

Constitution and Bylaws  
Town and Country Memorial Unit 152 Inc.  
Department of Florida 11211 Sheldon Rd  
Tampa, FL 33626  
October 2022

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 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.

**ARTICLE I - NAME**

Section 1: The name of this organization shall be American Legion Auxiliary, Town & Country Memorial, Unit 152 Inc., Department of Florida.

**ARTICLE II -NATURE**

Section 1 : The American Legion Auxiliary, Town and Country Memorial Unit 152 Inc. is a civilian patriotic service organization that supports the mission of the American Legion

Section 2: The American Legion Auxiliary, Town and Country Memorial Unit 152 Inc. shall be non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

**ARTICLE III- OBJECTIVE**

Section 1 : The objective of the American Legion Auxiliary, Town & Country Memorial, Unit 152 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 to November 11, 1918; December 7, 1941 to the date of cessation of hostilities as determined by the Government of the United States; all dates 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 who of their own right are eligible for membership in The American Legion.

Section 2: There shall be two (2) classes of membership, senior and junior.

- a. Senior membership shall be by that group composed of members over eighteen (18) years of age; provided, however, that a spouse under the age of eighteen years (18), who is eligible under Section 1 of the article, shall be classified as a senior member.
- 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 be automatically admitted to senior membership with full privileges.
- 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, Sergeant-at-Arms, and three (3) executive members at large. They shall assume the duties of their respective office upon being installed. Secretary shall be appointed by the President-Elect immediately following the election of officers.

## **ARTICLE VI - EXECUTIVE COMMITTEE**

Section 1: The Executive Committee shall consist of the Unit Officers, immediate Past President and three (3) members at large elected by the Unit.

## **ARTICLE VII - FISCAL YEAR**

Section 1: The fiscal year shall be July 1<sup>st</sup> through June 30<sup>th</sup> as specified by Department

## **ARTICLE VIII -AMENDMENTS**

- Section 1: This Constitution may be amended by a two-thirds (2/3) vote of the members present at a General Membership meeting.
- Section 2: Amendments not having been read previously, may be adopted by the unanimous vote of the members present.
- Section 3: The Constitution shall be automatically amended to conform to the National and Department Constitution and By-Laws and Standing Rules of the American Legion Auxiliary.

## **BYLAWS**

### **ARTICLE I EXECUTIVE COMMITTEE**

- Section 1: Between meetings, the government and management of this Auxiliary Unit shall be entrusted to the Executive Committee, and all proceedings of said committee shall be presented to the Unit at the next general meeting for approval.
- Section 2: A vacancy existing in the Executive Committee, from any cause other than the expiration of term, shall be filled by the recommendation of the Committee and ratified by the members. The member who is recommended and ratified shall hold office for the unexpired term of the member whom they succeed and all their chairmanships and duties.

### **ARTICLE II - DUTIES 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 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 they deem advisable; to perform such other duties as custom and parliamentary usage require; and to appoint all officers not otherwise provided for. It shall also be the duty of the Unit President to complete all Department required reports for chairmanships to which there is no chairman assigned.
- Section 2: Duties of the First Vice President: The First Vice President 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 record the proceedings of all the meetings of the Unit; to act as custodian of all papers and records; to keep a record of names and addresses of the members, showing the source of their eligibility; to send out such notices as are directed by the President; to process the correspondence of the Unit; to

keep on file in a comprehensive manner copies of all the correspondence sent and received, and perform such other duties as shall be required by the President.

- Section 4: Duties of the Treasurer: It shall be the duty of the Unit Treasurer to receive all money belonging to the Unit and to account for said money. 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 Poppy Fund. All Poppy donations shall be placed in the Poppy Fund and be used to assist the Veterans and his/her children. The Treasurer shall keep an accounting of the receipts and expenditures, making a monthly and annual report thereon, and such other reports as may be deemed necessary by the Unit Executive Committee. Their accounts shall be audited annually. They shall pay all current bills before transferring all funds, books, and papers belonging to the Unit 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 notify Department of any Unit Members deaths within 30 days of the unit being notified of said death, and to perform such other duties as the President may direct.
- Section 6: Duties of the Historian: It shall be the duty of the Unit Historian to compile historical records of the Unit and to make a year-end 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 meetings of the Unit, perform such other duties as may be requested by the President.

### **ARTICLE III- DUES**

- Section 1: The annual Senior dues of the Unit shall be as stated in the Standing Rules which shall include Department and National per capita. The annual dues of the Junior membership shall be as stated in the Standing Rules to include Department and National per capita
- Section 2: Any 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 delinquency, shall automatically be dropped from the rolls and may be reinstated only by paying all 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 Town and Country Memorial American Legion Auxiliary Unit 152, 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 the Unit that shall constitute a quorum at any regular scheduled meeting 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.
- Section 4: In the event of an emergency, where an in-person meeting cannot be held, nominations and elections may be held electronically or via a drive through voting station.

#### **ARTICLE V - ELECTION**

- Section 1: Elections shall be held annually. To participate in the election of the Unit Offices, a member shall have paid dues for the current fiscal year within which the election is held. The annual Elections of this Unit shall be held the First Saturday of May each Year or in conjunction with the post home elections. The Department Constitution provides that the elections of Unit Officers must occur not more than 90 days, nor less than 15 days prior to the Department's Annual Convention. In the event that the First Saturday of May does not occur within the 90 days, nor less than the 15 days prior to the Department's Annual Convention, the Annual Elections of the Unit shall be rescheduled to comply with the Department Constitution. The membership shall be notified of the new date not less than 90 days prior to the rescheduled date of the Annual Elections of the Unit.
- Section 2: Elections shall be by ballot, a write in space shall be on each ballot and a majority of the votes cast shall be necessary to declare a winner. All ballots to be destroyed after counting,
- Section 3: All Officers and Executive Committee members shall be elected at a meeting duly called for that purpose. Meeting shall be held within the time frame of that of Department as stated in Standing Rules,
- 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, Veteran 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, State or National Constitution, or conduct improper and prejudicial to the welfare of the Auxiliary, or of the American Legion, any member may be expelled from membership or any officers removed from office by two-thirds (2/3) vote at a General meeting duly called for that purpose, said expulsion or removal to be binding only in the event said member or officers shall have been given at least fifteen (15) days' notice in writing by the Unit Executive Committee of the charges and the hearing thereon. Either party may have the right to appeal to the Department Executive Committee, or their action thereon shall be final. The expense of said appeal shall be borne by the appellant.

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

## **ARTICLE IX -PARLIAMENTARY AUTHORITY:**

Section 1: The Unit organization shall be governed by "Robert's Rules of Order, Newly Revised," on all points not covered by this Constitution and By-Laws.

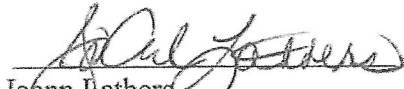
## **ARTICLE X -AMENDMENTS**

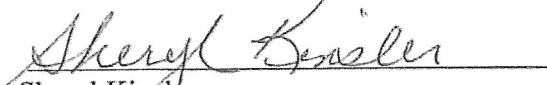
Section 1: These Bylaws may be amended by a two-thirds (2/3) vote of the members present at a General meeting.

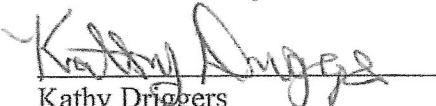
Section 2: Amendments not having been previously read may be adopted by the unanimous vote of the members present.

Section 3: These Bylaws shall be automatically 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, VOTED UPON AND APPROVED AT  
OUR REGULAR MEETING ON THIS 22<sup>ND</sup> DAY OF September 2022.

  
Joann Dathers  
Unit 152 Secretary

  
Sheryl Kinsler  
Unit 152 Chairman Constitution and Bylaws

  
Kathy Driggers  
Unit 152 President