit No. 104, 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 provided as follows and shall be updated as appropriate.

- (1) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion; and
- (2) 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;
- (3) 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 or after honorable discharge; and
 - (4) 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 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, Treasurer, Chaplain, Historian, Sergeant-at-Arms who shall service until their successors are duly installed or otherwise provided. A JUNIOR MEMBER CAN HOLD THE POSITION OF HISTORIAN OR SERGEANT-AT-ARMS ONLY UNDER SUPERVISION. ALL OTHER POSITIONS WILL BE HELD BY A SENIOR MEMBER.

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 (3) 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 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. 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 on 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 succeeded.

Section 3. 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 meeting shall be given to all members of the Executive Committee; and, except in extreme emergency, shall be given at least forth-eight (48) 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 Unit Executive Committee 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 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 if absent, perform the duties of the office of President and shall succeed to the 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 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. The Secretary is hereby vested with such authority as is necessary to carry out the duties of the 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. The Treasurer shall pay the bonding fee as determined by the Department Office. The Treasurer shall maintain two (2) 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. The Treasurer shall keep an accounting of the receipt and expenditures, making an annual report thereon and such other reports as may be deemed necessary by the Unit Executive Committee. The accounts shall be audited annually. All current bills shall be paid before transferring all funds, books, vouchers and papers belonging to the Unit to the 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 meetings of the Unit and to perform such duties as may be requested by the President.

Section 8. Where considered necessary, a recording secretary and a corresponding secretary may be elected to carry out the duties normally performed by the secretary.

Section 9. The office of secretary may be combined with that of treasurer and called “secretary-treasurer.”

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 which shall 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 31st, 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 by only paying all back dues or by re-establishing and making an application as a new member.

ARTICLE IV – UNIT MEETINGS

Section 1. The regular scheduled meeting of American Legion Auxiliary, Pinellas Park Unit No. 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 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, with the President notified, or upon written or electronic 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 – 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 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 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 & 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 the acceptance by, the other Unit, inconformity 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 said appeal shall be borne by the appellant.

Section 2. Any member may report a violation of bullying in writing without fear of retaliation to the Department Office. The organization considers all inquiries and complaints about actions of members to be strictly confidential. The complaint will provide a process for the Department Executive Committee to investigate and act on the violation.

Such process shall be a committee of three (3) members consisting of the National Executive Committee Person, the Department First Vice President and one Past Department President (from a different District than the complaint) who shall be appointed by the Department president with the National Committeeperson serving as the Chairman. This committee will investigate and recommend disciplinary action the full Executive Committee for a vote.

Section 3. No member, or group of members, shall subject this Unit to liability without 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 a 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 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 AND BYLAWS WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON
February 11, 2023

Kim McCown
Unit President – Kim McCown

Patricia Cannon
Unit Secretary – Patricia Cannon

Patricia Cannon
Unit Constitution and Bylaws Chairman
Patricia Cannon

Lisa Hoyland
Department Constitution & Bylaws Chairman

Date Approved

STANDING RULES

Section 1. The regular scheduled meeting of The American Legion Auxiliary, Pinellas Park Unit No. 104, Inc. shall be held on 2nd Saturday of each month, unless otherwise specified and shall be called to order at 11:00 am. An Executive Committee meeting shall be held on the 2nd Saturday of the month unless otherwise specified and shall be called to order at 10:00 am. Five (5) members shall constitute a quorum at any regular meeting of the Unit.

Section 2. 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 \$8.00 paid annually until the age of eighteen (18) years.

Section 3. 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 4. Unit Officers, consisting of the President, Secretary and Treasurer are authorized to sign checks for the Unit. All checks MUST have two of the authorized signers listed in this section.

Section 5. A nominating committee composed of three (3) members shall be appointed by the President for the purpose of presenting a slate of Unit officers for the ensuing year.

Section 6. An auditor shall be appointed by the incoming Unit President for the purpose of auditing the Treasurer's accounts at the close of the year before books are turned over to the incoming Treasurer.

Section 7. A Budget Committee composed of three (3) members, including the Unit Treasurer, shall be appointed by the President, for the purpose of presenting a budget for the ensuing year.

Section 8. The Chaplain shall send cards to all ill members and be responsible for purchasing flowers or a plant not to exceed fifty dollars (\$50) plus delivery for any Auxiliary member having major surgery, hospitalized more than three (3) days. A Memorial Tree will be purchased for the loss of spouse or loss of a child. It is the members (or their families) responsibility to notify a Unit officer. Any exception to this section must be voted on in a regular meeting.

Section 9. In the case of a death of a Unit member, the Chaplain shall mail sympathy cards to the next of kin. Ten dollars (\$10) will be remitted to the Department of Florida earmarked for the Department Memorial Scholarship Fund.

Section 10. Should a situation occur between meetings, the President shall be authorized to disperse no more than one hundred dollars (\$100). 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). The expenditure may not be reversed by the membership at large and must be reported at the next regular meeting to the membership.

Section 11. Funds collected on behalf of the Auxiliary must be counted by two Auxiliary members, funds placed in an envelope to the attention of the Treasurer and left at the Post. The two Auxiliary members will initial, list the amount collected and the event on the outside of the envelope.

Section 12. No member or officer is authorized to sell any items on behalf of the Auxiliary without membership approval at a regular meeting. Items to be sold will be purchased by the Unit.

Section 13. Should the Treasurer or Secretary leave town, the checkbook and deposit book must be left with either the Unit President or Secretary/Treasurer.

Section 14. All officer and Executive Committee 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 replacement price.

Section 15. Delegates to the Constitutional Conference shall be the President, First Vice President, Second Vice President, Secretary, Treasurer, Chaplain, Historian, Sergeant-at-Arms and Executive Committee members. The number of delegates will be determined by the Department based on membership. If there are not enough officers to fill the delegate positions delegates will be elected from the members at large at a regular Unit meeting.

Section 16. Delegates to the Department Convention shall be the past President and the incoming President. If either are unable to attend, the alternate delegate(s) to replace them will be asked in the following order: First Vice President, Second Vice President, Secretary, Treasurer, Chaplain, Historian, Sergeant-at-Arms and Executive Committee members. The number of delegates will be determined by the Department based on membership. If there are not enough officers to fill the delegate positions delegates will be elected from the members at large at a regular Unit meeting. The outgoing Unit President shall be the Chairman of the delegation. Should the past President be unable to attend, the incoming President shall be the Chairman. Any Past Department President who is a member of Unit 104 will automatically be a delegate and be reimbursed as any other delegate is.

Section 17. For delegates attending Department Convention and Fall Conference (as approved) shall have hotel (based on double occupancy) paid for 3 nights maximum, \$50 (fifty dollars) per day allotment, 3 days maximum, paid provided they attend at least 3 sessions and report back in writing or verbally at the next regular meeting. If meetings are not attended and reported on by the member, they must reimburse the Auxiliary for the hotel and the daily allotment in full. In order to have hotel and per diem paid a member must have attended 3 meetings and put in 25 volunteer hours (at Auxiliary events only) during the current year.

Section 20. All Unit members present on the premises at the time of, or arrival during the Unit meeting, will either attend the meeting or leave the premises.

Section 21. A \$35 fee will be charged to an Auxiliary member whose check is returned, for any reason, in addition to the amount of the check that was written to make good on the debt payable to the American Legion Auxiliary.

Section 22. The President, Membership Chairman, Secretary and Treasurer shall each have a key to the Auxiliary office and mailbox. Upon termination of term, all keys are to be given to the incoming Unit President.

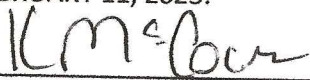
Section 23. All members responsible for Unit funds shall be bonded through the blanket Fidelity bond and the Unit will pay the annual premium to Department Headquarters.

Section 24. The Unit shall be guided by the Code of Ethics as published in the National Auxiliary Standing Rules on pages 22-28.

Section 25. To be eligible to run for an office or an appointed position you must have attended four (4) meetings during the current year.

Standing Rules are adopted by a majority vote and may be amended by two thirds (2/3) vote at any meeting, or if notice has been given, by a majority vote.

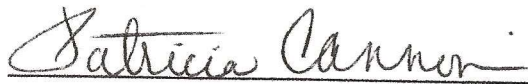
THESE STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON FEBRUARY 11, 2023.



Unit President – Kim McCown



Unit Secretary – Patricia Cannon



Unit Constitution and Bylaws Chairman
Patricia Cannon

Lisa Hoyland
Department Constitution and Bylaws Chairman

Date Approved