

CONSTITUTION AND BYLAWS OF

AMERICAN LEGION AUXILIARY
AUGUSTUS RUSER JR, UNIT 273
DEPARTMENT OF FLORIDA

600 AMERICAN LEGION DRIVE
MADEIRA BEACH, FL 33708

January 25th, 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 the American Legion Auxiliary, Augustus Ruser Jr Unit 273, Inc., Department of Florida.

Article II - Nature

Section 1: American Legion Auxiliary, Augustus Ruser Jr Unit 273, Inc. is a civilian patriotic service organization of women that supports the mission of The American Legion.

Section 2: American Legion Auxiliary, Augustus Ruser Jr Unit 273, Inc. shall be absolutely nonpolitical and shall not be used for dissemination of partisan principles nor for the promotion of candidacy of any person seeking public office or preferment.

Article III - Objective

Section 1: The objective of the American Legion Auxiliary, Augustus Ruser Jr Unit 273, Inc., Department of Florida, shall be stated in the Preamble to the Constitution.

Article IV – Eligibility

Section 1: Membership in the American Legion Auxiliary shall be limited to the:

- A. grandmothers, mothers, sisters, spouses and direct and adopted female descendants of members of The American Legion and
- B. 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 herein 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;
- C. grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who were in the Armed Forces for the United States during with the 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
- D. to those women who of their own right are eligible for membership in The American Legion*
- E. Note: *A woman who is eligible for American Legion membership is eligible to join the American Legion Auxiliary regardless of whether or not she is a member of The American Legion. However, eligibility of her female relatives (sister, mother, direct descendants) and or spouse depends upon her 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 over the age of eighteen (18) years; provided, however, that a wife under the age of eighteen (18) years, who is eligible under Section 1 of this article shall be classed as a Senior member.
- 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) years, Junior members shall automatically be admitted into Senior membership with full privileges.
- C. Dues of 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, Treasurer, Chaplain, Historian, Sergeant-at-Arms, one (1) Assistant Sergeant-at-Arms and one (1) member of the executive Committee for a three (3) year term, who shall serve until their successors are duly installed or as otherwise provided.

Section 2: The President-elect shall appoint a member to serve as both Corresponding and Recording Secretary.

Article VI - Executive Committee

Section 1: There shall be an Executive Committee which shall consist of the officers, Secretary, Immediate Past President and three (3) additional Members-at-Large elected by the Unit. The term of office for members of the Executive Committee shall be one year.

Article VII – Fiscal Year

The fiscal year shall be the same as 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 previously 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.

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 succeeds.

Section 3: One-third 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 hours (48) in advance. At special meetings only business specified shall be transacted.

Section 5: All expenditure of funds by this Auxiliary Unit shall first be approved by the Executive Committee, except it is provided that the President may, in case of special need or emergency, spend a sum not to exceed the monthly allotment as defined in the Standing Rules.

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 the President deems 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 names shall, when called upon, assist the President and the absence of the President, 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 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 Secretary successfully for the good of the American legion Auxiliary. The office of Secretary may be combined with that of Treasurer and then called "Secretary-Treasurer".

Section 4: Duties of the Treasurer: It shall be the duty of the Unit Treasurer to receive all money belonging to the Unit and to account for them. Treasurer shall maintain two (2) separate funds, namely a general and a

Poppy fund (Welfare) All Poppy donations shall be placed in the Poppy fund and be used to assist the veteran and his/her children. Treasurer shall keep an accounting of the receipts and expenditures, making a monthly report thereon, and such other reports as may be deemed necessary by the Unit Executive Committee. All Unit accounts shall be audited annually. Treasurer shall pay all current bills before transferring all funds books, and papers belonging to the Unit to a successor. In addition, three signatures (President, Secretary and Treasurer) shall be placed on all bank accounts, however, only two (2) of the three (3) signatures shall be required on checks. If the Treasurer expects to be gone more than five (5) days, the checkbook should be left with the President.

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; to offer the divine, but non-secretariat, service in the event of dedications, funerals, public functions, etc., and to adhere to such ceremonial rituals as are required in the Manual of Ceremonies. The Chaplain will notify the Department of Florida of any deceased members on a monthly basis. The Chaplain shall also send messages of greetings and sympathy to members and families of those ill or bereaved.

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: It shall be the duty of the 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. The Sergeant-at-Arms shall become acquainted with the rules of Sergeant-at-Arms in the Unit Guide. Sergeant-at-Arms will have an elected Assistant Sergeant-at-Arms, who will assist with all duties of the office of Sergeant-at-Arms.

Article III – Elections

Section 1: Elections shall be held annually. In order to participate in the election of the Unit Officers, a member shall have paid their 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: Should such a vote not be feasible because of Acts of God, Acts of War, National Distresses, Pandemics or an other event declared as a National disaster then the Executive board should hold a formal Executive meeting (remote if necessary) exercise the Committee's authority to interpret the constitution and determine that an emergency exists, and not on postponement or modifications to the election procedures necessary to weather the emergency. This action should be recorded in the minutes and the membership should be notified. Such actions do not require membership approval. If an election cannot be held, elected Unit officers may continue in their offices until it is feasible to hold an election.

Section 4: A nomination will be effective upon the Nominee being present at the time of the nomination or by the nominee for office having previously filed a written acceptance of such nomination.

Section 5: All Officers and Executive Committee Members shall be elected annually at a meeting duly called for that purpose. Elections shall be held no more than ninety (90) days nor less than fifteen (15) days prior to Department Convention. The Secretary may be appointed according to the President.

Section 6: The Unit shall notify the Department Secretary of the names and addresses for such newly elected Officers not less than ten (10) days prior to Convention, certification to be made on forms furnish by the Department.

Section 7: Vacancies in office between annual elections shall be filled by the Executive Committee.

Article IV – 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. See Standing Rules.

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 V – Committees

The Unit shall have the following Core Committees: Americanism, Children & Youth, Constitution and Bylaws, Membership, National Security, Veterans Affairs and Rehabilitation, and such other mission and member/organizational support committees as provided in the Standing Rules.

Article VI – 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 (2/3) 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) 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 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 VII – Parliamentary Authority

Unit organization shall be governed by "Robert's Rule of Order, Newly Revised" on all points not covered in National and or Department Constitution and Bylaws.

Article VIII – Amendments

Section 1: These Bylaws may be amended by a two thirds 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: These Bylaws shall be automatically amended to conform to the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary.

Article IV – Unit Meetings

Section 1: The regular scheduled meeting of American Legion Auxiliary, Augustus Ruser Jr Unit 273, 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.

Article V – Transfers

Section 1: 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

THESE CONSTITUTION AND BYLAWS WERE READ AND APPROVED AT A REGULARLY SCHEDULED MEETING HELD ON JANUARY 2ND, 2023.

X
Cheryl S. Yoder
Cheryl S. Yoder, Unit President

X
Katherine Gabehart
Katherine L Gabehart, Unit Constitution and Bylaws Chairman

1/2/2023
Date: _____

1/2/2023
Date: _____

STANDING RULES

Unit Meetings

Section 1: The regular meetings of this Auxiliary Unit shall be held on the first Monday of each month, unless otherwise specified, and shall be called to order at 7:00 P.M.

Section 2: The Executive Committee will meet at 5:30 P.M. on the first Monday of each month, unless otherwise stated.

Section 3: The regular meeting and Executive Committee meeting will not be held in the month of July, unless otherwise stated.

Section 4: Special meetings of this Unit may be called by the President, by a majority of the Executive Committee, or upon written or electronic request of three (3) members of the Unit.

Section 5: Twenty (20) members shall constitute a quorum at any meeting of the Unit.

Dues

Section 1: The annual membership dues of this Unit shall be fifty-five (\$55) dollars for Seniors paid annually or for life and shall include the Department and National per capita.

Section 2: The annual membership for Juniors shall be five (\$5) dollars paid annually until the age of 18 years.

Nominations and Elections

Section 1: Installation of Officers shall be held jointly with the Post.

Section 2: All Officers and Executive Committee Pins must be returned to the President at the last meeting of the current year.

Section 3: The Unit shall provide each Officer with a current Unit Guide.

Section 4: All Unit Officers and Chairmen will file all reports as requested by District and Department, on or before the dates specified, and will submit a copy of all reports for the Unit files by August 1.

Section 5: All Unit Officers and Chairmen will forward all of their files, reports and other materials to their successors by August 1.

Section 6: The retiring President shall be presented with a Past President's pin, ring or gift of equal value to be presented at the Installation of the new Officers.

Department Convention & Fall Conference

Section 1: Delegates and alternates to a Department Convention shall be elected at a Unit meeting duly called for that purpose not less than two (2) weeks prior to the convention. Alternates shall have priority in the order of their election and shall number no more than five (5) in number including the Automatic Delegate.

Section 2: Automatic Delegates for the Department Convention shall be in-coming and out-going President and In-coming Secretary. If any of the Automatic delegates are unable to attend, a Delegates shall be elected in their place.

Section 3: The out-going President shall be the Chairman of the Delegation. Should the outgoing President be unable to attend, the in-coming President shall be the Chairman.

Section 4: Each automatic and elected Delegate shall receive their own check in the amount allowed in the budget and they are responsible for their reservation. The budget shall allow for one-night room expense and \$75.00 for extra items associated with the convention.

Section 5: Members receiving monies from Department to any functions shall not receive any monies from the Unit.

Section 6: A member who is elected at the Department Convention to attend the National Convention as a delegate shall receive their own check for \$500.00 for expenses incurred to attend the National Convention. The number of National Delegates shall not exceed two (2) member representatives.

Committees

Section 1: In addition to the core committees listed in the Bylaws, the unit shall have the following standing committees: Auxiliary Emergency Fund (AEF), Children & Youth, Community Service, Education, Girls State, Cavalcade of Memories, Ways and Means, Junior Activities, Leadership, Legislative, Past Presidents Parley, Poppy and Public Relations.

Section 2: Audit Committee: A certified accountant shall audit the Treasurer's accounts at the close of each term and a report of the audit is to be made to the Unit.

Section 3: A Nominating Committee composed of three (3) members of the Unit shall be elected at the meeting two (2) months prior to elections. The committee shall present a slate of officers at the regular meeting one (1) month prior to elections. The Nominating Committee shall be automatically discharged when its report is formally presented to the assembly. The Unit President shall then ask for any additional nominations from the floor at the regular meeting one (1) month prior to elections. Elections will take place not more than ninety (90) days nor less than fifteen (15) days prior to the Department Convention.

Membership

Section 1: The Membership Chairman will report the names of all new and transferred Auxiliary members at each meeting, if more than 25 names are to be read, they shall be published and filed with the Secretary and recorded in the minutes of the meeting.

Section 2: The Unit members shall act on all applications for and transfer of membership at the next regular meeting following the making of such application or transfer, and shall at said meeting be accepted, rejected or referred for further investigation or consideration.

Miscellaneous

Section 1: All monies from fund raising activities shall be turned over to the Treasurer (or deposited) within five (5) days of the function and reported at the next meeting.

Section 2: When a member dies, a contribution of up to one hundred (\$100) dollars shall be made to the Educational Memorial Fund of the Department of Florida or a charity of the deceased members choosing. In each case, the amount will be determined by vote at a regular membership meeting.

Section 3: President is authorized to incur expenditures up to one hundred (\$100) dollars monthly, in case of special need or emergency.

Section 4: Any member can get a copy of the Unit Constitution and Bylaws by requesting a copy from the President or Secretary of the Unit.

Amendments

Section 1: These Standing Rules may be amended by a two-thirds (2/3) vote of the members present at a regular Unit meeting, or if notice has been given, by a majority vote.

THESE STANDING RULES WERE READ AND APPROVED AT A REGULARLY SCHEDULED MEETING HELD ON JANUARY 2ND, 2023.

X

Cheryl S. Yoder

Cheryl S. Yoder, Unit President

X

Katherine Gabehart

Katherine L Gabehart, Unit Constitution and Bylaws Chairman

1/2/2023

Date:

1/2/2023

Date: