

# CONSTITUTION

BY-LAWS

AND STANDING RULES

American Legion Auxiliary

Department of Florida

Gunn Highway Memorial Unit 147, Inc.

PO Box 83, 17383 Gunn Highway

Odessa, FL 33556

2 MARCH 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 1 – NAME

The name of this organization shall be American Legion Auxiliary, Gunn Highway Memorial Unit 147, Inc., Department of Florida.

## ARTICLE 2 – NATURE

Section 1. American Legion Auxiliary Gunn Highway Memorial Unit 147, Inc. is a civilian patriotic service organization that supports the mission of the American Legion.

Section 2. American Legion Auxiliary Gunn Highway Memorial Unit 147, Inc shall be absolutely nonpolitical and shall not be used for dissemination of partisan principals nor for any promotion of the candidacy of any person seeking public office or preferment.

## ARTICLE 3 – OBJECT

Section 1. The object of the American Legion Auxiliary, Gunn Highway Memorial Unit 147, Inc. Department of Florida, shall be as stated in the Preamble of the Constitution. The eligibility requirements from the American Legion documents shall be provided as follows and shall be updated as appropriate.

## ARTICLE 4 – ELIGIBILITY

Section 1. Grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of the American Legion. 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 – 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. 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 the a fore mentioned time periods and dies in the line of duty or after honorable discharge. 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 5 – UNIT OFFICERS

Section 1. The Unit shall elect annually a President, 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.

Section 2. Unit Secretary will be an appointed position.

## ARTICLE 6 – EXECUTIVE COMMITTEE

Section 1. 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 shall be one year.

## ARTICLE 7 – FISCAL YEAR

Section 1. The fiscal year shall be the same as that of the Department.

## ARTICLE 8 – AMENDMENTS

Section 1. The Constitution may be amended by a 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 By-laws and Standing Rules of the American Legion Auxiliary.

# BY-LAWS

## ARTICLE 1 – EXECUTIVE COMMITTEE

Section 1. Between the meetings of the government and management of the 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 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 succeeded.

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 (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 the specified business shall be transacted.

## ARTICLE II – DUTIES AND POWERS OF THE OFFICERS

Section 1. Duties of the 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 by-laws; to appoint members of standing committees; to create such other committees and appoint members thereof as deemed advisable; to perform other such duties as custom and parliamentary usage required and to appoint all other officers not otherwise provided for.

Section 2. Duties of the Vice President – The First and Second Vice Presidents, in the order named, when called upon, shall assist the President and if absent, perform such duties and shall succeed them in office in case of death, resignation, or removal.

Section 3. Duties of the Unit Secretary – It shall be the duty of the secretary to record the proceedings and transactions of all meetings of the Unit; to keep all books, papers and records that are needed to carry on the working of the office; to receive and answer official mail under the direction of the President and to keep on file, in a comprehensive manner, copies of all correspondence sent and received; and to send and give notice of all meetings. The secretary is hereby vested with such authority as it is necessary to carry out the duties of the office for the good of the American Legion Auxiliary.

Section 4. Duties of the Unit Treasurer – It shall be the duty of the treasurer to receive all monies belonging to the unit and account for them. The treasurer shall pay the bonding fee as determined by the Department Office. The treasurer shall maintain two (2) separate funds, namely a general fund 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. The treasurer shall keep

an accounting of the receipts and expenditures, making an annual report thereon and such other reports as may be deemed necessary by the Unit executive committee. Treasurer's accounts shall be audited annually. The treasurer shall pay all current bills before transferring all funds, books, vouchers, and papers belonging to the Unit to the successors.

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 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 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 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 the American Legion Auxiliary, Gunn Highway Memorial Unit 147, Inc. shall be held as stated in the Standing Rules. Executive committee meetings 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. 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 the winner.

Section 3. All officers and executive committee members shall be elected at a meeting duly called for that 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 the 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 and youth, constitution and by-laws, 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. Transfers of membership from one unit to another in the same department shall be upon application of the member to, and acceptance by the other unit in conformity with the national department constitution and by-laws.

## 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, and 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 by the constitution and by-laws.

## ARTICLE X – AMENDMENTS

Section 1. These by-laws may be amended by a two-thirds (2/3) vote of the members present at a regular meeting, provided the proposed amendments shall have been read at the previous Unit meeting.

Section 2. Amendments not having been previously read may be adopted by the unanimous vote of members present.

Section 3. These by-laws shall be automatically amended to conform to the National and Department constitutions and by-laws and standing rules of the American Legion Auxiliary.

Date changes were approved by Unit March 2, 2023

American Legion Auxiliary Gunn Highway Memorial Unit 147, Inc  
Constitution and By-Laws Chairperson

Marianne Bash

American Legion Auxiliary Gunn Highway Memorial Unit 147, Inc  
President

Linda S. Poloff

American Legion Auxiliary Gunn Highway Memorial Unit 147, Inc  
Secretary

Mary Gonsky

Department Constitution and By-Laws Chairperson Approval

Date

March 2, 2023

# STANDING RULES

1. The regular scheduled meeting of American Legion Auxiliary Gunn Highway Memorial Unit 147, Inc shall be held on the first Thursday of each month, unless otherwise specified and shall be called to order at 7:00 pm. An Executive committee meeting shall be held when deemed necessary.  
  
1A. There will be no meeting June, July, or August unless called by the President following rules for such action.
2. Four (4) members of this Unit shall constitute a quorum at any regularly scheduled meeting of the Unit.
3. The annual Senior membership dues of this Unit shall be forty dollars ( \$40.00) to include Department and National per capita. The annual dues for the junior membership shall be fifteen dollars ( \$15.00) to include Department and National per capita. Effective July 1, 2024, dues for the year beginning 2025, will be increased to fifty dollars (\$50.00) for senior members.

4. In addition to the core committees listed in the by-laws, 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 Parlay, Poppy, Public Relations.
5. There shall be three (3) separate persons authorized to sign on all bank records. These shall be the President, Vice President, and the Treasurer. All checks must have two (2) of the three (3) signatures.
6. 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.
7. No one is to spend Unit money without being recommended by the executive committee and passed by the assembly. Our budget is a proposed one, and does not necessitate spending the entire amount designated. No chairperson or officer has the authority to exceed monies allotted for any project without the approval of the executive committee.
8. A budget committee composed of three (3) members, including the treasurer, shall be elected by the members, or appointed by the President for the purpose of presenting a budget for the ensuing year.
9. Cash gifts shall not exceed twenty five dollars (\$25.00). Anything in excess will be contributed to and voted on by the members.
10. Treasurer must have an itemized report once a month.
11. Any correspondence pertaining to the Unit shall be written by the Secretary. All incoming correspondence shall be given to the Secretary and shall in turn read it to the membership.

12. All members aspiring to be officers or delegates to Constitutional Conference and/or Department convention must be a member in good standing.
13. Delegates to convention must take notes and give same to the Unit on return.
14. Incoming and outgoing President shall automatically be delegates to the Department convention along with the incoming secretary and the balance of delegates from the executive committee or members of the unit.
15. Expenses to the Department convention shall be set by the membership per Department convention.
16. This Unit shall have two (2) initiations a year, one in September and one in February.
17. The American Legion Auxiliary pin will be given to each member upon their initiation into the Auxiliary.
18. Upon the end of their term of office, the outgoing President will present to the new President, their pin and gavel.
19. Where deemed necessary, a Recording secretary and a Corresponding secretary may be elected/appointed to carry on the duties normally preformed by the secretary.
20. 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.

21. In the event of the death of a member, a memorial donation shall be made in the amount of twenty dollars (\$20.00) to the Department Memorial Scholarship Fund.
22. Auxiliary will donate a food platter up to fifty dollars (\$50.00) to an Auxiliary member's family in case of the death of an immediate family member (spouse, parent or child). In lieu of food donation, a monetary donation of the same amount will be made to the charity of that member's choice.
23. There shall be no alcoholic beverages present in the meeting room during any called general or executive committee meeting.
24. Gold star mothers shall be granted a life membership paid annually.
25. In case of emergency, nominations for office may occur by phone, text message, or email, with the nominee giving their approval to the nominating committee. If the emergency persists, elections may be held following the rules as set out in the by-laws, to include by phone, text message, or email.
26. Dual members, who have paid full membership to the Legion, will be charged an amount equal to Department dues. Current amount due to Department is twenty one dollars and fifty cents (\$21.50). This will increase to thirty dollars (\$30.00) for 2024.

These Standing Rules were read, voted on and approved at our regular meeting on \_\_\_\_\_

Linda J. Paloff  
Unit President

March 2, 2023  
Date

Mary Lou King  
Unit Secretary

March 2, 2023  
Date

Marianne Brown  
C & BL Chairperson

03/02/2023  
Date