

# AMERICAN LEGION AUXILIARY

DALE MABRY UNIT 139 INC, DEPARTMENT OF FLORIDA  
3818 W. BAY VISTA AVE. TAMPA, FL 33611-1226

## BYLAWS 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 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 masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles 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* (herein, referred to as the "Unit").

### 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 is non-partisan and shall not be used for the promotion of the candidacy of any person seeking public office or 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:

#### SECTION 1:

- A.** 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

- B.** 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;
- C.** 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; and
- D.** 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 over the age (18) eighteen years old

(B) Junior members shall consist of the group under the age of eighteen, whose activities shall be supervised by the Senior membership with full privileges upon turning 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 annually elect a President, Vice President, Treasurer, Chaplain, Historian, Sergeant-At-Arms, and at least 3 Members at Large whose term will be the same as the fiscal year.

##### **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, the immediate Past President, and three or more members at large.

#### **ARTICLE VII- FISCAL YEAR:**

##### **SECTION 1:**

The fiscal year shall be the same as the Department of Florida, July 1<sup>st</sup> to June 30<sup>th</sup>.

#### **ARTICLE VIII- AMENDMENTS – CONSTITUTION:**

SECTION 1:

This Constitution may be amended by a two-thirds vote of the members present at a 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 may be adopted by a unanimous vote of the members present at the current meeting.

SECTION 3:

This Constitution shall be automatically amended whenever there is a conflict with the National and Department Constitution and Bylaws.

This Constitution was adopted by a unanimous vote of the members on January 2, 2024

## **BYLAWS:**

### **ARTICLES 1- EXECUTIVE COMMITTEE:**

#### **SECTION 1:**

A. Elections: Members of the Executive Committee and two alternate delegates to the Convention are elected annually, with nominations at the March meeting and the final election taking place by secret ballot at the May meeting.

B Elected members of the Executive Committee include the President, Vice President, Treasurer, Chaplain, Historian, Sgt at Arms, and 3 Members at Large. The Secretary and Parliamentarian may be appointed by the President and remain Ex-Officio members of the Executive Committee.

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:**

Vacancies in the Executive committee shall be filled by an appointment by the President with a majority approval of the Executive Board. Exception: A vacancy in the position of President is automatically and immediately filled by the Vice President, who shall then be responsible for filling the vacant VP position. Any person so elected shall hold office for the unexpired term of the member who he/she succeeds, as stated in the Standing Rules.

#### **SECTION 3:**

The Executive Committee 's required quorum shall be set forth in the standing rules.

#### **SECTION 4:**

Special meetings may be called by order of the President, or at the request of at least three (3) members of the Executive Committee. Notice of such special meetings shall be given to all members of the Executive Committee 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 Unit's Executive Committee, to fill vacancies with the approval of the 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 he/she deems advisable, to perform such other duties as required by the District, Department of Florida, or the National Auxiliary.

### **SECTION 2:**

Duties of the Vice President: The Vice Presidents shall 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. In the event the Vice President is unable to become President, an alternative candidate may be elected by a majority vote of the Executive Board. Vice President shall ensure all members sign in, all members have copies of the Preamble, Minutes, or other important documents the Unit President shall review during meetings.

### **SECTION 3:**

Duties of the Unit 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 attend and 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:**

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 same. He/she shall maintain two separate funds, namely a 1) General and a 2) Poppy Fund. All Poppy donations shall be placed in the Poppy fund and be used to assist needy Veterans, Active-Duty Service Members, or their families. The Treasurer shall keep accounting of the receipts and expenditures, making monthly reports thereon and such other reports as may be deemed necessary by the Unit Executive Committee. Treasury accounts shall be audited annually. The Treasurer shall pay all current bills before transferring all funds, books and papers belonging to the Unit to his/her successor and shall maintain the annual budget.

#### 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, organize the draping ceremony, and perform such other duties as the President may direct and notify Department of any deceased members on a monthly basis. Chaplain is authorized to collect important member information needed to perform their duties. The Sunshine Fund is maintained by the Chaplain during their term to cover small expenses such as stamps and greeting cards.

#### 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. A "Unit Binder" shall be designed and maintained, where all Unit history within the unit is accumulated and shall be replaced annually within the first quarter of the fiscal year.

#### 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 including but not limited to: preparing the meeting room, escorting any special guest, ensuring appropriate behavior by all Unit members, preventing interruptions during convened meetings, and politely reminding members that leaving meetings is not allowed unless otherwise specified by Unit President or governing regulations

#### SECTION 8

Duties of Members at Large. It shall be the duty of the members at large to attend all meetings and act as the voice and vote of the members not in attendance, ensuring that actions taken are for the good of the entire membership of the unit, not just the elected officers.

### **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 set forth 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:**

The Order of Business shall be as follows:

- Call to Order
- Prayer
- Reading of the Preamble of the Constitution
- Roll call of Officers
- Reading of the Minutes
- Executive Board Report
- Treasurers Report
- Reading of Correspondence
- Special Committee reports (Audit, Budget, Constitution, Event)
- Reports of Officers
- Reports of ALA Programs Chairs
- Old Business
- New Business
- Good of the Unit
- Prayer
- Closing

### **SECTION 4:**

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. To participate in the election of the Unit Officers, a member shall have a current membership card for the Unit.

### **SECTION 2:**

Elections shall be by *secret* ballot and require a majority of the votes cast to declare a winner. If there is no majority, the candidate with the lowest vote count will be dropped and balloting will resume until a winner is declared. When there is only one person nominated for a position, 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 regular meeting 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 appointed by the President and approved by the Executive Committee.

### **SECTION 6:**

Two (2) Delegates and two (2) Alternates to Department Convention and the District Constitutional Convention shall be elected during annual elections. Should there be more than two (2) nominated alternates, they shall have priority in the order in which they are elected. Please see standing rules for hotel and per diem.

## **ARTICLE V- COMMITTEES:**

### **SECTION 1:**

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

### **SECTION 2:**



- A. Auditing Committee composed of three members shall be appointed by the President, for the purpose of Auditing the Treasurer's Accounts at the close of each term and making a report of the audit to the Unit.
- B. Budget Committee composed of three members shall be appointed by the President for the purpose of presenting a Budget for the ensuing year.

SECTION 3: Liabilities: No member shall subject this Unit to any financial liability without the authorization of the Unit.

#### **ARTICLE VI- TRANSFERS:**

##### **SECTION 1:**

Requests for transfers of membership from one Unit to another in the Department shall be voted on in the next available meeting. Acceptance by the Unit shall be in conformity with the National and Department Constitution and Bylaws. Upon an affirmative vote and presentation of a current membership card, a new unit card will be issued, and the Department of Florida notified per their procedures.

#### **ARTICLE VII- CODE OF CONDUCT:**

The code of conduct is outlined is stated in the preamble and in addition this code recognizes that an organization is defined by its members and the people who work for it, and that those individuals, officers, staff, and volunteers, must demonstrate their commitment to the core values of **integrity, honesty, fairness, openness, respect, and responsibility.**

#### **ARTICLE VIII- DISCIPLINE:**

##### **SECTION 1:**

For any violation of the Unit, State, or National Constitution, or for conduct improper or prejudicial to the welfare of the 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 (2/3) closed ballot vote at a Unit meeting duly called for that purpose. The discipline procedures are further outlined in the standing rules.

#### **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- AMENDMENTS 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.

SECTION3:

These Bylaws shall automatically be amended to conform to the National and Department Constitution and Bylaws of the American Legion Auxiliary.

**BYLAWS UPDATES:**

These Bylaws were read and unanimously approved at the Unit meeting on:  
February 6, 2024 (Bylaws)

### **Unit 139 STANDING RULES**

1. The annual membership dues of this Unit shall be \$45.00 for Senior and \$10.00 for Junior, to be paid annually and/or Paid Up For Life, per the PUFL Rate Chart at [ALAforVeterans.org](http://ALAforVeterans.org), and shall include the Department and National Per Capita. All dues to be paid on or before December 31<sup>st</sup> of each year.
2. The general meetings of American Legion Auxiliary Dale Mabry Unit 139 shall be held on the first Tuesday of each month and shall be called to order at 6:35 pm. The Executive Committee shall meet once a month, on the fourth Tuesday at 6:35pm. Three members shall constitute a quorum at either meeting.
3. The annual meeting for Nominations shall be held in the months of March and April. Jobs still vacant may have nominations entered in May. Candidates must be present to accept a nomination in person. Elections shall be in May at the regularly scheduled meeting on the first Tuesday at 6:35 pm.
4. In the event elections are unable to be held due to a State of Emergency (the Executive Committee will determine when this is necessary), mail-in ballots and conference call votes are allowed only during this event.
5. Unit Elected Officers, consisting of President, Treasurer and 1 other Officer are authorized to sign checks for disbursement of funds from Unit Treasury. President shall appoint the third Officer. All checks shall be signed by 2 of 3 of the above members. 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.
6. No member is to spend unit money without said expenditure being recommended by the Executive Committee and reported to the General Membership unless it has been approved and budgeted for that specific purpose. Budgeted expenses should be reported to the membership at the next general meeting. The budget is a proposed guideline for expenses, all money allocated to a line item does not need to be spent. Any personal expenditure made by a Unit Member based on General Membership and Approval must have a receipt before the Treasurer will process a reimbursement.
7. At the beginning of each year, immediately following Installation of New Officers, the Treasurer shall be responsible for updating the signature cards at the bank: The President, Treasurer and 1 other Officer appointed by the President shall be added to the account. The Treasurer shall maintain control of the checkbook, debit card and all records. In the event of a prolonged absence, those items should be passed to the President. Any approved expenses incurred by a Committee, Office, or member must be vouched prior to reimbursement.

8. Incoming and Outgoing Presidents are automatic delegates to the Department of Florida Convention in June. . An alternate will be utilized if one or both cannot attend. There is nothing to prevent the Unit from authorizing additional delegates up to the number allotted by the Department of Florida, funds permitting.

Fall Conference: Any Member that is voted on to attend and represents the Unit at all business sessions and /or attends classes shall be compensated at the same rates as the delegates to convention.

A Hotel cost – at the Department s lowest 'discounted rate.

B Per diem – at the IRS rate for full days and at 75% of IRS for travel days

C Travel -\$100 per vehicle

D Vouched parking – if necessary.

Reimbursements shall be reduced by any amount paid by the Legion for the same room , travel, or parking.

9. The unit will attempt to provide Chairs for each of the national programs, including Auxiliary Emergency Fund, Education, Girls State, Leadership, Junior Activities, Legislative, Past Presidents Parley, Poppies, Public Relations, Children & Youth, National Security.

10 Code of Conduct is as stated in the preamble and consistent with always treating each other with dignity and respect. Members may bring a previously purchased beverage into the meeting to finish as opposed to leaving it unattended at the bar. Leaving the meeting for refills or requesting bar service during the meeting is not allowed.

#### 11. Disciplinary Procedures

- a. The following scope of practice will be followed:

Scope:

1. Complaints related to issues within the Unit should be directed to the Auxiliary, while matters outside the scope of the Unit involving the canteen or other Post matters should be referred to the appropriate House Committee.
2. For Canteen or Legion matters, the complainant must write a letter to the Post Commander, with a copy to the Auxiliary President, notifying them of the matter.
3. For Auxiliary matters the following disciplinary processes should be followed:

Initial Actions:

4. A letter addressing the conduct shall be sent to the Unit President from the Complainant, or documentation of the misconduct shall be in writing by a designated representative, unless the President is the offender.
  5. Mentions of charges being filed against a "Unit member" are to be kept confidential, and name and charges are not to be discussed during convened Unit meetings.
  6. Conduct matters shall be immediately attended to and must be addressed within the first two (2) weeks.
- ii. Meeting with Accused:
1. Upon receipt of a complaint, a private meeting shall be held with at least two officers and the accused to discuss the charges and give the accused an opportunity to defend, explain, or dispute their actions. If guilt is determined, a corrective plan of action will be agreed to in writing.
- iii. Disciplinary Actions:
1. If the behavior is not corrected and/or persists within thirty (30) days, disciplinary actions can be expected.
- iv. For general misconduct at the Post Canteen or during Auxiliary functions:
- 1<sup>st</sup> Offense: Suspension from Auxiliary privileges, including Post entry , for one week.
- 2<sup>nd</sup> Offense: Suspension from Auxiliary privileges, including Post entry, for one month.
- 3<sup>rd</sup> Offense: Expulsion from the Auxiliary. Bar from entry to the Post

The above rules were read and unanimously voted on at a meeting on Feb 6<sup>th</sup>,

Signed on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_