

CONSTITUTION AND BYLAWS  
OF AMERICAN LEGION AUXILIARY  
HERBERT D. GIBB UNIT 259, INC.  
DEPARTMENT OF FLORIDA  
4 70 SUMMERHAVEN RD  
DEBARY, FL

JANUARY 19,2023

## **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 Herbert D. Gibb Unit 259, Inc. Department of Florida.*

### **ARTICLE II – NATURE**

**Section 1:** *American Legion Auxiliary Herbert D. Gibb Unit 259, Inc. is a civilian patriotic service organization of women that supports the mission of The American Legion.*

**Section 2:** *American Legion Auxiliary Herbert D. Gibb Unit 259, 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 Herbert D. Gibb Unit 259, 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, 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: April 5, 1917-November 11, 1918; December 7, 1941-December 31,1946; June 25, 1950-January 31, 1955; February 28, 1961-May 7, 1975; August 24, 191982-July 21, 1984; December 20,1989-January 21, 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) 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 of 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.)

### **ARTICLE VI – EXEVUTIVE COMMITTEE**

There shall be an Executive committee, which shall consist of all officers and three additional Members at Large elected by the Unit. The term of office for members of the Executive Committee shall be for one year.

# BYLAWS

## ARTICLE I – EXECUTIVE COMMITTEE

**Section 1:** Between meetings, the government and management of the 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 of the Executive Committee, from any cause other than expiration of a term, shall be filled by 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:** 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 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 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 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 the 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 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, Herbert D. Gill, Unit 259 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 her dues for the current fiscal year within which the election is held.

**Section 2:** Elections shall be 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 the 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 the 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 election 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 & Bylaws, Membership, National Security, Audit, Veterans Affairs & 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 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 expense 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 NOVEMBER 1, 2022.

X Carol Ripley  
Unit President

X Penney Friedman  
Unit Secretary

X Shona Johnson  
Unit Constitution and Bylaws Chairman

X \_\_\_\_\_  
Department Constitution & Bylaws Chairman

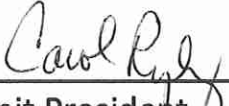
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Date Approved

**STANDING RULES**  
**AMERICAN LEGION AUXILIARY UNIT #259**

1. The regular meeting of the Unit shall be held on the first Tuesday of each month. Meetings will be called to order at 1:00 PM.
2. Executive Committee meetings, if required, will be held prior to the regular meeting.
3. Three (3) members of this Unit shall constitute a quorum at a regular scheduled meeting of the Unit.
4. The annual membership dues of this Unit for 2023-24 will be \$35.00 for Seniors and \$5.00 for Juniors. The annual membership dues of this Unit for 2024-25 will be \$40.00 for Seniors and \$5.00 for Juniors. National has increase their dues to \$18 and Department dues to \$12.50 effective 2023-24. Dues are payable July 1<sup>st</sup> of each new fiscal year.
5. A welcome packet will be given to all new members containing pertinent information as to meeting dates, times, etc.... This shall be the duty of the Membership Chairman.
6. Election of delegates for the Department Convention is to be held at a regular meeting of the Unit not less than two weeks prior to the Convention. The number of delegates will be in direct correlation with the Unit membership as outlined in the yearly Unit Guide. Incoming and outgoing Presidents shall be elected by reason of office. The Unit will pay the registration fee for the delegates elected to attend Department Convention.
7. The Treasurer as directed by the President is authorized to expend funds up the amount of \$100.00 for the purpose of the Unit upon presentation of receipts. All further expenditures by the President over this amount must have prior approval by vote of the Unit membership.
8. The Treasurer will not distribute reimbursement to any member without prior authorization in the budget or by vote of the Unit members and presentation of receipts showing that the purchase was actually made. This rule does not supersede item #7.

9. The yearly financial audit will be conducted between the period of June 1<sup>st</sup> and June 30<sup>th</sup>. The Treasurer will be directed by the audit committee of the exact date and the annual audit will be completed before the installation of the incoming new officers.
10. The outgoing President will receive a past president's pin upon completion of their 1<sup>st</sup> term in office.
11. All incoming officers and executive committee members will need to pay their membership dues before the night of installation.
12. Installation of officers will correspond with the American Legion and is the responsibility of the out-going President
13. Upon a vacancy or resignation of a Unit office, the Unit President will appoint a temporary replacement until the next election.

THESE STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR REGULAR Unit meeting on November 1, 2022.

  
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Unit President

  
\_\_\_\_\_  
Unit Secretary

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Unit Constitution & Bylaws Chairperson