

CONSTITUTION AND BYLAWS
OF
AMERICAN LEGION AUXILIARY
DANA – HOWARD – WEEKLEY UNIT 130, INC.
DEPARTMENT OF FLORIDA

699 WEST HICKPOCHEE AVENUE, LABELLE, FLORIDA, 33935

JANUARY 19, 2020

PREAMBLE

For God and Country, we associate ourselves 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 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, Dana-Howard-Weekley Unit 130, Inc., Department of Florida.

ARTICLE II - NATURE

Section 1: The American Legion Auxiliary Dana-Howard-Weekley Unit 130 Inc. is a civilian patriotic service organization that supports the mission of the American Legion.

Section 2: American Legion Auxiliary, Dana-Howard-Weekley, Unit 130, Inc., shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment.

ARTICLE III - OBJECT

The object of the American Legion Auxiliary, Dana-Howard-Weekley Unit 130, Inc. Department of Florida, shall be stated in the Preamble of the Constitution.

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ARTICLE IV – ELIGIBILITY

Section 1: Membership in the American Legion Auxiliary shall be limited to the grandmothers, mothers, sisters, spouses and direct and adopted female descendants of members of The American Legion, and to the 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 any of the following periods: April 6, 1917 to November 11, 1918; and any time after December 7, 1941 to the date of cessation of hostilities as determined by the government of the United States, all date 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 age of 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 consist of that group under the age of eighteen (18) years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen (18) 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, Treasurer, Chaplain, Historian, Sergeant -at-Arms, and three (3) Executive Committee members who shall serve until their successors are duly installed or as otherwise provided. The Secretary, Assistant Sergeant-at-Arms and Parliamentarian are appointment by the President.

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 present at a regular meeting, provided the proposed amendments have been read at the previous meeting.

Section 2: Amendments not having been read at the previous meeting may be adopted by a 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 the 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 who she succeeds.

Section 3: 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.

Section 4: All Unit members may attend Executive Committee meetings; however, only officers and duly elected Executive Committee members may vote on motions brought before the executive committee meetings.

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 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 they deem 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 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 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 is necessary to carry their 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. They shall pay the bonding fee as determined by the Department Office. They 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 Veterans and his/her children. They shall keep an accounting of their receipts and expenditures,

making an annual report thereon and such other reports as they deemed necessary by the Unit Executive Committee. Their account shall be audited annually or at the request of five (5) members of the Unit. They shall pay all current bills before transferring all funds, books, vouchers and papers belonging to their 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, to conduct memorial services as need by the Unit; to send cards or small gifts to members sick or in need of a kind word; to participate in funeral services at the Post home or Unit when needed; and perform such other duties as directed by the President and to notify Department and District 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 for the advancement and retirement of the colors and for their proper care, and to perform 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 classified a 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 the American Legion Auxiliary, Dana-Howard-Weekley Unit 130, 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 the 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.

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 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 with the nominee declared. If there is only one person nominated for the office the ballot may be dispensed with 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, not 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 order of their election.

ARTICLE VI - COMMITTEES

The Unit shall have the following Core Committees: Americanism, Children & Youth, Constitution and Bylaws, Membership, National Security, 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 any Unit meeting duly called for the 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 authorization of the Unit.

ARTICLE IX - PARLIAMENTARY AUTHORITY

The Unit organization shall be governed by "Roberts 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 present at a regular meeting, provided the proposed amendments shall have been read at a previous Unit 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 OUR REGULAR UNIT MEETING ON February 20, 2020

Linda Teasley
Unit President

Mikki Yeager
Unit Secretary

Janice Robbins
Unit Constitution and Bylaws Chairman

APPROVED

Cathy McNeill
Department Constitution and Bylaws Chairman

3/3/2020
Date Approved