

CONSTITUTION AND BYLAWS OF
AMERICAN LEGION LUTZ- LAND O LAKES AUXILIARY POST 108
DEPARTMENT OF FLORIDA
DECEMBER 30, 2022

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 Lutz- Land O Lake Auxiliary Post 108, Department of Florida. Heretofore will be referred to as American Legion Auxiliary Unit 108.

ARTICLE II - NATURE

Section 1. American Legion Auxiliary Unit 108. is a civilian patriotic service organization that supports the mission of The American Legion.

Section 2. American Legion Auxiliary Unit 108, 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 - OBJECTIVE

Section 1. The objective of the American Legion Auxiliary, Unit 108, 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.~~

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 eighteen years (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 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, Secretary*, Treasurer, Chaplain, Historian and Sergeant-At-Arms or a combination of some of these officers, as available membership allows. They shall serve until their successors are duly elected or as otherwise provided.

*Secretary will be an elected, or appointed position.

ARTICLE VI - EXECUTIVE COMMITTEE

Section 1. There shall be an Executive Committee, which shall consist of the unit officers and Two (2) additional members-at-large, also including immediate Past President elected by the Unit. The number of additional members is subject to increase with Auxiliary membership growth.

ARTICLE VII - FISCAL YEAR

Section 1. The fiscal year shall be the same as 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 amendments shall have been read at the previous meeting.

Section 2. Amendments not having been read may be adopted by the unanimous vote of members present.

Section 3. This Constitution shall automatically be 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 for any cause other than expiration of 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. 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 request of at least three members of the Executive Committee. Notice of any 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 OF OFFICERS

Section 1. Duties of 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 By-Laws; 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 Vice President - The First and Second Vice Presidents, in the order named, shall, when called upon, assist the President and if absent, perform duties of the office 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 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. The Secretary is hereby vested with such authority as it is

necessary to carry out the 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. 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 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 receipts 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 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 the 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 the Department.

Section 7. Duties of the Sergeant-At-Arms - It shall be the duty of the Sergeant-at-Arms to preserve order at the Unit meeting 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 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 classed as delinquent and shall be suspended from all membership privileges. Payment of back dues, after suspension, shall reinstate such members 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 only by paying all 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 Unit 108 shall~~
be held as stated in the Standing Rules. Executive Committee meetings 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, a majority of the
Executive Committee, with the President notified, or upon written request of three (4)
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 the
election 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 such newly elected Officers, not less than ten (10) days prior to 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 the 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, Risk & Compliance, Veterans Affairs and Rehabilitation, and such other mission and member/organizational support committees as provided in the Standing Rules.

ARTICLE VII - TRANSFERS

Section I. Transfers 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 I. 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 removed from office by two-thirds of the vote cast 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 of appeal to the Department Executive Committee and their action thereon shall be final. The expense 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 IX - PARLIAMENTARY AUTHORITY

Section 1. 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.

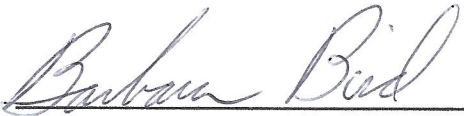
ARTICLE X- AMENDMENTS

Section 1. These Bylaws may be amended by a two-thirds vote of the members present at a regular Unit meeting, provided the proposed amendments shall have been read at the previous 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 AND BYLAWS WERE READ, VOTED ON, AND APPROVED AT
A REGULAR MEETING ON .1-30-23



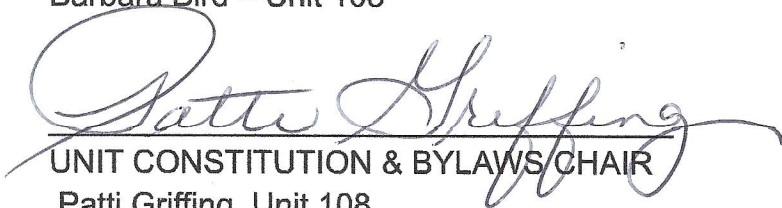
UNIT PRESIDENT

Barbara Bird – Unit 108



UNIT SECRETARY

Sandy Uhl – Unit 108



UNIT CONSTITUTION & BYLAWS CHAIR

Patti Griffing Unit 108

STANDING RULES

1. The regular scheduled meeting of American Legion Auxiliary Unit 108, shall be held on the fourth Monday of each month, unless otherwise specified and shall be called to order at 5:15 p.m. An Executive Committee meeting shall be held monthly with time/date designated by committee.
2. Five members of this Unit shall constitute a quorum at any regular scheduled meeting, or emergency meeting of the Unit.
3. The annual membership dues of this Unit shall be \$45.00 for Seniors paid annually or for life, which includes the Department and National per capita. The annual membership for Juniors shall be \$12.00, paid annually until the age of 18 years.
4. In addition to the Core Committees listed in the Bylaws, the Unit shall have the following Committees: Aux. Emergency Fund, Community Service, Education, Girls State, Calvacade of Memories, Junior Activities, Leadership, Past President Parley, Poppy and Public Relations. These will be added or voted on as membership dictates.
5. Unit elected Officers, Unit President, Treasurer and Secretary are authorized to sign checks for disbursement of funds from the Unit Treasury. All checks **MUST** have **TWO** of the three above signatures.
6. All members responsible for Unit funds shall be bonded through the blanket Fidelity Bond . The annual premium to Department Headquarters will be covered by Unit 108.
7. Where deemed necessary, a Recording and a Corresponding Secretary may be elected/appointed to carry on the duties normally performed by the Secretary.
8. A Nominating committee composed of three (3) members shall be elected for the purpose of presenting a slate of Unit officers for the ensuing year. This committee is to form no later than two (3) months prior to election.
9. A Budget Committee composed of three (3) members, including Unit Treasurer, shall be appointed by President or elected by the members for the purpose of presenting a budget for the ensuing year.
10. A Risk & Compliance committee composed of three members shall be appointed

by the Unit President for the purpose of auditing the Treasurers accounts at the close of each term, and making a report of the audit to the Unit.

11. A Past President shall be presented a Past President's pin and a token gift from the unit.
12. All Officers shall be presented with a token gift upon completion of their term, presented by the Past President. **(as funding is available max \$25.00)**
13. All Officer and Committee Chairmen previous year end reports must be completed based upon the Plan of Action.
14. Convention: The Unit shall purchase rooms for two (2) nights for newly elected and Past Presidents, and newly elected Officers attending Department Convention, **as funding is available.**
15. Fall Conference: The Unit shall purchase rooms for one (1) nights lodging for Officers and Committee Chairmen. The Unit shall pay for up to 4 rooms, except the rooms that are occupied by a member and non-member, Unit will only pay ½ of room price, **as funding is available.**
16. There will be no smoking during regular membership meetings.
17. Motions: You may only speak twice during motion discussion for two (2) minutes, each time.
18. Officers and Chairmen shall be reimbursed for expenses incurred by their committee/office, not to exceed twenty-five dollars (\$25.00). All expenses must be submitted with a receipt. Also agreement of two officers is required before expenses are incurred.
19. The President, Secretary and/or an Executive Committee Member shall be reimbursed for expenses incurred for Convention and Fall Conference not to exceed \$75.00 each person per event. All expenses must be submitted by receipt. Financial status will be reviewed and discussed with members prior to event with adjustments as financially indicated.
20. Dual Members: Shall pay only Dept/National fees for membership fees.

21. Unit 108 Emergency Fund: Special committee appointed by Unit President to investigate the needs of the member in good standing who needs monetary or other help. When emergency funds are asked for a Veteran in need in between General Meetings, the President will notify all Officers and Executive members for a vote on the funds, not to exceed \$100.00 from the unit treasury, although additional fund raisers as substitution are encouraged. (suggestion 50/50 at Legion/AUX meeting)
22. The Executive Committee shall be empowered to spend fifty dollars (\$50.00) by a two-third (2/3rd) vote. (Tabled till financial status allows)
23. Initiation of new members will be held at a Unit meeting in November and March each year.
24. All equipment owned by the Unit shall remain at the Post. It must be used at Post and returned to the Unit file cabinet or Unit locker. Provided space available.
25. New Unit officers shall be installed after elections every year. While Installation of Officers is desirable, they are not mandatory. A newly elected Officer takes possession of office immediately, unless the bylaws or other rules specify a later time.
26. Unit will pay for one (1) night lodging for Department Workshop (to be tabled until reviewed financial status of Unit is determined at that time.)
27. In an emergency situation, Unit 108 meetings may be held in person and/ or via electronic means, as recommended by the Executive Committee. Also, electronic means may be used for Auxiliary Programs (i.e. Girl State, Education, etc.) for selecting candidates for the program.

THESE STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR
REGULAR UNIT MEETING ON 1-30-23



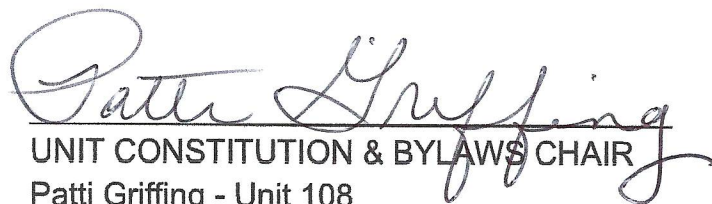
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