

**CONSTITUTION AND BYLAWS OF
AMERICAN LEGION AUXILIARY
CARMICHAEL LEGREE UNIT 167, INC.**

**Department of Florida
Post Office Box 11222
Tampa, Florida 33680**

January 18, 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 the Great 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 I – NAME

The Name of this organization shall be **American Legion Auxiliary, Carmichael Legree Unit 167, Inc., Department of Florida** whose mailing address is Post Office Box 11222, Tampa, Florida 33680

ARTICLE II – NATURE

Section 1. The American Legion Auxiliary Carmichael Legree Unit 167, Inc. is a civilian patriotic service organization of women that supports the mission of The American Legion.

Section 2. American Legion Auxiliary Carmichael Legree Unit 167, Inc shall be absolutely nonpolitical and shall not be used for dissemination of partisan principles nor for any promotion of the candidacy of any person seeking public office or preferment.

ARTICLE III – OBJECTIVE

Section 1. The objective of the American Legion Auxiliary, Carmichael Legree Unit 167, Inc., and Department of Florida shall be as stated in the Preamble of the Constitution.

ARTICLE IV — ELIGIBILITY

Section 1. Membership in the American Legion Auxiliary shall be limited to the grandmothers mothers, sisters, and direct and adopted female descendants of members of the American Legion and to the grandmothers, mothers, , sisters, wives, and direct and adopted female descendants of 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 December 31, 1946; June 25, 1950 to January 31, 1955; February 28, 1961 to May 7, 1975; August 24, 1982 to July 31, 1984; December 20, 1989 to January 31, 1990; August 2, 1990 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 of their entry therein, served as active duty in the armed forces of any of the governments associated with the United States during any of the said periods and died in the line of duty or after honorable discharge; and 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 over the age of eighteen years; provided, however, that a wife under the age of eighteen years, who is eligible under Section 1 of this article shall be classed as a Senior member
- b) Junior membership shall consist of that group under the age of eighteen years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen 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

Section I. The Unit shall elect annually a **President, First Vice President, Second Vice President, Secretary, Treasurer, Chaplain, Historian and Sergeant-at-Arms**, who shall serve until their successor are duly installed or as otherwise provided.

(or a combination of some of these officers)

ARTICLE VI — EXECUTIVE COMMITTEE

Section I. There shall be an Executive Committee, which shall consist of the elected officers and **3** additional members-at-large elected by the Unit. The term of officers for members of the Executive Committee will be one year.

ARTICLE VII — FISCAL YEAR

Section I. The fiscal year shall be the same as the Department

ARTICLE VIII— AMENDMENTS

Section 1. This constitution may be amended by a two-thirds vote of the members present at a regular Unit meeting, provided the proposed amendments 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 Bylaws and Standing Rules of the American Legion Auxiliary.

BYLAWS

ARTICLE I — EXECUTIVE COMMITTEE

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

Section 2. A vacancy existing in the Executive Committee from any cause other than the expiration of a term shall be filled by a majority vote of the entire committee. A person so elected shall hold office for the un-expired term of the members she succeeds.

Section 3. One-third 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 request of at least three members of the Executive committee. Uniform notice of such special meeting shall be given to all members of the Executive Committee; and, except in extreme emergency, shall be given at least forty-eight hours in advance. At special meetings only business specified shall be transacted.

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 the 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 she deems advisable; to perform such other duties as custom and parliamentary usage required; and to appoint all officers not otherwise provided for.

Section 2. Duties of the Unit Vice President: The First and Second Vice President in the order name shall, when called upon, assist the President, and in her absence, perform her duties, and shall succeed her in office in case of death, resignation or removal from office.

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 act as custodian of all books, 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 correspondence sent and received; and perform other duties as shall be required of her by the President.

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 them. She shall maintain two separate funds, namely a General and a Poppy Fund. All Poppy donations shall be placed in the placed I the Poppy Fund and be used to assist the veteran and his/her children. She shall keep an accounting of her receipts and expenditures, making a monthly report thereon, and

such other reports as may be deemed necessary by the Unit Executive Committee. Her accounts shall be audited annually. She shall pay all current bills before transferring all funds, books and papers belonging to the Unit to 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 to perform such other duties as the President may direct.

Section 6. Duties of the Unit Historian: It shall be the duty of the Unit Historian to compile historical records of the Unit and make a report to Department.

Section 7. Duties of the Unit Sergeant-at-Arms: It shall be the duty of the Sergeant-at-Arms to preserve order at the meetings of the Unit and to perform such other duties as requested by the 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, State and National assessments, by January 31, shall be classed 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 only by paying all back dues or by re-establishing eligibility and making application as a new member.

Section 3. Dues shall be paid annually or for life

ARTICLE IV — UNIT MEETINGS

Section 1. The regular scheduled meeting of American Legion Auxiliary Carmichael Legree Auxiliary Unit 167, 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 a quorum at any regular scheduled meeting of the Unit shall be as stated in the Standing Rules.

Section 3. Special meetings of his 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 — ELECTION

Section 1. Elections shall be held annually. In order to participate in the election of the Unit Officers, a member shall have paid her 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 Conventions shall be elected not less than two (2) weeks prior to the Conference or Convention. Alternates shall have priority in 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, Veterans Affairs and Rehabilitations, 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 **Florida** Department Shall be upon application of the member to, and acceptance by the other Unit, inconformity with National and Department Constitution and Bylaws.

ARTICLE VIII — DISCIPLINE

Section 1. For any violation of the Unit, State or National Constitutions, or for conduct improper and prejudicial to the welfare of the Auxiliary or of The American Legion, any member may be expelled from membership or any officer removed from office by two-thirds of the vote cast at a Unit meeting duly called for that purpose, 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 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 — PARLIMENTARY AUTHORITY

Section 1. The Unit organization shall be governed by "Robert's Rules of Order, Newly Revised," on all points not covered in National and/or Department Constitution and Bylaws.

ARTICLE X — AMENDMENTS

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

STANDING RULES

Standing Rules are rules and regulations for the guidance of an assembly, which have been adopted, the same as resolution, by a majority vote without previous notice. They are usually administrative in nature. A Standing Rule may be amended or rescinded by a two-thirds vote, or if notice has been given, by a majority vote.

Standing Rules are usually adopted from time to time, as they are needed, in the form of Resolutions. These rules are more detailed than the Constitution and Bylaws.

1. The regular scheduled meeting of American Legion Auxiliary **Carmichael Legree Auxiliary Unit 167, Inc.** Shall be held on **Third Wednesday** of each month, unless otherwise specified and shall be called to order at 7:00 p.m. An Executive Committee shall be held the Tuesday prior to the monthly meeting, if needed.
2. **Three (3)** members of this Unit shall constitute a quorum at any regular scheduled meeting of the Unit.
3. The annual Senior membership dues of this Unit shall be **\$50.00** and **\$6.00** for juniors, paid annually to include the Department and National per capita.
4. In addition to the Core Committees listed in the Bylaws, 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 Parley, Poppy, and Public Relations. An Auditing committee composed of three members shall be appointed by the Unit President for the purpose of auditing the Treasurer's account at the close of each term, and making a report of the audit to the Unit.
5. Unit elected Officers, consisting of treasurer, president, and vice-president shall be on the bank account and are authorized to sign checks for disbursement of funds from the Unit treasury. All checks **MUST** have two of the three above signatures before being turned over to the second party.
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. Where deemed necessary, a Recording Secretary and a Corresponding Secretary may be elected/appointed to carry on the duties normally performed by the Secretary. The office of Secretary may be combined with that of Treasurer and called "Secretary-Treasurer."
8. A Budget Committee composed of three (3) members, including the Unit Treasurer, shall be elected by the members, or appointed by the President, for the purpose of presenting a budget for the ensuing year.
9. 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 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, if needed.

This Constitution, Bylaws and Standing Rules were read, voted upon and approved at our regular meeting on January 18, 2023.

Vanessa Jones Miller
UNIT PRESIDENT

UNIT SECRETARY

DATE: _____

UNIT CONSTITUTION & BYLAWS CHAIRMAN

DATE: _____

DEPARTMENT CONSTITUTION & BYLAWS CHAIRMAN

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NOTE: The National Constitution and acts of the National Conventions constitute the fundamental law of the Auxiliary and the Department Constitution. The acts of the Department Convention and the Department Executive committees must conform to them or be rendered null and void. Similarly the Constitution of a Unit must conform to the Constitution of the Department in which it is located. Any provision of a Unit constitution which conflicts with the Constitution of the Department or with any action of the Department Convention or the Department Executive Committee is invalid and without effect. In a few Departments the adoption of a uniform Unit Constitution and Bylaws prescribed by the Department is mandatory.

ADDITIONAL STANDING RULES

1. Election may be by voice vote if there is only one candidate; but where there is more than one candidate for the same office, election shall be by ballot and the majority of votes cast shall be necessary to elect.
2. In addition to the duties defined in the Bylaws, the Vice President Shall be in charge of Membership and of Poppies organization.
3. Delegates and Alternates to a Department Convention shall be elected at a Unit meeting duly called for that purpose not less than two weeks prior to the convention. Alternates shall have their priority in order of their election. All members aspiring to be Delegates to Constitutional Convention or Department must have dues paid for current year.
4. Incoming and outgoing presidents shall automatically be delegates to the Department Convention.
5. The auxiliary will pay for at least 1 night room accommodations for training, as needed, during Fall Conventions; pending funds are available.
6. Treasurer must have itemized reports each month, and also, purchases made for the unity receipts must be turned in to treasurer.
7. Our budget is a proposed one and does not necessitate our spending the entire amount designated. If an emergency arises between meetings, requiring money to be spent, the President or Secretary shall call Unit Officers, until three (3) approval votes are made, when Officers are not available Executive Board members will count. Each name and the way they voted must be recorded.
8. Any correspondence **pertaining to the Unit** shall be written by the Secretary or Media Chairman and approved by the president. Any and all phone calls to department shall be made by the President, Secretary, Treasurer, or Membership Chairman only.
9. All incoming correspondence shall be given to the Secretary; she in turn shall read it in the meeting before the assembly.

10. NO OFFICER will appoint a member to take her place without the approval of the President; the President can appoint any member in good standing.
11. No Chairman has the authority to make a decision pertaining to this Unit without the approval of the President and Assembly.
12. Benevolence for unit members in time of illness and bereavement shall be carried out as funds are available. Upon unit member illness where hospitalization is required, they shall be sent a card and flowers. If a unit member passes, the family will receive a floral piece from the unit. If a unit member, experiences the death of an immediate family member they will receive a card. Immediate family member as defined by the following: children, spouse/partner, sibling or parent.
13. The incoming President shall choose the dress code for the officers for the year.
14. Applications for new membership can be voted on as soon as presented, providing application has been certified. This will also apply to transfer applications. When transferred from another Unit, your activities are only credited for what you do while you are a member of this unit.
15. To be eligible for Lifetime Honorary membership you must have worked in various positions and activities for a period of fifteen (15) YEARS OR MORE. If receiving monetary donations for working, it is not creditable. All endorsements, for honorary membership must be in writing and presented at the executive board. If a member wants a gold card, they themselves shall pay the difference. When transferring to another unit, your Honorary Lifetime membership is not transferable.

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

January 18, 2023

Vanessa Jones Miller
Unit President

Unit Secretary

Unit Constitution and Bylaws Chairman

Department Constitution & Bylaws Chairman

Date Approved