CONSTITUTION AND BYLAWS

OF

TOMMIE C. SAUNDERS MEMORIAL UNIT 109

AMERICAN LEGION AUXILIARY DEPARTMENT OF FLORIDA

UNIT ADDRESS: 1914 Hideaway Court, Tallahassee, FL 32303

DATE: July 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, Tommie C. Saunders Memorial Unit No. 109, Department of Florida.

**Article II** ‐ **Nature**

Section 1. The American Legion Auxiliary, Tommie C. Saunders Memorial Unit No. 109 is a civilian patriotic service organization of women who support the mission of the American Legion.

Section 2: The American Legion Auxiliary, Tommie C. Saunders Memorial Unit 109, shall be absolutely non-political and shall not be used for dissemination of partisan principles or for promotion of the candidacy of any person seeking public office or preferment.

**Article III** ­‐ **Objective**

The objective of the American Legion Auxiliary, Tommie C. Saunders Memorial Unit 109, Inc. 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 direct and adopted female descendants of members of The American Legion, and to the grandmothers, mothers, sisters, wives, 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 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 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 age of eighteen and older; provided, however, that a member eligible under section 1 of this article, and who is under the age of eighteen 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**

The Unit shall elect annually a President, First Vice President, Second Vice President, Secretary\*, Treasurer, Chaplain, Historian and Sergeant­‐at-­Arms who shall serve until their successors are duly installed or as otherwise provided. (or a combination of some of these officers.) \*Secretary may be elected or appointed.

**Article VI ­‐ Executive Committee**

There shall be an Executive Committee, which shall consist of the elected officers and One (1) 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 meeting, provided the proposed amendments 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**. 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 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 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; to enforce strict observance of the Constitution and Bylaws; to appoint members of the standing committees; to create such other committees and appoint members thereof as she deems advisable; to perform such other duties as custom and parliamentary usage require; and to appoint all officers not otherwise provided for.

**Section 2**. Duties of the Vice President: The First and Second Vice President 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 case of death, resignation or removal.

**Section 3**. Duties of the Secretary: It shall be the duty of the Secretary to record the proceedings and transactions of all the meetings of the Unit; to act as custodian of all books, papers, and records; to keep a record of names and addresses of the members, showing the

source of their eligibility; to send out such notices as are directed by the President; to process the correspondence of the Unit; to keep on file in a comprehensive manner copies of all the correspondence sent and received; and perform such other duties as shall be required of her by the President.

**Section 4**. Duties of the Treasurer: It shall be the duty of the Unit Treasurer to receive all money belonging to the Unit and to account for them. She shall maintain two separate funds, namely a general 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 a monthly 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, 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 to perform such other duties as the President may direct.

**Section 6**. Duties of the Historian: It shall be the duty of the Unit Historian to compile 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 meetings of the Unit and to perform such other duties as may be requested by the President.

**Section 8**. Where deemed necessary, a Recording Secretary and a Corresponding Secretary may be elected to carry on 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**. Dues shall be paid annually or for life. See Standing Rules.

**Section 2**. 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 31 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 application as a new member.

**ARTICLE IV - Unit Meetings**

**Section 1.** The regular scheduled meeting of American Legion Auxiliary, Tommie Sanders Memorial Unit 109, 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 of the Unit may be called by the President, by a majority of the Executive Committee, with the President notified, or upon written request of three (3) members of the Unit.

**ARTICLE V - Elections**

**Section 1**. 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. Elections shall be held no more than 90 days nor less than 15 days prior to Department Convention.

**Section 2**. Delegates and alternates to a District Constitutional Conference, or 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 3**. All officers and executive committee members shall be elected annually at a meeting duly called for that purpose. The Secretary may be either, elected or appointed according to the Unit Bylaws.

**Section 4**. Elections shall be held annually. In order to participate in the election of the Unit Officers, a member shall have paid her dues for the current fiscal year within which the election is held.

**Section 5**. The Unit shall notify the Department Secretary of the names and addresses of such newly elected officers, not less than ten days prior to Convention certification to be made on forms furnished by Department.

**Section 6**. Vacancies in office between annual elections shall be filled by the Executive Committee.

**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**

**Section 1.** 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 Constitutions 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, and 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 IX – 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 X – 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 read and approved at a regularly scheduled meeting held on

 December 27, 2022.

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Unit President Unit Secretary

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Unit Constitution and Bylaws Chairman Date

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**STANDING RULES**

1. The regular meetings of the Tommie C. Saunders Memorial Auxiliary Unit 109 shall be held Quarterly on the Second Thursday of January, April, July, and October, unless otherwise specified, and shall be called to order at 7:00 p.m. Meeting will be held via electronic meeting devices and members shall be notified via email of any changes in meeting terms at least three days prior to the date of the meeting. An Executive Committee meeting shall be held at 6:00pm on the Second Thursday of January, April, July, and October unless otherwise specified.

2. Three members of this Unit shall constitute a quorum at any regular scheduled meeting of the Unit.

3. The annual membership dues of this Unit shall be $40.50 for Seniors paid annually or for life, and shall include the Department and National per capita. The annual membership for Juniors shall be $5.00 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: Auxiliary Emergency Fund (SEF), Community Service, Education, Girls State, Cavalcade of Memories, Junior Activities, Leadership, Legislative, Past Presidents Parley Poppy and Public Relations.

5. Unit elected Officers, consisting of President or Treasurer are authorized to sign checks for disbursement of funds from the Unit treasury. All checks must have one of the above signatures.

6. A Budget Committee composed of three members, including the Unit Treasurer, shall be elected by the members, or appointed by the President, for the purpose of presenting a budget for the ensuing year.

7. A Nominating Committee, composed of 2 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 in order to be presented by this committee. This committee is to form no later than two months prior to election.

These Standing Rules were read and voted upon at a regularly scheduled meeting held on

 December 27, 2022.

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Unit President Unit Secretary

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Unit Constitution and Bylaws Chairman             Date