

CONSTITUTION AND BYLAWS OF  
AMERICAN LEGION AUXILIARY  
LONG KEY UNIT 305, INC.  
DEPARTMENT OF FLORIDA  
6999 GULF BLVD, ST PETE BEACH, FLORIDA 33706  
March 6, 2022

**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 Long Key Unit 305, Inc., Department of Florida.

**ARTICLE II – NATURE**

**Section 1:** The American Legion Auxiliary Long Key Unit 305, Inc., is a civilian patriotic service organization that supports the mission of The American Legion.

**Section 2:** American Legion Auxiliary Long Key Unit 305, 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 Long Key Unit 305, Inc., Department of Florida shall be as stated in the Preamble of the Constitution.

**ARTICLE IV - ELIGIBILITY**

**Section 1:** The 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 and shall be updated as appropriate.

Membership in The American Legion Auxiliary shall be limited to the:

- 1) Grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of (all) members of the American Legion; and of Men (and) women who were in the Armed Forces of the United States and 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 (and) 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; and  
2) 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.
  - Junior membership shall consist of members of that group under the age of eighteen (18) years, whose activities all 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.
- B. 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, Treasurer, Chaplain, Historian, and 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 is appointed by the President (Before the date of installation).

#### **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 and the immediate past president. 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.

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 quarterly. 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, 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 for 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 other 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 reestablishing eligibility and making application as a new member.

#### **ARTICLE IV – UNIT MEETINGS**

**Section 1:** The regular scheduled meeting of American Legion Auxiliary Long Key Unit 305, 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 meeting of the Unit may be called by the President, or by a majority of the Executive Committee, with the President, notified, or upon written request of three (3) of the 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 the winner.

**Section 3:** All Officers and Executive Committee members shall be elected no more than ninety (90) days and no less than fifteen (15) days prior to Department Convention. The Unit President will appoint the Unit Secretary after the election is completed.

**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 offices 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**

**Section 1:** 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 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 (15) fifteen days

*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:** Any member may report a violation of bullying in writing without fear of retaliation to the Department Office. The organization considers all inquires and complaints about actions of members to be strictly confidential. The complaint will provide a process for the Department Executive Committee to investigate and act on violation.

Such process shall be a committee of (3) members consisting of the National Executive committeeperson, the Department First Vice President and one Past Department President (from a different District that the complaint) who shall be appointed by the Department President with the National Committeeperson serving as the chairman. This committee will investigate and recommend disciplinary action to the full Executive Committee to vote.

The committee shall render discipline appropriate to the violation. Said discipline shall be binding. However, the discipline member has a right to appeal the discipline and its ultimate actions shall be final.

**Section 3:** No member, or group of members, shall subject this Unit to liability without authorization of 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, APPROVED AT OUR REGULAR UNIT MEETING ON March 26, 2022.

x Vanda Gimpel  
Unit President

x Patty Gilmore  
Unit First Vice

x Stephena Vergara  
Unit Constitution and Bylaws Chairman

X \_\_\_\_\_  
Department Constitution and Bylaws  
Chairman

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

## STANDING RULES

**1:** The Regular Meeting of this American Legion Auxiliary **Long Key Unit 305, Inc.** shall be held on the **2<sup>nd</sup> Tuesday** of each month, unless otherwise specified, and shall be called to order at **6:15 p.m.** \*\*\*\* An **Executive Committee** meeting shall be held the second Tuesday of the month unless otherwise specified and shall be called to order at **6:00 p.m.** prior to the regular meeting. The Secretary may utilize tape recordings during the Executive and Regular meetings unless requested by an Officer or member to refrain from taping conversation.

\*\*\*\* During an emergency situation, Unit meetings maybe held in person or via electronic means, and must be made available to **ALL** members in good standing. In this situation, voting maybe by **Voice, Ballot, e-mail,** or other **electronic** means.

**2:** Three (3) members of this Unit shall constitute a quorum at any regular scheduled meeting of the unit.

**3:** In addition to the Core Committees listed in the By-Laws, the Unit shall have the following Committees: Auxiliary Emergency Fund (AEF), Community Service, Education, Girls State, History, Junior Activities, Leadership, Legislative, Poppy, and Public Relations.

### **DUES AND FINANCE:**

**1:** The annual Senior membership dues of the Unit shall be \$45.00 to include Department and National per capita. The dues for Junior membership shall be \$5.00 to include the Department and National per capita.

**2:** As a courtesy The Unit will pay the first year Dues for any Gold Star Mother joining Unit 305.

**3:** A Standing Finance Committee shall oversee the general financial policy of the Unit and shall be appointed by the President. The committee will be composed of the newly elected Unit Treasurer and three (3) members.

**4:** The President shall be allotted \$200.00 as a discretionary fund to be used in case of emergencies. A receipt must be presented at the next meeting.

**5:** The Unit shall pay for the Unit Guides for all Officer/Chairman.

**6:** Any returned checks shall be the responsibility of Unit member of said check. A fee of \$25.00 will be charged.

### **Responsibilities of the Finance Committee:**

Meet quarterly, present the annual Budget at the first general meeting of the new term, preparation of the yearly budget, supervise the expenditures of funds under the budget, and complete an annual audit prior to the newly elected Treasurer taking over responsibilities. \*\*\*\* All members responsible for the unit funds shall be bonded through the blanket Fidelity Bond, the Unit will pay the annual premiums to

Department Headquarters. All checks must have two of three signatures, President, Treasurer, First Vice/Membership Chairman for disbursement of funds from the Unit Treasury.

All expenditures of funds by this Auxiliary Unit shall be approved by the Unit membership. However, the President may, in case of special need or emergency, contact two (2) members of the Executive Committee stating the need for such money and must have their approval and then be presented at the next general meeting.

**4:** The Unit shall make a ten (10) dollar donation to the Department of Florida's Memorial Scholarship Fund for any member that is in good standing at the time of their death.

### **ARTICLE III- COMMITTEES**

**1:** In addition to the Core Committees listed in the Bylaws, the Unit shall have the following Committees: Auxiliary Emergency Fund (AEF), Community Service, Education, Girl's State, History Historian (Cavalcade of Memories), Junior Activities, Leadership, Legislative, Past Presidents Parley, Poppy, and Public Relations. The Committee Chairman shall be appointed by the President, subject to ratification by the Unit Executive Committee.

**2:** A Nominating Committee, composed of three (3) members, shall be elected by the members for the purpose of presenting a slate of Unit officers for the ensuing year.

**3:** 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 of the Unit. The treasurer will be available to this committee for the sole purpose of presenting past treasurer' reports, budgets and minutes, and recording of the new budget.

### **ARTICLE IV – NOMINATIONS, ELECTION, AND INSTALLATION**

**1:** 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.

**2:** A Nomination will be effective only upon the nominee being present at the time of nomination, or if nominee for office has previously filed a written acceptance of such nomination.

**3:** Nominations may be presented at the regular scheduled general meeting in March, April, and May. Elections will be held in May.

\*\*\*\* Membership chairman is not an elected, it is appointed by the newly elected President.

\*\*\*\* In addition to the duties defined in the Bylaws, the Second Vice President shall be in charge of finding volunteers for events at the Post including kitchen help.

\*\*\* Historian is an elected position and elected when the other Officers are elected.



**4:** The Newly elected Unit Officers will take office at the next scheduled regular meeting and be installed at the first available date along with the American Legion, Sons from our post. The Secretary shall notify Department Headquarters of the names and addresses of such officers (10) ten days prior to the Department Convention, on forms furnished by the Department Secretary.

**5:** The out-going Unit President will be responsible for the Installation plans.

**6:** As a formality, the newly elected President, at the first Unit meeting after election, shall ask to have the appointed Secretary ratified.

**7:** All Unit members present on premises at the time of the Unit meeting will either attend the meeting or leave the premises.

### **ARTICLE V – DELEGATES & ALTERNATES**

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

**2:** The Unit shall pay the registration fee of its delegate strength, including any Department Officers and Past Department Presidents who are members of the Unit in attendance at the Department Convention. The Unit shall also pay the registration fee of all alternate delegates in attendance at the Convention or Conference as budget allows.

In order to receive financial assistance for attendance at any of these events:

- A) Member must attend the meetings at the conference. If the meetings are not attended by the Delegate, she/he will forfeit a portion of the monies given by the Unit. (Example: 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 Delegate shall receive their own check for the amount allotted in the budget and is responsible for their own reservation.
- B) Receipts **MUST** be turned in for room expenses (payment is based upon same % paid for room – see below); In addition, member will receive \$25.00 per day towards meal purchases.

Rules for room reimbursement:

- 1) If a member shares a room with anyone other than a Unit 305 member, 25% of the room cost will be paid by the Unit.
- 2) If there are two or more Unit 305 Auxiliary members in a room, the full payment of the room will be paid by the Unit.
- 3) If a 305 member does not share a room with anyone, they will receive 50% of the room cost.

### **ARTICLE VIII- 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.

**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, VOTED ON, AND APPROVED AT OUR REGULAR UNIT MEETING ON

March 26, 2022.

x Wanda Gimpel  
Unit President

x Patty Gilmore  
Unit First Vice

x Stephena Vergara  
Unit Constitution and Bylaws Chairman

X \_\_\_\_\_  
Department Constitution and Bylaws Chairman

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