CONSTITUTION AND BYLAWS
OF
AMERICAN LEGION AUXILIARY
MARLIN MOORE UNIT 133, INC.
DEPARTMENT OF FLORIDA

SEPTEMBER 10, 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 Marlin Moore Unit 133, Inc., Department of Florida.*

ARTICLE II – NATURE

Section 1: American Legion Auxiliary Marlin Moore Unit 133 Inc. is a civilian patriotic service organization of women that supports the mission of The American Legion.

Section 2: American Legion Auxiliary Marlin Moore Unit 133 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

The object of the American Legion Auxiliary Marlin Moore Unit 133, Inc., Department of Florida, shall be as stated in the Preamble to the Constitution.

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–November

11, 1918; and any time after December 7, 1941; 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 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), 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, Assistant Sergeant-at-Arms who shall serve until their successors are duly installed or as otherwise provided. (or a combination of some of these officers).

Section 2: The President elect shall appoint a Secretary before the date of installation.

Section 3: The office of Secretary may be combined with that of Treasurer and be called Secretary-Treasurer.

ARTICLE VI – EXECUTIVE COMMITTEE

Section 1: There shall be an Executive Committee, which shall consist of all 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.

Section 2: Members of the Unit who are Past Presidents shall be automatic members of the Executive Committee.

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 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: Five 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 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.

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 she deems 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 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 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. She is hereby vested with such authority as it is 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 (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. 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 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 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 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 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 the delinquency shall automatically be dropped from the rolls and may be reinstated by only paying back dues or by reestablishing eligibility and making application as a new member.

ARTICLE IV – UNIT MEETINGS

Section 1: The regular scheduled meeting of American Legion Auxiliary, Marlin Moore Unit #133, 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 – ELECTION

Section 1: 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 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, 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 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 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 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 "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 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 9 Sept. 2019.

X _____ _____
Unit President Unit Secretary

X _____
Unit Constitution and Bylaws Chairman

☑ APPROVED

X _____ 9/16/2019
Department Constitution & Bylaws Chairman Date Approved

RECEIVED
SEP 20 2019

A Dish Garden not to exceed $40 shall be sent on the death of a spouse, child or parent of a member to the home if her dues are current and the Unit has sufficient funds.

Any officer not returning her Officer's Pin 30 days prior to installation of new officers, shall be obligated to reimburse the Unit the purchase price of a new pin. Pins shall be returned to the Unit Secretary. All officers' pins will be signed for when given and when received.

All Officers will receive a Past Officers' Guard when they go out of office.

Only active members will receive a year pun.

Each Officer and Chairman will be given a Unit Guide, paid for by the Unit, at the beginning of each ensuing administrative year.

The Unit President and the Recording Secretary by virtue of their office shall atomically be first and second delegates to all conferences and conventions requiring delegates.

The Poppy Chairman shall present the Poppy letters to the stores requesting permission to stand in front of their stores with our Poppies.

All receipts shall be turned in no later than two weeks after a function to the Treasurer so that the check will be paid at the next meeting so that the Chairman can give her report on the function.

A donation to the Department Memorial Scholarship Fund or Department Scholarship Fund shall be sent for all deceased members and deceased family members of a Unit Member, not to exceed $10.

All Senior members shall be notified of the date and time of election of officers two weeks prior to the election.

APPROVED AT A REGULAR MEETING: 9 Sept 2019

UNIT PRESIDENT

UNIT SECRETARY

UNIT CONSTITUTION & BYLAWS CHAIRMAN

☑ APPROVED

APPROVED BY:

DEPARTMENT CONSTITUTION & BYLAWS CHAIRMAN

RECEIVED
SEP 20 2019

9/16/19
DATE

AMERICAN LEGION AUXILIARY MARLIN MOORE UNIT 133
STANDING RULES

The regular scheduled meeting of American Legion Auxiliary Marlin Moore Unit #133, Inc. shall be held on Second Monday of each month, unless otherwise specified and shall be called to order at 7:30 PM. An Executive Committee meeting shall be held the Second Monday of the month unless otherwise specified and shall be called to order at 7:00 PM.

Five (5) members of this Unit shall constitute a quorum at any regular scheduled meeting of the Unit. Four (4) members of the Executive Committee shall constitute a quorum for Executive Committee meetings.

The annual Senior membership dues of the Unit shall be $25 to include Department and National per capita. The annual dues of the Junior membership shall be $5 to include the Department and National per capita.

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 Presidents Parley, Poppy, and Public Relations.

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.

A Budget Committee composed of three (3) 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.

A Nominating Committee, composed of three (3) 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 (2) months prior to election. The report of the nominating committee shall be made at the regular meeting prior to the meeting designated for election of officers. Nominations from the floor may be held at this time and at the meeting designated for the election of officers.

The registration fees for the delegates and alternates shall be paid for by the Unit.

A donation in the amount of $10.00 each be sent to the Department Memorial Fund Scholarship in memory of Gold Star Mother, Mrs. Remmie Moore and Chartered President, Margaret Haizlip, each year.

All monies in the Auxiliary Savings Account are not to be used unless voted upon by the Executive Committee and ratified by the Unit.

The unit shall present the outgoing Unit President with a Past President's Pin for the first year and then a gift not to exceed $30 for each ensuing year, to be purchased by the Unit Secretary.

Each new member shall be presented with an American Legion Auxiliary membership pin when initiated.

A Dish Garden not to exceed $40 shall be sent or taken to the home of hospitalized member if her dues are current and the Unit has sufficient funds.