

AMERICAN LEGION AUXILIARY
DALE MABRY UNIT 139 INC
DEPARTMENT OF FLORIDA
3818 W. BAY VISTA AVE. TAMPA, FL 33611-1226
BY LAWS AND CONSTITUTION

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 association 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 masses: to make right the master of might: to promote peace and good will on earth: to safeguard and transmit to posterity the principals of justice, freedom and democracy: to participate in and contribute to the accomplishments of the aims and purpose of the American Legion to consecrate and sanctify our association by devotion to mutual helpfulness.

CONSTITUTION:

ARTICLE I - NAME:

The name of this Organization shall be the American Legion Auxiliary, Dale Mabry Unit 139, Inc. Department of Florida

ARTICLE II - NATURE:

SECTION 1: The American Legion Auxiliary Dale Mabry Unit 139, Inc. is a civilian patriotic service organization. That supports the mission of the American Legion.

SECTION 2: The American Legion Auxiliary Dale Mabry Unit 139 shall be absolutely, non-political and shall not be used for dissemination of partisan-principles not for the promotion of the candidacy of any person seeking public office for preferment.

ARTICLE III – OBJECT:

SECTION 1: The object of the American Legion Auxiliary Dale Mabry Unit 139, Inc, shall be as stated in the Preamble of the Constitution.

ARTICLE IV- ELIGIBILITY:

- (1) SECTION 1: Membership in the American Legion Auxiliary shall be limited to 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 of 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 members shall be composed of members of the age of (18) eighteen years old:
- (B) Junior members shall consist of the group under the age of eighteen years, whose activities shall be supervised by the

Senior membership with full privileges upon turn eighteen years of age.

(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, Treasurer, Chaplain, Historian, and Sergeant-At-Arms, who shall serve until their successors are duly installed or as otherwise provided.

SECTION 2: The President shall appoint the Unit Secretary and Parliamentarian. With the approval of the Executive Committee.

ARTICLE VI- EXECUTIVE COMMITTEE:

SECTION 1: There shall be an Executive Committee, which shall consist of the elected and appointed officers and three or more additional members at large elected by the Unit and the immediate Past President of Unit 139.

ARTICLE VII- FISCAL YEAR:

SECTION 1: The fiscal year shall be the same as Department of Florida.

ARTICLE VIII- AMENDMENTS – CONSTITUTION:

SECTION 1: The Constitution maybe amended by a two-thirds vote of the members present at the regular Unit Meeting providing that the proposed amendments have been read at the previous meeting.

SECTION 2: Amendments not having been read at a prior Unit meeting maybe adopted by a unanimous vote of the members present at the current meeting.

SECTION 3: The Constitution shall be automatically amended to conform to the National and Department of Constitution and Bylaws.

BYLAWS:

ARTICLES 1- 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 regular meeting.

SECTION 2: A vacancy existing in the Executive Committee from any cause other than the expiration of a term, shall be filled by majority vote of the entire Committee. A person so elected shall hold office for the unexpired term of the member who he/she succeeds.

SECTION 3: Majority of the members of the Executive Committee shall constitute a quorum as set forth in the standing rules.

SECTION 4: Special meetings maybe called by order of the President, or in writing or electronic request of at least (3) members of the Executive Committee. Uninform notice of such special meetings shall be given to all members of the Executive Committee; Shall be given at least forty-eight (48) hours in advance except for extreme emergency. At special meetings only business specified shall be transacted.

ARTICLE II- DUTIES AND POWER OF OFFICERS:

SECTION 1: Duties of the Unit President, it shall be the duty of the Unit President to preside over all meetings of the Unit and Units Executive Committee: to enforce strict observance of the Constitution and Bylaws: to appoint members of the standing committee, to create such other committees and appoint members thereof as he/she deems advisable, to perform such other duties as custom and parliamentary usage maybe require, and to a point all Officers not otherwise provided for.

SECTION 2: Duties of the First and Second Vice President: The First and Second Vice Presidents in the order named shall, when called upon, assist the President and in his/her absence perform his/her duties, and shall succeed his/her in office in case of his/her death or resignation or removal.

SECTION 3: Duties of the Unit Secretary: 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 of the office successfully for the good of the American Legion Auxiliary.

SECTION 4(a): Duties of the Unit Treasurer: It shall be the duty of the Unit Treasurer to receive all money belonging to the Unit and to account for them. He/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 Veterans and his/her children. He/she shall keep accounting of his/her receipts and expenditures, making monthly report thereon and such other reports as maybe deemed necessary by the Unit Executive Committee. His/her accounts shall be audited annually. He/she shall pay all current bills before transferring all funds, books and papers belonging to the Unit to his/her successor.

SECTION 5: Duties of the Unit Chaplain: It shall be the Duty of the Unit Chaplain to offer prayer at the opening and closing of each meeting and perform such other duties as the President may direct and notify Department of any deceased members on a monthly basis.

SECTION 6: Duties of the Unit 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 of Florida.

SECTION 7: Duties of the Unit Sergeant-At-Arms: It shall be the duty of the Unit Sergeant-At-Arms to preserve order at the meetings of the Unit and to perform such other duties as requested by the Unit 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 re-establishing eligibility and making application as a new member.

ARTICLE IV: UNIT MEETINGS:

SECTION 1: The regular scheduled meeting of American Legion Auxiliary Dale Mabry Unit 139 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 as a quorum at any regular scheduled meeting shall be as set forth in standing rules.

SECTION 3: Special meetings of the Unit may be called by the President, by majority of the Executive Committee, with the President notified, or upon written request of three (3) members of the Unit.

ARTICLE IV-ELECTIONS:

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 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 V- COMMITTEES:

SECTION 1: The Unit shall strive to have the following Core Committees, Americanism, Membership, Audit, Veteran Affairs and Rehabilitation, Constitution And Bylaws, and such others mission and member/organizational support committees as stated in the standing rules.

ARTICLE VI- TRANSFERS:

SECTION 1: Transfers of membership from one Unit to another in the Department shall be upon application from the member to and acceptance by the other Unit in conformity with National and Department Constitution Bylaws.

ARTICLE VII- DISCIPLINE:

SECTION 1: For any violation of the Unit, State or National Constitution, or for conduction improper or prejudicial to the welfare of the Auxiliary or of the American Legion, any member may be expelled from membership or any officer removed from the office by two-thirds closed ballot vote at a Unit meeting dully called for that purpose, said expulsion or removal to be binding only in the event of said member or officer shall have been given at least a fifteen day notice in writing by the Unit Executive Committee of the charges and hearing thereon. Either party may have the right to appeal to the District President within 15 days or their action thereon shall be final. The expense of said appeal shall be borne by the applicant.

SECTION 2: Liabilities: No member of the group of members shall subject this Unit to any liability without the authorization of the Unit.

ARTICLE VIII- PARLIAMENTARY AUTHORITY:

SECTION 1: The Unit organization shall be governed by “Robert’s Rules of Order, Newly Revised,” on all points not covered by these Constitution and Bylaws.

ARTICLE IX- AMENDEMENTS TO BYLAWS:

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.

THESE CONSTITUTION AND BYLAWS WERE READ AND UNANIMOUSLY APPROVED AT THE GENERAL MEETING ON AUGUST 8, 2020.

AMERICAN LEGION DEPARTMENT OF FLORIDA DALE MABRY UNIT 139.

UNIT PRESIDENT: Regius Norris

UNIT SECRETARY: W. Gracely

CONSTITUTION AND BYLAWS CHAIRMAN: Debra Rohne

APPROVED BY: _____

DEPARTMENT CONSTITUTION AND BYLAWS CHAIRMAN

DATE: _____

Changes to By-Law

1. Article 2, Section 2: Removed it from the bottom of paragraph.
2. Standing Rules #2 change the Executive Committee Meeting from the 4th Tuesday of the month to ??? needs to be discussed and approved.
3. Standing Rules #3 added April and Vote in May if needed.
4. Standing Rules #8 changed to 5 and put a space in.
5. Standing Rules #15 removed Cavalcade of Memories.
6. Standing Rules #17 corrected typo on members.
7. Standing Rules #18 changed appointed to Elected by the membership.
Added this shall happen in the February the 4th Tuesday at 6:30pm.

This needs to be approved at the February meeting.