

CONSTITUTION and BYLAWS OF

AMERICAN LEGION AUXILARY

Ellenton Unit 325, INC.

Department of Florida

3412 US HIGHWAY 301 N, ELLENTON, FL 34221

January 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 good will 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 Ellenton Unit 325, Inc., Department of Florida.

ARTICLE II – NATURE

SECTION 1. The American Legion Auxiliary Ellenton Unit 325, Inc. is a civilian organization that supports the mission of The American Legion.

SECTION 2. American Legion Auxiliary Ellenton Unit 325 Inc. shall be absolute 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 – OBJECTIVE

The objective of the American Legion Auxiliary, Ellenton Unit 325, Inc. 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.

- a.** Senior membership shall be composed of members over the age of eighteen years provided, however, that a spouse under the age of eighteen years, who is eligible under Section I of this article shall be classed as a Senior member.
- b.** Junior membership shall consist of that group under the age of eighteen years, whose activities shall be supervised by the senior membership. Upon reaching age of eighteen years, Junior members shall automatically be admitted into Senior membership with full privileges.
- c.** 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, Secretary, Treasurer, Historian, Chaplain, Sergeant-at-Arms who shall serve until their successors are duly installed or as otherwise provided.

ARTICLE VI – EXECUTIVE COMMITTEE

There shall be an Executive Committee which shall consist of the officers and 4 additional members-at-large 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.

ARTICLE VIII- AMENDMENTS

SECTION 1: This Constitution may be amended by a two-thirds 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 at 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 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 she succeeds.

Section 3: A majority of the members of the Executive Committee shall constitute a quorum.

Section 4: Special meetings of this Unit may be called by the President or on written or electronic request of at least (3) members of the Executive Committee. Uniform notice of such special meetings 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- Shall preside at all Unit and Executive Board 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 she deems advisable; to perform such other duties as custom and parliamentary usage require; and appoint all officers not otherwise provided by.

SECTION 2: Duties of the Vice President-Assist the President, and their absence, perform their duties, and shall succeed them in office in case of death, resignation or removal.

SECTION 3. Duties of The Secretary- Record of all the proceedings and transactions of all meetings of the Unit. To act as custodian of all books, papers and records; to keep a record of names and addresses of the member, showing the source of their eligibility; to send out such notices as 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 requires by the President.

SECTION 4: Duties of the Unit Treasurer-Receive all monies belonging to the Unit and to account for them. They shall keep an accounting of receipts and expenditures, making a monthly report there on, and such other reports as may be deemed necessary by the Unit Executive Committee. The accounts shall be audited annually. They shall pay all current bills before transferring all funds, books, and papers belong to the Unit to the successor. They shall maintain two separate funds, namely a General Fund and Poppy Fund. All Poppy donations shall be placed in Poppy Fund and used to assist the Veteran and his/her children.

SECTION 5: Duties of the Chaplain-Offer prayer at the opening and closing of each business meeting of the Unit. They are responsible for all activities in the spiritual nature and notify Department of any deceased members on a monthly basis.

SECTION 6: Duties of Historian- Compile historical records of the Unit and to make a report to the Department.

SECTION 7: Duties of the Sergeant-at-Arms-Preserve order at the meetings 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 31st shall be classed as delinquent and shall be suspended from all membership privileges. Payment of back dues after suspension shall reinstate a member to active membership. A member delinquent to December 31st of the year of delinquency shall be automatically 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 Unit 325, 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-ELECTION

Section 1: Elections shall be held annually. 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 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: All officer and executive committee members shall be elected annually at a meeting duly called for that purpose not more than 90 days nor less than 15 days prior to 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 elections shall be filled by the Executive Committee.

Section 6: Delegates and Alternates to District Constitutional Conference or Department Convention shall be elected at a Unit meeting not less than two weeks prior to convention. Alternates shall have priority in order of their election.

ARTICLE VI – COMMITTEES

This 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/organization support committees as provided in the Standing Rules.

ARTICLE VII- TRANSFERS

Transfer of membership from one Unit to another shall be upon application of the member to, and 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 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 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 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 expenses of the said appeal shall be borne by the appellant.

Such process shall be a committee of three (3) members consisting of the National Executive Committeeperson, the Department First Vice President and one Past Department President (from a different District than 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 for a vote.

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

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 a 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 be automatically 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 JANUARY 25, 2023.

x Sheela Collier UNIT CONSTITUTION AND BYLAWS CHAIRMAN

x [Signature] UNIT PRESIDENT

x Prasanna Kudva UNIT SECRETARY

1-29-23 DATE APPROVED

STANDING RULES

- 1. The regular scheduled meeting of the American Legion Auxiliary Ellenton Unit 325 Inc. shall be held on the 4th Wednesday of each month, unless otherwise specified and shall be called to order at 6:00pm. An Executive Committee meeting shall be held when needed by the President.**
- 2. Five elected officers of this Unit shall constitute a quorum at any regular scheduled meeting of the Unit.**
- 3. The annual Senior membership dues of the Unit shall be \$40 to include Department and National per capita. The annual dues of the Junior membership shall be \$10 to include the Department and National per capita.**
- 4. 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, Cavalcade of Memories, Leadership, Legislative, Past Presidents Parley, Poppy, Public Relations, Audit and any other special committee, as deemed necessary.**
- 5. Unit elected officers consisting of the President, Vice President and Treasurer are authorized to sign checks for disbursement of funds from the Unit treasury. All checks MUST have two of the three above signatures.**
- 6. All members responsible to Unit funds shall be bonded through the blanket Fidelity bond and the Unit will pay the annual premium to Department Headquarters.**
- 7. Where deemed necessary, a Recording Secretary and Corresponding Secretary may be elected/appointed to carry on the duties normally performed by the Secretary.**
- 8. A Budget Committee composed of three members, including the Unit Treasurer, shall be elected by the members, or appointed by the President, for the purpose of presenting a budget for the ensuing year.**
- 9. A Nominating Committee, composed of up to 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 to be presented by this committee. This committee is to form no later than two months prior to election.**

- 10. An Audit Committee will be composed of and 3 members with both the President and Treasurer present during the audit. An audit will be performed twice a year.**
- 11. Delegates and alternates to a Department Convention or Conference shall be approved at a Unit meeting, not less than two weeks prior to convention. One night hotel stay and \$50 per day for two days toward meals will be reimbursed by the Unit when receipts are turned in after the event. Alcohol is not included for reimbursement. Rooms will be reserved with member's own credit card. The number of Delegates elected to go will be determined by the monies available. Any Delegate attending convention will participate in all business sessions. A report on classes attended and what was learned will be shared with all members at the next meeting.**
- 12. A gift of \$50 with a Thank You card will be presented by the Unit President to the District President/or Installing Officer after Installation and or Initiation Ceremonies are completed. In addition, a gift of \$50 will be presented to the District President on an Official visit; such as escorting the Department President to our Unit.**
- 13. A luncheon ticket shall be paid for each member attending Constitutional Conference, School of Instruction, ABC Classes or any other official training/meeting. Mileage may also be included if agreed upon prior to event.**
- 14. Membership due for the 1st year of a spouse of an Active-Duty person will be paid for by the Auxiliary.**
- 15. The Auxiliary will donate 1/3 of the cost of a food event when all three departments- Post/Sons/Auxiliary are hosting together and the event has no charge to members.**
- 16. The Auxiliary will donate up to \$100.00 toward entertainment for a Post Event.**
- 17. The Auxiliary will host a monthly dinner and may spend up to \$250.00 toward entertainment for the event.**
- 18. Incoming officers shall have their membership dues paid by the Unit for the year of service.**
- 19. Any auxiliary member that has been voted "Department Member of the Year" will be considered an "Honorary Member" and have their annual dues paid by the Unit for as long as they are a member of Auxiliary Unit 325.**

20. Any auxiliary member serving at least 3 consecutive years as Unit 325 President will have their annual dues paid by the Unit as long as they are members of Auxiliary Unit 325.
21. GIRLS STATE -The Unit will reimburse a member serving in an official capacity, such as Staff Advisor, for expenses not covered by Department, up to \$50 per day for food, up to \$150 per night for lodging and up to \$500 for required supplies. This applies to the time the member is required to attend. Receipts need to be turned in for reimbursement.
22. Unit meetings and voting may be held by electronic means during emergency situations.
23. The Unit shall be guided by the Code of Ethics as published in the National Auxiliary Standing Rules.

THESE STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR MEETING ON JANUARY 25, 2023.

x Sherry Carlson UNIT CONSTITUTION AND BYLAWS CHAIRMAN
x [Signature] UNIT PRESIDENT
x Anna Maria Hudley UNIT SECRETARY
1-29-23 DATE APPROVED