

CONSTITUTION AND BYLAWS

APR 17 2024

Of the

AMERICAN LEGION AUXILIARY

JAMES CARL FREDERICK

UNIT 157

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 the 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 accomplishment of the aims and purposes of the American Legion; to consecrate and sanctify our association by devotion to mutual helpfulness.”

ARTICLE 1

NAME

Sec. 1. The name of this organization shall be American Legion Auxiliary James Carl Frederick, Unit 157. Department of Florida.

ARTICLE II

NATURE

Sec. 1. The American Legion Auxiliary James Carl Frederick Unit 157, is a civilian patriotic service organization that supports the mission of the American Legion.

Sec. 2. The American Legion Auxiliary James Carl Frederick Unit 157, shall be absolutely non-political and shall not be used for the dissemination of the partisan principles nor for any promotion of the candidacy of any person seeking public office or preferment.

ARTICLE III

OBJECT

Sec. 1. The object of the American Legion Auxiliary, James Earl Frederick Unit #157, Department of Florida shall be as stated in the Preamble of the Constitution.

ARTICLE IV

ELIGIBILITY

Sec. 1. Eligibility for membership in the American Legion Auxiliary is determined by the American Legion. The eligibility requirements from the American Legion governing documents shall be provided as follows and shall be updated as appropriate.

- 1- grandmothers, mothers, sisters, spouses, and direct and adopted 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 or after honorable discharge; and
- 4- to those women who of their own right are eligible for membership in the American Legion.

Sec. 2. There shall be two classes of membership, senior and junior:

- a) Senior membership shall be composed of members age eighteen years (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 be comprised of members 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 automatically be admitted into Senior membership with full privileges.
- c) Dues of both classes shall be paid annually or for life.

ARTICLE V

UNIT OFFICERS

Sec. 1. The unit shall elect annually a President, First Vice President, Second Vice-President, Secretary (who may be elected or appointed), a Treasurer, Chaplain, Historian and Sergeant-at-Arms, who shall serve until their successors are fully elected.

ARTICLE VI

EXECUTIVE COMMITTEE

Sec. 1. The Executive Committee shall consist of the officers and three additional Members-at-Large, elected by the unit for a term of one year.

ARTICLE VII

FISCAL YEAR

Sec. 1. The fiscal year shall be the same as that of the Department of Florida, July 1st to June 30th.

ARTICLE VIII

AMENDMENTS

Sec. 1. This Constitution may be amended by a two-thirds vote of the members present at a regular meeting provided that the proposed amendments have been read at the previous meeting.

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

Sec. 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

ELECTION OF OFFICERS

Sec. 1. A nominating committee consisting of three unit members in good standing shall be appointed by the executive board, two meetings prior to the annual election meeting for the purpose of presenting a slate of unit officers for the ensuing year. The nominating committee shall submit a list of candidates for election at the meeting prior to the annual election meeting.

Sec. 2. Nominations may be made from the floor at any time following the report of the nomination committee until such time as the President closes the nominations, prior to election.

Sec. 3. Election of officers shall be by the ballot and a majority of the votes shall be necessary to elect. When there are more than two candidates for an office and one candidate does not receive a majority, the two candidates getting the most votes shall be placed on a second ballot. When there is but one candidate for an office, the ballot may be dispensed with the nominee declared elected.

Sec. 4. All Officers and Executive Committee member shall be elected at a meeting duly called for that purpose not more than ninety (90) days nor less than fifteen (15) days prior to Department Convention.

Sec. 5. Delegates and alternatives of the District Constitutional Conference and to the Department Convention shall be elected not less than two weeks prior to the Conference or Convention. Alternates have priority in the order of their election.

Sec. 6. 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.

Sec. 7. Vacancies in office between annual elections shall be filled by the Executive Committee.

ARTICLE II

DUTIES AND POWERS OF OFFICERS

Sec. 1. President: It shall be the duty of the President to preside at all Unit and Unit Executive Committee meetings; to enforce strict observance of the Constitution and Bylaws; to appoint all standing committees; and shall be an ex-officio member of said committees; to create such committees and appoint members thereof deemed advisable; to perform such other duties as custom and parliamentary usage require; and to appoint all other offices not otherwise provided for.

Sec. 2. First Vice President: The First Vice President shall keep a record of names and addresses of the members, showing the source of their eligibility and process membership cards, transmittals and reports for the unit. This position shall assist the President in the discharge of their duties and in President's absence shall preside over the meetings. In the event of the resignation, death, suspension or removal from office of the President, the First Vice President shall immediately assume all of the duties of President.

Sec. 3. Second Vice President: The Second Vice President shall assist the First Vice President in the discharge of her duties, and shall perform such duties as directed by the President.

Sec. 4. Secretary: It shall be the duty of the Secretary to record the proceedings and transactions of all meetings of the Unit and Executive Committee; act as custodian of all books, papers and records; to send out notices as directed by the President; to process the correspondence of the Unit; to keep on file copies of all correspondence sent and received; and to perform such duties as directed by the President.

Sec. 5. Treasurer: It shall be the duty of the Treasurer to receive all monies belonging to the Unit and to account for them. The Treasurer shall maintain two separate funds, namely a General Fund and a Rehabilitation Fund; all poppy donations shall be placed in the rehabilitation fund to be used to assist veterans and their children; an accounting of receipts and expenditures are to be kept; annual report made, and any other reports as deemed necessary by the Executive Committee; the accounts shall be audited annually; the Treasurer shall pay all current bills before transferring all funds, books and papers to the successor.

Sec. 6. Chaplain: It shall be the Chaplain's duty to offer prayer at the opening and closing of each meeting, and to perform such duties as directed by the President, notify Department of deceased members on a monthly basis.

Sec. 7. Historian: It shall be the Historian's duty to compile historical records of the Unit and report same back to the Unit.

Sec. 8. Sergeant-at-Arms: It shall be the duty of the Sergeant-at-Arms to preserve order at all meetings of the Unit and Executive Committee.

ARTICLE III

EXECUTIVE COMMITTEE

Sec. 1. Between meetings, the government and management of the Unit shall be entrusted to this Committee and all proceedings of said committee shall be presented to the Unit at the next meeting for approval.

Sec. 2. If a vacancy occurs from any cause other than the expiration of a term, it shall be filled by a majority vote of this entire committee, that member elected shall hold office for the unexpired term of the member he/she succeeds.

Sec. 3. Five (5) members constitute a quorum.

Sec. 4. A special meeting may be called by order of the President or a written request by at least three (3) members of this committee.

ARTICLE IV

DUES

Sec. 1. The annual membership dues of the Unit shall be paid annually or for life and includes the Department and National per capital.

Sec. 2. The annual senior membership dues of the unit shall be \$40 per member as of July 2023 as voted by the membership at the regular meeting held on February 27, 2023. The junior membership dues shall be \$5.00 per member as of July 2018.

Sec. 3. A member failing to pay annual dues including the Unit, State 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 31st of the year of delinquency shall be dropped from the rolls.

ARTICLE V

UNIT MEETINGS

Sec. 1. The regular meeting shall be held on the second Monday of each month and shall be called to order at six thirty (6:30 p.m.).

Sec. 2. The Executive Committee meeting shall be held the fourth Monday of each month and shall be called to order at six thirty (6:30 p.m.).

Sec. 3. Special meetings may be called by the President, a majority of the Executive Committee, or upon written request of three members of this unit.

Sec. 4. An annual meeting of this Unit shall be held each year for the purpose of elective officers and receiving reports.

Sec. 5. Three members shall constitute a quorum at any meeting.

Sec. 6. All members on the premises at the time in which a regularly scheduled meeting is called to order are expected to attend such meeting. Bar service to all Auxiliary 157 members shall be suspended until adjournment of said meeting.

ARTICLE VI

TRANSFERS

Sec. 1. Transfer of membership from one Unit to another shall be by application of the member in conformity with National and Department Constitution Bylaws.

ARTICLE VII

COMMITTEES

Sec. 1. An auditing committee composed of three members shall be appointed by the Unit President for the purpose of auditing the Treasurers accounts at the close of each term and making a report of the audit to the unit.

ARTICLE VIII

DISCIPLINE

Sec. 1. For any violation of the Unit, Department, 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 of any officer removed from office by two thirds vote a a Unit meeting duly called for that purpose. Said expulsion or removal shall be finding only in the event said member or office shall have been given 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 and its action thereon shall be final. The expenses of such appeal shall be borne by the appellant.

Sec. 2. No Member or group of Members shall subject this Unit to liability without authorization of the Unit.

ARTICLE IX

PARLIAMENTARY AUTHORITY

Sec. 1. The Unit organization shall be governed by "Roberts Rules of Order", Newly Revised," on all points not covered by the Constitution and Bylaws.

ARTICLE X

PARLIAMENTARIAN

Sec. 1. A member in good standing may be appointed by the President at their discretion annually, but shall have no vote at Executive Committee meetings.

ARTICLE XI

AMENDMENTS

Sec. 1. Delegates or alternates for Department Convention and Conferences shall be reimbursed by the Unit upon presentation of either a written or oral report from same. Voted on and passed April 8, 1986.

Sec. 2. All members regardless of age must pay their dues, unless they can prove hardship, this must be voted on by the Executive Committee one year at a time. Voted on and passed January 26, 2004.

Sec. 3. Dues of elected officers, executive committee and parliamentarian shall be paid annually by the unit. Voted on and passed on January 26, 2004.

Standing Rules are adopted by a majority vote and may be amended by two-thirds (2/3) vote at any meeting.

x Della R Amrozewicz Barbara G. Allaire
Unit President Unit Secretary

x Della R Amrozewicz
Unit Constitution and Bylaws Chairman