

CONSTITUTION AND BYLAWS  
OF  
AMERICAN LEGION AUXILIARY  
PONTE VEDRA BEACH OF PALM  
VALLEY & UNIT 233, INC.  
DEPARTMENT OF FLORIDA  
560 N. WILDERNESS TRAIL  
PONTE VEDRA BEACH, FL 32082  
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 Ponte Vedra Beach of Palm Valley, Unit 233, Inc., Department of Florida.*

**ARTICLE II - NATURE**

**Section 1:** American Legion Auxiliary Ponte Vedra Beach of Palm Valley, Unit 233, Inc. is a civilian patriotic service organization that supports the mission of The American Legion.

**Section 2:** American Legion Auxiliary Ponte Vedra Beach of Palm Valley, Unit 233 Unit 233, 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 - OBJECT**

The object of the American Legion Auxiliary Ponte Vedra Beach of Palm Valley, Unit 233 Unit 233, 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 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.

**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 be comprised of members under the age of eighteen (18) years, whose activities shall be supervised by the Senior membership. Upon reaching the age 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, Second Vice President, Secretary\*, Treasurer, Chaplain, Historian, Sergeant-at-Arms, Assistant Sergeant-at-Arms who shall serve until their successors are duly installed or as otherwise provided. (or a combination of some of these officers.)

\*Secretary may be elected or appointed. (The Secretary will be Elected)

## **ARTICLE VI - EXECUTIVE COMMITTEE**

There shall be an Executive Committee, which shall consist of all officers and Three (3) additional Members at Large elected by the Unit. 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 two-thirds (2/3) vote of the members 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 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 deemed 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 if absent, perform the duties of the office and shall succeed to the 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. 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 Fund. All Poppy donations shall be placed in the Poppy Fund and be used to assist the Veteran and his/her 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 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 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, 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 Ponte Vedra Beach of Palm Valley, Unit # 233, 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.

## **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 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 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 WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON AUGUST 10, 2020.

X Julie Kay  
Unit President

Joanna Halme  
Unit Secretary

X Julie Kay  
Unit Constitution and Bylaws Chairman

X  
Department Constitution and Bylaws Chairman

\_\_\_\_\_  
Date Approved

**American Legion Auxiliary Unit 233  
Ponte Vedra Beach of Palm Valley  
Department of Florida**

**STANDING RULES**

1. The regular scheduled meeting of American Legion Auxiliary, Ponte Vedra Beach, Unit # 233, Inc. shall be held on the second (2nd) Monday of each month, unless otherwise specified and shall be called to order at 6:30 pm. An Executive Committee meeting shall be held (same night) the second Monday of the month unless otherwise specified and shall be called to order at 6:00 pm.
2. Five (5) members of this Unit shall constitute a quorum at any regular scheduled meeting of the Unit. Three (3) members of the Executive Committee will constitute a quorum at any Executive Committee meeting.
3. The annual Senior membership dues of the Unit shall be \$40.00 to include Department and National per capita. The annual dues of the Junior membership shall be \$4.25 to include the Department and National per capita. ALA Unit 233 will pay the annual dues for the Junior members until they turn 18 years of age. ALA unit will pay the Annual dues for the following HLM (Honorary Lifetime Members): Lisa Burdette and Sherry Collier.
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.
5. Unit elected Officers, consisting of the President, Treasurer and Secretary are authorized to sign checks for disbursement of funds from the Unit treasury. All checks MUST have two of the three above signatures. The Check Book is to be stored in the locked file cabinet located in the Auxiliary room at all times with the President and Treasurer having a key. The Treasurer may take the check book home for a period of 7 days for the purpose of balancing the account.
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 to carry on the duties normally performed by the Secretary. The Regular Monthly meeting will be taped by the Secretary on a tape recorder for the purpose of accurately typing the minutes of the meeting for permanent record keeping. Once the minutes have been approved by the general membership the Secretary will erase the minutes from the tape recorder.
8. 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. The proposed budget must be approved by the general membership.



9. Budgeted items on the "Yearly Budget" that have been approved by the general membership do not have to be approved again unless the dollar amount exceeds \$50.00 over the budgeted amount. The budget is to be posted to the Auxiliary bulletin board in the Auxiliary meeting room for each new term.
10. The Units fiscal year will run from July 1st to June 30th the following year.
11. 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 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.
12. The newly elected ALA Officers will assume office immediately after election. Annual Auxiliary dues must be paid by the newly elected officers within 7 days of the election. Each Unit officer shall turn over all records, monies, keys and pins that belong to the Unit to their successor before the installation of officers for the New Year.
13. An Audit Committee, consisting of three (3) members appointed by the President (the unit treasurer and unit president can attend to answer questions) will conduct an audit in April to be completed by April 30th of every term. The Audit should include ten (10) copies of deposits with backup paperwork and ten (10) copies of paid invoices paid with receipts to be examined by the auditors for accuracy. A report of the findings of the audit is to be typed by the Treasurer along with copies of the paperwork pulled for examination during the audit. This report will be read and approved by the general membership at the May general meeting and a copy of the Audit will be filed with the Treasurer and the Secretary.
14. The unit President has the General Membership's approval to spend up to \$50.00 dollars at a time, as needed for Auxiliary purchases only. A request for reimbursement form and your receipts are to be turned in as soon as possible, but no later than 30 days of purchase.
15. All monies collected from Auxiliary functions must be counted and signed by two (2) ALA members - NO exceptions.
16. If a donation is made for a specific purpose, such as an event, Girl State, Christmas Party whatever or whoever it is specified for it must be used for that purpose.
17. Members requesting reimbursement for monies spent must fill out a reimbursement form and submit it along with the receipt(s) to the Treasurer for payment. The Treasurer will reimburse the member within one week if the item was previously approved by the general membership. If the expenditure was not pre-approved by the general membership or if it is not a budgeted item then it must be approved by the general membership before the Treasurer can issue a check.
18. Reimbursement for one ink toner per year is pre-approved for purchase by the President, Secretary, Treasurer and Membership Chair. A reimbursement form and receipt must be turned in to the Treasurer before reimbursement can be made.

19. If the Unit is holding a benefit for an Auxiliary member in need, the funds that are collected for that member must be used to pay bills or used for a special need for the member. Checks cannot be made out to the member. Copies of bills / invoices that are being paid for by the Unit for the member will be given to the Treasurer for payment and a record of payments must be kept on file.
20. All cash and checks that are handed into the Auxiliary for any reason will be turned over to the Unit Treasurer within seven (7) days for deposit by the Treasurer. These funds are to be placed in a sealed envelope marked with the Treasurer's name and date and handed to the bartender on duty to be placed in the Auxiliary's drawer in the bartender's office.
21. The Membership Chairman will be allowed three (3) checks per week for membership processing or more on an "as needed basis". Checks or cash received by the Membership Chair will be turned over to the Treasurer for deposit into the bank within seven (7) days of receiving them.
22. Renewal and/or new member applications will be processed and submitted to Department within 30 days of receipt if all the paperwork is correct. The only exception to this is at the end of the membership term when National has not closed the books.
23. All Auxiliary transfer members shall be subject to acceptance by majority vote by General Membership.
24. The Unit will have a P.O. Box. The President and the Membership Chairman will have a key for this box. The box must be checked at least once a week. Our current box is: ALA Unit 233- P.O. Box 303, Ponte Vedra Beach, FL 32004. In case you need a street address associated with our Box it is - ALA Unit 233 - 130 Corridor Road, Ponte Vedra Beach, FL 32004.
25. Upon the death of an Auxiliary member's relative a donation to a charity of their choice will be made as follows: The check must be made out to the charity of choice and not the member.
  - a. Spouse - \$50.00 | Father or Mother - \$35.00 | Children - \$35.00
  - b. Siblings - a card will be mailed to Auxiliary member.
26. Visiting ALA Dignitaries will have their meals and two (2) drinks paid for by the Auxiliary during an "Official" Visit.
27. Raffle Baskets expenditures are pre-approved at \$75.00 unless otherwise voted on by the general membership.
28. The Unit will pay \$150.00 for entertainment (a budgeted item) for an Auxiliary event unless voted on and approved by general membership.

29. The Auxiliary will vote on any Children's Holiday Parties (ie. Easter, Halloween, Christmas, subject to advanced sign-up participation). The dollar amount to be spent on each gift/event will be determined at the general meeting at least 30 days prior to the event. If a child has been signed up for the Party and does not attend, the gift is forfeited and will be given to charity.
30. A receipt will be given to anyone who is making an ALA unit 233 donation for Tax purposes if requested.
31. Cell phones will be silenced before the meeting (unless approved otherwise by the President). A fine of \$5.00 will be paid if a member's phone rings during a meeting and the money will be donated to the Unit's Auxiliary Emergency Fund (AEF).
32. The monthly kitchen fees will be paid by the Treasurer within one week of receiving the invoice. Approval for payment by the general membership is required. The Post 233 Kitchen Contract will be revisited each year by the new incoming ALA President and the Post commander. They will meet and bring a new contract for the kitchen fees to the next Unit Membership Meeting for approval.
33. All Auxiliary paperwork, history books, bank statements, previous membership rosters, will be stored FOREVER in the locked filing cabinet in the Auxiliary meeting room. This is the history of our Unit. The Unit President, Secretary and Treasurer will have a key for this filing cabinet.
34. The duties of the 2nd Vice is to be responsible for the planning of the monthly ALA breakfast and dinner. They will also be responsible to work with the President on planning meals for other special events.
35. The Treasurer will be responsible for filing tax returns (990), Solicitation Permit from the Agricultural Department of FL, Obligations to the Auxiliary Dept. of FL. And the Filing for FL Dept. of Corporations. These documents will be filed each year in a timely manner to be in compliance with all Federal, State and ALA Department rules and regulations.
36. Auxiliary members that do not attend the Auxiliary Monthly Meeting but are in the Post or in the pavilion during the meeting time, may not be served drinks of any kind until the meeting is over with. Members attending the meeting cannot leave the meeting for the purpose of ordering a drink of any kind. Alcoholic drinks are not allowed during the meeting if there is an open Bible in the meeting room.
37. The Unit shall be guided by the Code of Ethics as published in the National Auxiliary Standing Rules on pages 23-27.
38. The Unit shall pay for 2 nights hotel at Convention, Workshop, and Fall Conference for the President, or another member voted on in a general meeting. Gas reimbursement will be voted on at the general meeting prior to the event.

39. Electronic meetings and voting may be held in 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 is provided. Minutes of the electronic meeting must be created as well as recording the motions and votes.

Standing Rules are adopted by a majority vote and may be amended by two-thirds (2/3) vote at any meeting, or if notice has been given, by a majority vote.

THESE STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON JANUARY 9, 2023

X Julie Kay  
Unit President

X Julie Kay  
Unit Constitution and Bylaws Chairman

X  
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Department Constitution and Bylaws Chairman

Joanna Helms  
Unit Secretary

\_\_\_\_\_  
Date Approved