

CONSTITUTION AND BYLAWS
OF
AMERICAN LEGION AUXILIARY



RECEIVED DEC 04 2018

DONALD E PARKER UNIT 209, INC.
DEPARTMENT OF FLORIDA
806 NW 1ST STREET
DANIA BEACH, FLORIDA 33311

APPROVED

MARCH 05, 2018

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 Donald E Parker Unit 209, Inc., Department of Florida.*

ARTICLE II – NATURE

Section 1: American Legion Auxiliary Donald E Parker Unit 209, Inc. is a civilian patriotic service organization of women that supports the mission of The American Legion.

Section 2: American Legion Auxiliary Donald E Parker Unit 209, Inc. shall be 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 - OBJECT

The object of the American Legion Auxiliary Donald E Parker Unit 209, 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, wives, 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 all men and women who were in the Armed Forces of the United States during any of the following periods: April 6, 1917–November 11, 1918; December 7, 1941–December 31, 1946; June 25, 1950–January 31, 1955; February 28, 1961–May 7, 1975; August 24, 1982–July 31, 1984; December 20, 1989–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 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 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 V – UNIT OFFICERS

Section 1: The Unit shall elect annually a President, First Vice President, Secretary*, Treasurer*, Chaplain, Historian, Sergeant-at-Arms, who shall serve until their successors are duly installed or as otherwise provided. All officers may serve up to three (3) consecutive one (1) year terms in office.
(or a combination of some of these officers.)

*Secretary and *Treasurer may be elected or appointed.

ARTICLE VI – EXECUTIVE COMMITTEE

There shall be an Executive Committee, which shall consist of all officers and **two (2)** additional Members at Large elected by the Unit or appointed. The term of office for members of the Executive Committee shall be for **one year**.

ARTICLE VII – FISCAL YEAR

The fiscal year shall be the same as that of the Department, **July 01 to June 30**.

ARTICLE VIII – AMENDMENTS

Section 1: This Constitution may be amended by two-thirds (2/3) vote of the members present 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 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 proceedings of said committee shall be presented to the Unit at the next 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 she succeeds.

Section 3: A majority of the members of the Executive Committee shall constitute a quorum.

Section 4: *By order of the President a Special meeting maybe called*, written or electronically requested by a minimum of 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. All special meetings must conduct business specific transactions.

ARTICLE II – DUTIES AND POWERS 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 Meetings; to enforce strict observance of the Constitution and Bylaws; to appoint members of Standing Committees; to create such other committees and appoint members thereof as she deems advisable; to perform other such duties as custom and parliamentary usage required and to appoint all officers not otherwise provided for.

Section 2: Duties of the Vice President – The First and Second Vice Presidents, in the order named, 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.

Section 3: Duties of the 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 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. She is hereby vested with such authority as it is necessary to carry out her duties successfully for the good of the American Legion Auxiliary.

Section 4: Duties of the Treasurer – It shall be the duty of the Treasurer to receive all monies belonging to the Unit and account for them. She shall pay the bonding fee as determined by the Department Office. She 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 Veteran and his/her children. She shall keep an accounting of her

receipts and expenditures, making an annual report thereon and such other reports as the IRS 990 which 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, vouchers, and papers belonging to the Unit to her 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, and perform such other duties as directed by the President and to notify Department of any deceased members monthly.

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 the 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 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 of the following year, 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, Donald E Parker Unit #209, 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: A Special meeting of the Unit may be called by the President, or by a majority of the Executive Committee, with the President being notified, or upon written request of three (3) members of the Unit.

ARTICLE V – ELECTION

Section 1: Elections shall be held annually. 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 most of the votes cast for one (1) nominee shall be necessary and 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 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, Audit, Veterans 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, 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, 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 appellant shall bear the expenses of the said appeal.

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 Edition” on all points not covered in National and/or Department Constitution and Bylaws.

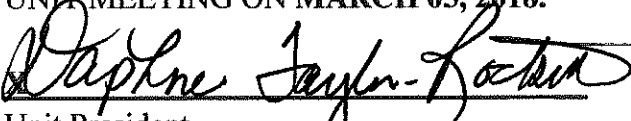
ARTICLE X - AMENDMENTS

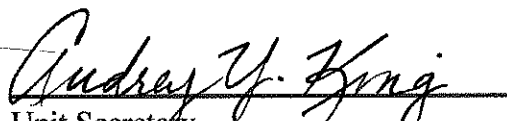
Section 1: These Bylaws may be amended with two thirds (2/3) vote of the members present at a regular meeting, provided the proposed amendments shall have been read at a previous Unit meeting.

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

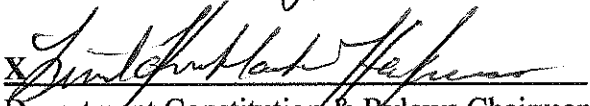
Section 3: These Bylaws shall automatically be amended to conform to the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary.

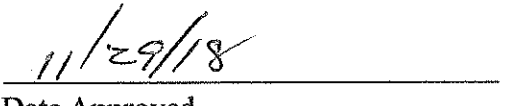
THIS CONSTITUTION AND BYLAWS WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON MARCH 05, 2018.


Unit President


Unit Secretary


Unit Constitution and Bylaws Chairman


Department Constitution & Bylaws Chairman


Date Approved

STANDING RULES

The Donald E Parker Unit 209 of the 9th District, American Legion Auxiliary, hereby adopts the Unit Constitution & Bylaws as prescribed by the American Legion Auxiliary, Department of Florida.

1. The **regular scheduled meeting** of American Legion Auxiliary Donald E Parker Unit #209, Inc. shall be held on **1st Monday of each month**, unless otherwise specified and shall be called to order at 7 pm. An Executive Committee meeting shall be held **the 3rd Monday of each month** at 7 pm, unless otherwise specified as needed.
2. To act in the best interest of our Mission, Vision and Preamble, Auxiliary Members are to **Read and Sign in Good Faith, the Code of Ethics Agreement** in a regularly scheduled unit business meeting. The signed agreements are to be filed in a secured and locked filed cabinet for record.
3. **Five (5) members of this Unit shall constitute a quorum** at any regular scheduled meeting of the Unit to conduct business.
4. **Elected Office** of the, President, 1st Vice President, and Treasurer can only run for or hold office for two (2) consecutive years. She must vacate her seat for one (1) year before holding that specific office again.
5. The **annual Senior membership dues of the Unit shall be \$30.00** (thirty dollars) to include Department and National per capita. The **annual dues of the Junior membership shall be \$5.00** (five dollars) to include the Department and National per capita. All dues are expected to be paid between July 1st and September 30th for the new fiscal year.
6. In addition to the **Core Committees listed in the Bylaws**, the Unit shall have the following **Committees**: Final Salute, Auxiliary Emergency Fund (AEF), Community Service, Education, Girls State, Children and Youth, VA & R, Americanism, Leadership, Legislative, Poppy, and Public Relations.
7. **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.
8. Where deemed necessary, a Recording Secretary and a Corresponding Secretary may be elected/appointed to carry on the duties normally performed by the Secretary when absent for an extended period of months.
9. A **Budget Committee composed of three (3) members**, including the Unit Treasurer, shall be elected by the members, or appointed by the President, for presenting a budget for the ensuing year.
10. **Officers will be Elected per Robert Rules of Order, Newly Revised, 10th Edition. Members who are eligible should submit their name and office of interest to the Secretary on the 1st Monday in March's business meeting. Elections will be held on the 1st Monday in April at the regular scheduled business meeting.**

11. **Election of Delegates** for department convention, fall conference and district meetings will be held on the on the 1st Monday in February of each year during the regular scheduled business meeting.
12. **Finance:**
 - a. Project working funds for officers, chairpersons, Poppy purchases, annual gifts for district president's visit, Department President's visit, VA & R visit.
 - b. Flowers and or gifts for illness, and death of members. Gift expense gift should not exceed \$50 (fifty dollars).
 - c. Unit elected or appointed officers, consisting of- **Treasurer, Secretary, & President**, are authorized to sign checks for disbursement of funds from the Unit treasury. All checks **MUST** have two signatures.
 - d. Expenses for delegates to department convention, fall conference, district meetings shall be reimbursed according to the Yearly Budget Allocation and availability of Unit Funds two (2) months prior to convention.
 - e. Department and District Assessments Annually.
 - f. All Unit members expenditures must have prior approval at a business meeting, **for reimbursements**.
 - g. Annual Donations to special community programs and charities will be allocated according to the yearly budget.
 - h. Arrangements for special luncheons/dinners for ALA (Dignitaries Visits) to our Unit will be honored according to available funds.
13. **Unit Equipment**-Rules for usage, maintenance, and audit. The Committee Chair of the scheduled event will be responsible for the care and cleaning of any Unit equipment after the event is over. All table linens and chair covers are to be washed or dry cleaned, folded, packed and returned to the assigned or designated storage place within 2 to 4 days. A detailed audit/list of all equipment for record and replacement should be taken between June 1st and June 25th at the end of each fiscal year.
14. A **Financial Audit** shall be held annually in the month of April by the 30th, to include the Treasurer, Secretary and 1 elected/appointed member.
15. **Banking**-The Unit Balanced Checkbook shall be turned over to the newly Elected Treasurer immediately after banking requirements are met, including signature changes and updates.
16. **Minutes and Banking Statements of the Unit** shall be archived at the end of each fiscal year for record and IRS Purposes in a locked file cabinet system at the Post.
17. The **Fiscal Year** of this Unit is July 1st to June 30th.
18. **ALL Officer's and Executive members and members at large** are *expected* to attend regularly scheduled Business/Training Meetings. All members at large are *expected* to attend the District Meetings for learning, and to carry out the necessary Unit 209 Functions and Causes. All Members are *expected* to notify the Secretary or President when not attending any regularly scheduled or call meeting. Members are *expected* to give a 48 hours' notice by phone, text messages and email are all acceptable forms of communication. For Personal Emergencies, leniency is given.

19. **Attire** for all meetings must be of business casual, or Unit/Department approved attire. No Shorts, or Midriff tops.

20. "These **Standing Rules** may be amended by a two-thirds (2/3) vote at any regularly scheduled meeting, or if notice has been given, by a majority vote."

THESE STANDING RULES WERE READ, VOTED ON AND APPROVED AT A SCHEDULED UNIT MEETING ON,

Wednesday October 3, 2018

Daphne Jayne Locke
Unit President

x *Quincy Y. King*
Unit Secretary

Daphne Jayne Locke
Unit Constitution and Bylaws Chairman

x *Timothy W. Hufsch*
Department Constitution & Bylaws Chairman

11/29/30

Date Approved