

**CONSTITUTION AND BYLAWS OF
AMERICAN LEGION AUXILIARY
COOPER CITY MEMORIAL UNIT 321. INC.
DEPARTMENT OF FLORIDA
9081 SW 51ST STREET, COOPER CITY, FLORIDA 33328**

RECEIVED MAR 28 ENT

March 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 *Cooper City Memorial Unit 321, Inc.*, Department of Florida.

ARTICLE II – NATURE

Section 1: The American Legion Auxiliary *Cooper City Memorial Unit 321, Inc.*, Department of Florida is a civilian patriotic service organization that supports the mission of The American Legion.

Section 2: American Legion Auxiliary *Cooper City Memorial Unit 321, Inc.*, Department of Florida 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 *Cooper City Memorial Unit 321, 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 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 of 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.

- 1) 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.
- 2) 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 of eighteen (18), Junior members shall automatically be admitted into Senior membership with full privileges.
- 3) 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, Treasurer, Chaplain, Historian, Sergeant-at-Arms, and 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).

Section 2: The President will appoint a Secretary 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. The term of office for members of the Executive Committee shall be for one (1) 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 s/he 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 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 meeting 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 the Standing Committees; to create such other committees and appoint members thereof as deemed 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 Unit Vice President - The First and Second Vice Presidents in the order named, shall, when called upon, assist the President and if absent, perform his/her 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 the 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, 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 narrative 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 *Cooper City Memorial Unit 321, 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, 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 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 at the first meeting in May and no less than (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 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 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. 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

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.

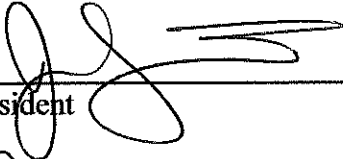
ARTICLE X – AMENDMENTS

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.

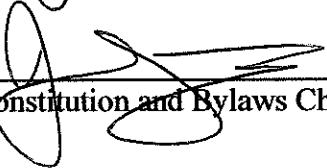
Section 2: Amendments not having been previously read may be adopted by the unanimous vote of the members present.

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 3/2/22.

X 
Unit President

X 
Unit Secretary

X 
Unit Constitution and Bylaws Chairman

X _____
Department Constitution and Bylaws Chairman

X _____
Date Approved

RECEIVED MAR 28 ENT'D

STANDING RULES

ARTICLE I – UNIT MEETINGS

Section 1: The Regular Meeting of this American Legion Auxiliary *Cooper City Memorial Unit 321, Inc.*, Department of Florida shall be held on the 1st Wednesday of each month, unless otherwise specified, and shall be called to order at 7:00 p.m. The Executive Committee shall meet at 6:00 p.m. prior to the regular meeting of the American Legion Auxiliary *Cooper City Memorial Unit 321, Inc.*, Department of Florida. Additional meetings may be held at the request of any Executive Committee member.

Section 2: The Secretary may utilize tape recordings at Executive and Regular meetings unless requested by an Officer or member to refrain from taping conversation.

Section 3: Any Unit 321 Auxiliary member in the canteen/Lounge during the Business Meeting of the Auxiliary will be requested to attend the meeting.

Section 4: Executive or Board Unit meetings may be held in person or via electronic means.

Section 5: Voting may be by voice, ballot, and in emergency situations, by email or other electronic means.

Section 6: Post 321 is a “No Smoking Post”. Therefore, there shall be no smoking on premises at the meeting.

ARTICLE II – DUES AND FINANCE

Section 1: The annual Senior membership dues of the Unit shall be \$45.00 to include Department and National per capita. The annual dues for Junior membership shall be \$7.50 to include Department and National per capita.

Section 2: There shall be a standing Finance Committee composed of three (3) members who will meet once a year. The Finance Committee will be charged with the preparation of the yearly budget and supervise the expenditures of funds under the budget. This committee shall oversee the general financial policy of the Unit and will annually review the Unit Treasurer’s books.

Section 3: The annual Budget will be presented at the first general meeting of the new term.

Section 4: An annual audit will be completed prior to new treasurer taking over his/her responsibilities.

Section 5: The Unit will pay dues for all our Juniors if the “sponsor” of the Junior is still in good standing with the American Legion 321 Family.

Section 6: Unit elected Officers, consisting of the Unit President, Treasurer, Membership Chairman, and up to one Executive Committee Member are authorized to sign checks for disbursement of funds from the Unit treasury. All checks MUST have two of the four above signatures.

Section 7: The Unit will charge any Legion eligible member, in Good Standing with Post 321, membership dues equal to Dept. and National dues and will pay first year for any new dual members.

Section 8: The Unit will pay dues for any Gold Star Mothers.

RECEIVED MAR 28 ENT

Section 9: Donations requested for more than \$100.00 by any single Organization MUST be approved by vote of the members attending a regular meeting, or in extenuating circumstances, by vote of the Executive Committee. The majority of the votes cast shall be necessary to approve the donation and the amount of the donation.

Section 10: 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.

Section 11: The Executive Committee may not expend more than One Hundred Dollars (\$100.00) at any meeting without the sanction of the Unit, with the expenditures presented to the membership at the next general meeting.

ARTICLE III – COMMITTEES

Section 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, Girls State, History (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.

Section 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.

Section 3: An Auditing Committee composed of three (3) 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, minutes, and recording of the new budget.

ARTICLE IV – NOMINATIONS, ELECTION, AND INSTALLATION.

Section 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. The report of this Nominating Committee shall be made at the regular general meeting prior to the general meeting designated for election. Anyone wishing to run from the floor must provide written notification to the President 10 days prior to the election meeting.

Section 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.

Section 3: Nominations may be presented at the regular scheduled general meetings in March, April, or May before the election takes place.

Section 4: A member is eligible to vote in the Unit elections if the member's dues are paid as of the night of the election.

Section 5: 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, and Riders from our post. 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.

Section 6: The out-going Unit President will be responsible for the Installation plans.

ARTICLE V – DELEGATES & ALTERNATES

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

Section 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 help 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 s/he 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 Delegate shall receive their own check for the amount allotted in the budget and is responsible for their own reservation.
- B) The outgoing President shall be the Chairman of the Delegation. Should s/he be unable to attend, the incoming President shall be the Chairman.
- C) 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 you share a room with anyone, Unit 321 members or not, you will receive 50% of the room reimbursement.
- 2) If there are two or more Unit 321 Auxiliary members in a room, the full payment of the room will be paid for by the Unit.
- 3) If you do not share a room with anyone, you will receive 50% of the room reimbursement.
- 4) All Delegates to the Department Convention, Department Workshop, and Fall Conference shall bring back reports on the Chairmanships assigned to them by the Chairman of the Delegation at the next regular meeting.

ARTICLE VI – MEMBERS

Section 1: If an applicant is voted on and rejected, s/he shall be informed of the results. Same holds true for applicants accepted at the meeting.

Section 2: Members who are not subject to suspension or membership revocation under due process are eligible to transfer their membership to another unit if they have paid their membership dues to their current unit for either the current year or immediate past membership year. Members transferring to a new unit must pay current year dues to either their current unit or to the unit into which they wish to transfer.

Evidence of paid membership includes:

- 1) American Legion Auxiliary Membership Card
- 2) Verification of membership by ALA Department or National Headquarters membership records
- 3) Other documentation verifying payment of current or immediate past year membership dues such as a cancelled check or receipt; or
- 4) When verifying documentation is not available, a sworn statement that the member's membership dues payment was tendered

ARTICLE VII – OTHER

The Unit shall be guided by the Code of Ethics as published in the National Auxiliary Standing Rules on pages 23-27.

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

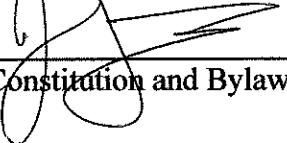
THESE STANDING RULES WERE READ, VOTED ON, AND APPROVED AT OUR REGULAR UNIT MEETING ON 3/2/22.

X 

Unit President

X 

Unit Secretary

X 

Unit Constitution and Bylaws Chairman

X _____
Department Constitution and Bylaws Chairman

X _____
Date Approved

RECEIVED MAR 28 ENT