

CONSTITUTION AND BYLAWS  
OF  
AMERICAN LEGION AUXILIARY  
*Cross Bayou Unit 252, Inc.*  
DEPARTMENT OF FLORIDA  
11433 Park Blvd  
Seminole, FL 33772

**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, *Cross Bayou Unit 252, Inc.* Department of Florida.

**Article II -- Nature**

**Section 1.** The American Legion Auxiliary *Cross Bayou Unit 252, Inc.* is a civilian patriotic service organization that supports the mission of the American Legion.

**Section 2.** The American Legion Auxiliary *Cross Bayou Unit 252, Inc.* shall be absolutely non-political and shall not be used of the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

**Article III -- Object**

The object of the *American Legion Auxiliary Cross Bayou Unit 252, Inc.* Department of Florida shall be as stated in the Preamble of the Constitution.



## **Article IV -- Eligibility**

**Section 1.** Eligibility for Membership in the American Legion Auxiliary shall be limited to the grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion, and to the 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 any of the following periods:

- A. April 6, 1917 to November 11, 1918 and any time after December 7, 1941 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 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.

- B. Senior membership shall be comprised of members age eighteen (18) and older, provided however, a member is 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.
- C. 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,
- D. Dues for both classes shall be paid annually or for life.

## **Article V -- Unit Officers**

The Unit shall elect annually a President, First Vice President, Second Vice President, Treasurer, Chaplain, Historian, Sergeant--at-- Arms, and Assistant Sergeant--at-- Arms, who shall serve until their successors are duly installed or as otherwise provided. A Secretary will be appointed by the President.

## **Article VI -- Executive Committee**

There shall be an Executive Committee, which shall consist of all officers and three (3) additional Members--at--Large and the immediate Junior Past President 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 of Florida.

## **Article VIII -- Amendments**

**Section 1.** This Constitution 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 meeting.

**Section 2.** Amendments not having been read 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.

These Constitution and Bylaws were read and unanimously approved at a regularly scheduled meeting held on October 13th, 2022.

*Carla Feist*

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Carla Feist Unit President

*Kathy Williams*  
\_\_\_\_\_  
Kathy Williams Unit Secretary

*Juliann Osley*  
\_\_\_\_\_  
Juliann Osley  
Unit Constitution & Bylaws Chairman

## 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 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 unexpired term of the member they succeed.

**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 meeting 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 the standing committees; to create such other committees and appoint members thereof as they deem advisable; to perform such other duties as custom and parliamentary usage require; and to appoint all officers not otherwise provided for.

**Section 2. Duties of the Vice President:** The First and Second Vice President in the order named shall, when called upon, assist the President and in the President's absence, perform the President's duties, and shall succeed the President in office in case of death, resignation or removal.

**Section 3. Duties of the Secretary:** It shall be the duty of the Secretary to record the proceedings and transactions of all the 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 the correspondence sent and received; and perform such other duties as shall be required of the Secretary by the President.

**Section 4. Duties of the Treasurer:** It shall be the duty of to receive all monies belonging to the Unit and to account for them. The Treasurer shall pay the bonding fee as determined by the Department office. The premium of said bond is to be paid by the Unit, as per Department's request. The Treasurer shall pay all orders signed by the President or Secretary and shall retain these orders as vouchers. The Treasurer shall keep an accounting of the receipts and expenditures, making annual report thereon and such other reports as may be deemed necessary by the Unit Executive Committee. The accounts shall be audited annually. The Treasurer shall hand over to and deliver to their successor, all money, vouchers, books and papers belonging to the Unit. There will be a separate account on the books for money derived from Poppy Day distributions.

**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 to perform such other duties as the President may direct. The Chaplain sends cards to all ill members.

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

**Section 7. Duties of the Sergeant-at-Arms and Assistant Sergeant-at-Arms:** It shall be the duty of the Sergeant-at-Arms and Assistant Sergeant-at-Arms to preserve order at the meetings of the Unit and to perform such other duties as may be requested by the President.

**Section 8. Duties of the Members at Large:** The three members at Large will perform such duties as may be requested by the President. They must be willing to accept a Program Chairmanship.

### **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 dues of the Unit shall be as stated in the Standing Rules which shall 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 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.

### **Article IV – Unit Meetings**

**Section 1.** The regular scheduled meeting of The American Legion Auxiliary *Cross Bayou Unit 252, 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 – Elections**

**Section 1.** Elections shall be held annually.

**Section 2.** Elections shall be done by ballot. If there is only one person nominated for an office the ballot may be dispensed with and that nominee declared a winner.

## **Article VI – Committees**

The Unit shall have the following Core Committees: Americanism, Children and 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 any Department shall be upon application of the member to, acceptance by, the other Unit, in conformity with National and Department Constitutions and Bylaws.

## **Article VIII -- Discipline**

**Section 1.** For any violation of the Unit, Department or National Constitutions, or for conduct Improper and prejudicial to the welfare of the American Legion Auxiliary or of the American Legion, any member may be expelled from membership or any officer may be removed from office by a two--thirds vote at a Unit meeting duly called for that purpose; said expulsion or removal to be binding only in the event that said member or officer shall have been at least a fifteen (15) day 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 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**

**Section 1.** The Unit organization shall be governed by “Robert’s Rules of Order, Newly Revised,” on all points covered by this Constitution and Bylaws.

**Section 2.** The National Constitution and the acts of the National Conventions constitute the fundamental law of the Auxiliary and the Department Constitutions. The acts of the Department Convention and 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 provisions of a Unit Constitution which conflicts with the Constitution of the Department Executive Committee is invalid and without effect.

## **Article X – Amendments**

**Section 1.** These Bylaws may be amended by a 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 read may be adopted by the unanimous vote of the members present.

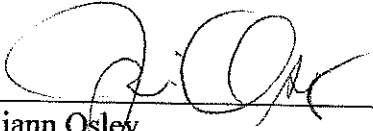
**Section 3.** This Constitution and Bylaws shall be automatically amended to conform to the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary.

These Constitution and Bylaws were read and unanimously approved at a regularly scheduled meeting held on October 13th, 2022.

*Carla Feist*

Carla Feist Unit President

*Kathy Williams*  
Kathy Williams Unit Secretary



Juliann Osley  
Unit Constitution & Bylaws Chairman

## STANDING RULES

### Article 1 - Officers

**Section 1.** All files pertaining to Auxiliary members will be kept in the file at the Post excluding correspondence.

**Section 2** All computer equipment purchased by the Unit (laptop, printer, etc) shall remain in the Unit office, except for any needed repairs. The computer shall be used only for Unit business.

**Section 3.** The Membership Chairman will provide copies of all recap / transmittal sheets with names to the Treasurer. Treasurer will file sheets with deposit slips for dues.

### Article 2 - Dues and Finance

**Section 1.** Beginning with the 2024 dues, the annual senior membership dues of the Unit shall be \$40.00 initially and \$40.00 annually thereafter, which shall include the Department and National per capita. The annual junior membership dues of the Unit shall be \$8.00 initially and \$8.00 annually thereafter, which shall include the Department and National per capita.

**Section 2.** There shall be a standing Finance Committee of three (3) members. The Unit Finance Committee shall meet once a year and shall oversee the general financial policy of this Unit. The Unit Finance Committee shall be charged with the preparation of the yearly budget and supervise the expenditure of funds under the budget. It shall be the duty of the Unit Finance Committee to review yearly the books of the Unit Treasurer.

**Section 3.** All expenditures of funds approved in our budget can be paid when due. All other expenditures would be approved by the General Membership at a meeting. When the Executive committee approves an item within the amounts stated in the Standing rules, it too must be brought to the General Membership for ratification (final approval).

**Section 4.** The Executive Committee may not expend more than One Hundred Fifty Dollars (\$150.00) at any one meeting without the sanction of the Unit, with expenditure presented to the membership at the next general meeting.

**Section 5.** The Unit will assist a member in financial need, if funds allow. There is limit of up to Two Hundred Fifty Dollars (\$250.00) once a year. To preserve privacy and dignity, the President, Secretary, and Unit Auxiliary Emergency Fund Chairman will review the request from the member and present to the membership for a vote. If possible, a check will be issued directly to the point where assistance is needed. IE: Landlord, Utility Bill, Food Assistance, Etc.

**Section 6.** A \$5.00 fee will be charged for duplicate cards.

**Section 7.** All monies will be counted at the Post home with two members present. With the exception of the Membership Chairman and the Treasurer, Auxiliary funds will not leave the Post home.

**Section 8.** Four signatures will be on file with the bank to sign checks. Two signatures are required on all checks. The four signers will be: President, Treasurer, Membership Chairman and Secretary.



### **Article 3 - Unit Meetings**

**Section 1.** The Regular Meeting of this Auxiliary shall be held on the third (3<sup>rd</sup>) Thursday of each month or such other date as the Officers may designate, by duly notifying the membership in advance and shall be called to order at 7:00 PM.

**Section 2.** Eight (8) Unit members shall constitute a Quorum of a Business meeting of the Unit.

**Section 3.** Executive Meeting shall be held on the first (1st) Thursday each month, unless otherwise specified, and shall be called to order at 7:00 PM.

**Section 4.** Five (5) Unit members shall constitute a Quorum of an Executive Committee Meeting.

**Section 5.** The annual meeting of this Unit shall be held not more than 90 days and not less than 15 days prior to the date of the Department Convention, for the purpose of electing officers.

**Section 6.** Tape recorders will be permitted to be used by the Secretary at Executive and Regular meetings unless requested by an Officer or member to refrain from taping conversation.

**Section 7.** Any Unit 252 Auxiliary member in the Lounge during the Business Meeting of the Auxiliary on the third Thursday of the month at 7:00 PM will be requested to attend the meeting or leave the property, no exceptions.

**Section 8.** Members must make every effort to attend meetings on time. Any member arriving more than ten (10) minutes after the start of the regular meeting shall not be admitted unless they have previously notified the President. The President may instruct the Sergeant-at-Arms to allow the late member to enter without disrupting the meeting. Based on Section 7 any member not admitted to the meeting must then leave the property.

**Section 9.** There shall be no smoking at the meeting.

### **Article 4 - Committees**

**Section 1.** A nominating committee composed of three members shall be elected for the purpose of presenting a slate of Unit officers for the ensuing year.

**Section 2.** An auditing committee composed of three members shall be appointed by the Unit President for the purpose of auditing the Treasurer's accounts at the close of each term, and making a report of the audit to the Unit.

**Section 3.** Unit shall Maintain two logins for Membership Processing System (ALMIS) . Membership Chairman and President.

### **ARTICLE 5 – Nominations and Elections**

**Section 1.** All officers and executive committee members shall be elected annually at a meeting duly called for that purpose.

**Section 2.** A Nominating Committee composed of three (3) members of the Unit shall be elected at a regular meeting of the Unit four (4) months prior to elections and shall present a slate of candidates for office at a regular meeting, three months prior to elections when additional nominations may be made from the floor.

There will be two (2) months, the final nomination of officers will take place at a regular meeting one (1) month prior to elections. Nominations will be closed at the meeting. Elections will be held the following month, not more than 90 days prior to Department Convention nor less than 15 days. Nominating Committee Chairman is selected by the Unit President from one of the three members elected.

**Section 3.** A nomination will be effective only upon the nominee being present at the time of nomination or, by nominee for office having previously filed a written acceptance of such nomination.

**Section 4.** 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 priority in the order of their election.

**Section 5.** Only members in good standing (current dues paid) are permitted to vote during elections. Our Unit Sgt-at-Arms is required to inspect the membership cards of each member prior to voting.

**Section 6.** Delegates and alternate delegates shall be elected in accordance with the plurality of the votes cast, that is, those receiving the next highest vote shall be declared elected alternate delegates.

### **Article 6- Installation**

**Section 1.** The Secretary of the Unit shall be responsible for the purchasing of a pin/gift to the outgoing President using money allotted in the budget for same. The outgoing President will receive a Past President's pin at installation. If the outgoing President already has one, a gift of equivalent value will be presented.

**Section 2.** The outgoing Unit President shall be responsible for Installation plans.

**Section 3.** All Officers and Executive Committee badges must be returned to the President at the last meeting of the current year. Each of the pre-mentioned are responsible for their badges and if lost shall reimburse the Unit at the current price.

**Section 4.** All officers of the Unit, Cross Bayou 252, shall be installed at a time coincident with installation of officers of Cross Bayou, Post 252 of The American Legion. The secretary shall notify Department Headquarters of the names and addresses of such officers ten days prior to the Department Convention, on forms furnished by the Department Secretary.

### **Article 7- Conferences and Convention**

**Section 1.** The President and Secretary are automatic Delegates by the virtue of their office for the Constitutional Conference.

**Section 2.** Automatic Delegates for the Department Convention shall be the incoming, outgoing Presidents, and incoming Secretary. If any of the above mentioned are unable to go, a Delegate shall be elected to go in their place. This will include the total number of entitled based on the Unit membership paid by close of books.

**Section 3.** The outgoing President shall be the Chairman of the Delegation. Should the outgoing President be unable to attend, the incoming President shall be the Chairman.

**Section 4.** A Unit 252 member who is a Past Department President entitles the Unit to an extra vote at the Department Convention and is entitled to the same expense.

**Section 5.** Hotel room expenses will be paid for Delegates based on double occupancy and MUST attend ALL scheduled Department meetings. If the meetings are not attended by the Delegate they will forfeit a portion of the monies given by the Unit. (For example if only one session is attended and there were three sessions the Delegate will only get one third of the money allotted from the budget.) Each automatic and elected Delegate shall receive their own check in the amount allotted in the budget and are responsible for their own reservation.

**Section 6.** All Delegates to the Department Convention and Fall Conference shall bring back reports on the Chairmanships assigned them by the Chairman of the Delegation at the next regular Unit meeting.

#### **Article 8-Members**

**Section 1.** Upon the death of a Unit member, a donation of \$25.00 shall be remitted to Department earmarked for the Memorial Scholarship.

**Section 2.** Proof of continuous years of membership in the American Legion Auxiliary for a period of 5, 10, 15, 20, 30, 35, 40, 45 and 50 years entitles the member to wear a special Honor Guard or Shield in good standing.

**Section 3.** If an applicant is voted on and rejected, they shall be informed by mail of the results. Same holds true for applicants accepted at the meeting.

**Section 4.** Transfer of membership from another unit to Unit 252 shall be automatically accepted upon application of the member in accordance with National and Department Constitution and Bylaws.

#### **Article 9- Amendments**

**Section 1.** These Standing Rules may be amended by a two--thirds vote of the members present at a regular Unit meeting, or if notice has been given, by a majority vote.

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

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

These Standing Rules were read and unanimously approved at a regularly scheduled meeting held on October 13th, 2022.

*Carla Feist*

Carla Feist Unit President

*Kathy Williams*  
Kathy Williams Unit Secretary

*Juliann Osley*

Juliann Osley  
Unit Constitution & Bylaws Chairman