

**CONSTITUTION AND BYLAWS  
OF  
AMERICAN LEGION AUXILIARY  
JOHN GELLA MEMORIAL UNIT NO. 219, INC.  
DEPARTMENT OF FLORIDA  
FRUITLAND PARK, FL 34731**

**January 9, 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 I – NAME**

The Name of this organization shall be *American Legion Auxiliary John Gella Memorial Unit 219, Inc., Department of Florida.*

**ARTICLE II – NATURE**

**Section 1:** American Legion Auxiliary John Gella Memorial Unit 219, Inc. is a civilian patriotic service organization that supports the mission of The American Legion.

**Section 2:** American Legion Auxiliary John Gella Memorial Unit 219, Inc. shall be absolutely nonpolitical and shall not be used for dissemination of partisan principles or for any promotion of the candidacy of any person seeking public office or preferment.

### ARTICLE III - OBJECT

The object of the American Legion Auxiliary John Gella Memorial Unit 219, Inc., Department of Florida, shall be as stated in the Preamble to the Constitution.

### ARTICLE IV – ELIGIBILITY

**Section 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 female descendants of 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–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, 1928; 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;
- (4) 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 annual or for life.

## ARTICLE V – UNIT OFFICERS

**Section 1:** The Unit shall elect annually a President, Vice President, Treasurer, Chaplain, Historian, and Sergeant-at-Arms, who shall serve until their successors are duly installed or as otherwise provided.

**Section 2:** The Unit Secretary shall be appointed by the President after the President's election and prior to installation of officers. The appointment shall be approved by the Executive Committee prior to the installation of officers, and said Secretary shall be an Officer of the Unit.

## ARTICLE VI – EXECUTIVE COMMITTEE

There shall be an Executive Committee, that shall consist of all officers and three (3) additional Members at Large elected by the Unit, and the Past President from the preceding year. 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.

## ARTICLE VIII – AMENDMENTS

**Section 1:** This Constitution may be amended by a 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 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 business specified shall be transacted.

## **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 Committee; 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 deemed advisable; to perform other such duties as custom and parliamentary usage requires, and to appoint all officers not otherwise provided for.

**Section 2:** Duties of the Vice President: The Vice Presidents shall, when called upon, assist the President and if absent, perform the duties of the office and shall succeed to the office in case of death, resignation or removal from office.

**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. The Secretary is hereby vested with such authority as it is necessary to carry out the duties of the office 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. 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/Welfare Fund. All Poppy donations shall be placed in the Poppy/Welfare Fund and be used to assist the Veterans and their 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. The accounts shall be audited annually. All current bills shall be paid before transferring all funds, books, vouchers and papers belonging to the Unit to the 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 and District 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 an annual 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<sup>st</sup>, 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<sup>st</sup> 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, John Gella Memorial Unit #219, 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 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:** Electronic meetings and voting may be held during an emergency situation or at any time a Unit's officers deem necessary. Notification of an electronic meeting and/or voting must be sent to each member of the Unit via email or regular mail if no email address is available and shall contain an agenda and any documents that participants will need to reference in advance so that participants can follow the flow of the meeting and/or voting procedure. Minutes of the electronic meeting must be created as well as recording the motions and votes.

## **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 the 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-at-Large 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, 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**

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 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 in National and/or Department Constitution and Bylaws.


## ARTICLE X - AMENDMENTS


**Section 1:** These Bylaws may be amended by 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 was read, voted on, and approved at our regular Unit meeting on January 9, 2023.

  
Unit President Diane Spencer

  
Unit Secretary Diane C. Rousseau

  
Unit Constitution and Bylaws Chairman  
Diane C. Rousseau



**AMERICAN LEGION AUXILIARY  
JOHN GELLA MEMORIAL UNIT NO. 219, INC.  
DEPARTMENT OF FLORIDA  
FRUITLAND PARK**

**STANDING RULES**

1. The regular scheduled meeting of American Legion Auxiliary John Gella Memorial Unit #219, Inc. shall be held on the 2<sup>nd</sup> Monday of each month, unless otherwise specified and shall be called to order at 6:00 p.m. An Executive Committee meeting shall be held the 2<sup>nd</sup> Monday of the month unless otherwise specified and shall be called to order at 5:00 p.m.
2. Seven (7) members of this Unit shall constitute a quorum at any regular scheduled meeting of the Unit.
3. **Effective starting with the 2024 dues, the annual Senior membership dues of the Unit shall be Forty Dollars (\$40.00)** [which includes National dues of \$18.00, Department dues of \$12.00, and Unit dues of \$10.00]. The annual dues of the Junior membership shall be Five Dollars (\$5.00) [which includes National dues of \$2.50, Department dues of \$1.75, and Unit dues of \$.75].
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, Leadership, Legislative, Past Presidents Parley, Poppy, and Public Relations.
5. All members responsible for Unit funds shall be bonded through the Auxiliary's blanket Fidelity bond, and the Unit will pay the annual premium to Department Headquarters for such coverage.
6. A Budget Committee composed of three (3) members, including the Unit Treasurer, shall be appointed by the President, for the purpose of presenting a budget for the ensuing year.
7. 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 obtain 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.
8. All applications for membership shall be acted upon at the next Unit meeting following the making of such application.
9. New members will be given an American Legion Auxiliary membership pin upon

9. New members will be given an American Legion Auxiliary membership pin upon participation in a Unit Initiation of New Members ceremony.
10. Any member with 50 years of continuous membership with the American Legion Auxiliary will receive an "Honorary Life Membership" from this Unit. A 50 Year Certificate and an honorary life membership card {nickel/silver} will be presented to said member. Annual dues for the member will be paid by the Unit.
11. No member of this Unit will be allowed in the Post Lounge during a regular Auxiliary meeting. Said member will be required to attend said meeting or leave the premises.
12. There shall be no smoking and no alcoholic beverages at Auxiliary Unit meetings.
13. A 50/50 drawing may be held at each regular meeting. Members attending the meeting as well as members and guests in the lounge will be allowed to take part in this drawing. The drawing will be held immediately following the sale of tickets and prior to the opening ceremony of the meeting.
14. All Unit checks MUST always be signed by two of the authorized signatories as listed and provided to the Unit's bank.
15. All monies deposited in the Unit checking account are not to be used unless approved by the Unit Executive Committee and approved by the Unit. Once the budget is approved by the Unit, donations/expenditures itemized in the budget will be made when applicable without holding a separate vote on each item.
16. When a Unit member is deceased, the Unit Treasurer shall automatically donate \$50.00 to the Department Memorial Scholarship Fund in memory of said member if sufficient funds are available in the current year's budget.
17. All funds received at Auxiliary fundraisers shall be handled as follows:
  - Funds shall be counted by 2 Unit members.
  - Funds shall be put into an envelope and sealed.
  - Said envelope shall be marked with the total dollar amount enclosed, the date, and the name of the fundraiser (e.g. 1/13/17 Bake Sale at Fish Fry).
  - Said envelope shall be signed by the 2 Unit members who counted the funds.
  - Said envelope will then be given to the Unit Treasurer or left in the Auxiliary Office for the Treasurer to handle for the Unit. (If the office door is locked, simply slide the envelope under the door.)
18. Thirty cents (\$.30) per mile gas allowance will be paid as follows:
  - Girls State: Chairman or appointee to attend 6th District Girls State Orientation.
  - VA&R: Chairman or appointee to deliver items to VA Medical Centers and clinics, or other VA&R travels on behalf of Unit 219.

Note: Mileage shall only be paid if the one-way distance to the destination is greater than twenty-five (25) miles. Mileage shall be figured and paid from Post 219 or Chairman or appointee's home to the destination – whichever is less.



19. The Unit Treasurer shall file the necessary annual reports and pay any required fee with the Florida Division of Corporations and the Florida Department of Agriculture and Consumer Services without prior approval of the membership, as well as all documents required to keep the Unit in compliance as required by law.
20. As provided below, each Delegate duly elected by the Unit to attend the Department Convention will receive the per diem listed below to assist with expenses provided that (1) the meetings are held at least 25 miles away from Post 219 or the Delegate's home – whichever is less, (2) attends meetings as required during the Conference/ Convention day(s), (3) submits a Check Request Form to the Unit Treasurer. {Note: The Chairman of the Delegation shall be the Unit President. If the Unit President is not attending, the Unit President shall select one of the delegates to serve as Chairman of the Delegation.}
  - Department Convention – **\$65.00 per diem for up to three (3) days = \$195.00** to attend Thursday's classes and the 2 days when General Sessions are held – usually Friday and Saturday of the Convention.
21. Other than set forth above in #20, any member who attends any Department and/or 6th District meeting/class of any kind shall receive **\$30.00 per diem** for attending such meetings provided that the meetings are held at least 25 miles away from Post 219 or the member's home – whichever is less, and they submit a Check Request Form to the Unit Treasurer.
22. A completed Check Request Form must be presented to the Unit Treasurer along with necessary receipts/back-up for anyone to receive reimbursement from the Unit account.
23. Between meetings of Unit 219, any Chairman or Officer may spend up to \$25.00 with the approval of the Unit President for expenses related to her committee or position for Unit matters/needs. Such expenditure shall then be reported on at the next regular meeting.
24. An Audit Committee composed of three (3) Unit members shall be appointed by the Unit President for the purpose of auditing the Treasurer's accounts. The Audit Committee shall audit the books of the Unit on a quarterly basis, more specifically during the 2nd week of October, January, April, and July.
25. When a member is deceased, the Unit President and Unit Chaplain shall work together in contacting the deceased member's family regarding any assistance they may need, and then shall work together to contact Unit members for needed items.
26. When a Unit member is deceased, or the spouse, significant other or immediate family member of a Unit member is deceased, up to \$75.00 may be spent for flowers and/or food – based on the request of the family.
27. The Unit shall pay the Auxiliary dues for all female veterans who are Legionnaire members in good standing of John Gella Memorial Post 219 and wish to belong to Unit 219 as well as the dues for any female veteran who is an Auxiliary member of Unit 219 and whose service dates do not qualify her to be a Legionnaire.
28. Newly elected officers shall assume their offices at the next regular meeting following their election.

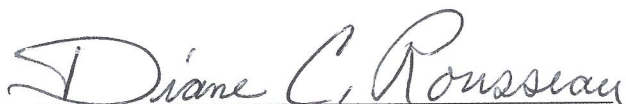


29. Any request for Auxiliary Emergency Fund (AEF) assistance from Unit 219 must be brought directly to the Unit President who shall immediately bring the request before the AEF Chairman and its Review Committee comprised of the President, Vice President, Treasurer, and one additional Unit member appointed by the Unit President for consideration. Any assistance approved shall be paid directly to a creditor(s) as needed. (NOTE: The Unit President should proceed to have Department and National AEF Applications completed if necessary.)
30. These Standing Rules may be added to, amended, or deleted at any regular Unit meeting by an affirmative vote of a simple majority of the Unit members present and voting at said meeting.

NOTE: The use of the terms "Unit member(s)" and "member(s)" in these Standing Rules shall refer to and mean "member/members in good standing" having paid their current year's dues.

These Standing Rules were read, voted on, and approved at the regular Unit meeting held on January 9, 2023.

  
Unit President Diane Spencer

  
Unit Constitution and Bylaws Chairman  
Diane C. Rousseau