

CONSTITUTION AND BYLAWS OF
YALE-YARNALL UNIT #34
AMERICAN LEGION AUXILIARY
DEPARTMENT OF FLORIDA
P O BOX 1718
HAINES CITY, FL 33845-1718
FEBRUARY 5, 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 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, Yale-Yarnall, Unit No. 34, Department of Florida.

Article II – Nature

Section 1. The American Legion Auxiliary is a civilian organization of women.

Article III – Objective

Section 1. The objective of the American Legion Auxiliary, Yale-Yarnall, Unit No. 34, Department of Florida shall be as stated in the preamble of the Constitution.

Article IV – Eligibility

Section 1. Membership in the American Legion Auxiliary shall be limited to the grandmothers, mothers, sisters, wives, 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 6, 19 to November 11, 1918, December 7, 1941 to December 31, 1946, June 25, 1950 to January 31, 1955, February 28, 1961 to May 7, 1975, August 24, 1982 to July 31, 1984, December 20, 1989 to January 31, 1990, August 2, 1990 to the date of cessation of the hostilities as determined by the Government of the United States, all dates inclusive, or who, being, citizens of the United States at their time of entry therein serves 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 line of duty or after honorable discharge; and to those women who of their own right are eligible for membership in The American Legion

(Note: The wording above for Article IV, Section 1, was adopted at the August 2013 National Convention under a proviso that delays enactment upon the Legion's adoption of corresponding changes to its governing documents. Until the American Legion enacts this wording, the previous wording remains in effect as follows:

Membership in the American Legion Auxiliary shall be limited to the **mothers, wives, daughters, sisters, granddaughters, great-granddaughters, and granddaughters of members of The American Legion, and to the mothers, wives, daughters, sisters, granddaughters, great granddaughters, and grandmothers** of all men and women who were in the Armed Forces of the United States during any of the following periods: April 6, 19 to November 11, 1918, December 7, 1941 to December 31, 1946, June 25, 1950 to January 31, 1955, February 28, 1961 to May 7, 1975, August 24, 1982 to July 31, 1984, December 20, 1989 to January 31, 1990, August 2, 1990 to the date of cessation of the hostilities as determined by the Government of the United States, all dates inclusive, or who, being, citizens of the United States at their time of entry therein serves 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 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 over the age of eighteen years; provided, however, that a wife under the age of eighteen 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 years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen 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, Secretary, Treasurer, Chaplain, Historian, and Sergeant-at-Arms who shall serve until their successors are duly installed or as otherwise provided.

Article VI – Executive Committee

Section 1. There shall be an Executive Committee which shall consist of the 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 year.

Article VII – Amendments

Section 1. This Constitution may be amended by a two-thirds vote of the members at a regular Unit meeting, provided the proposed amendments shall have been read at the previous meeting.

Section 2. 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 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 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. 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 members of the Executive Committee. Uniform notice of such special meeting shall be given to all members of the Executive Committee; except in extreme emergency, shall be given at least forty-eight hours in advance. At special meetings only business specified shall be transacted.

Article II – Elections

Elections shall be held annually. **See Standing Rules**

Elections shall be done by ballot. If there is only one person nominated for an office the ballot may be dispensed with and that nominee declared a winner.

Article III – Committees

SEE STANDING RULES

Article IV – Dues

Section 1. Dues shall be paid annually or for life. 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 – Quorums

SEE 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 the American Legion, any member may be expelled from membership or any officer may be removed from office by a two-thirds vote at a Unit duly called for that purpose; said expulsion or removal to be binding only in the event that said member or officer shall have been given a fifteen (15) day 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 on 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

Section 1. The 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. This Constitution and Bylaws shall be automatically amended to conform to the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary.

STANDING RULES

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 she 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 Vice President in the order named shall, when called upon, assist the President and in 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 record the proceedings and transactions of all the meetings of the Unit; to act as custodian of all books, papers, and records; to keep a record of names and addresses of the members, showing the source of the eligibility; to send out such notices as are 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 required of her by the President.

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. She shall maintain two separate funds, namely a general and a 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 a monthly 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, and papers belonging to the Unit to her successor.

Section 5. Duties of the Chaplain: It shall be the duty of the Unit Chaplain to offer prayer at the opening and closing of each meeting, and to perform such other duties as the President may direct.

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 Unit 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.

Section 8. Where deemed necessary, a Recording Secretary and a Corresponding Secretary may be elected to carry on the duties normally performed by the Secretary.

Section 9. The office of Secretary may be combined with that of Treasurer and called "Secretary-Treasurer."

Dues

Section 1. The annual membership dues of this Unit shall be \$40.00 for Seniors paid annually or for life, and shall include the Department and National per Capita. The annual membership for Juniors shall be \$20.00 paid annually until the age of 18 years.

Unit Meetings

Section 1. The regular meetings of the Yale-Yarnall Post 34 Auxiliary Unit shall be held on the first Sunday of each month, unless otherwise specified, and shall be called to order at 12:30 p.m.

Section 2. An annual meeting of this Unit shall be held no more than 90 days nor less than 15 days prior to Department Convention for the purpose of electing officers and receiving annual reports.

Section 3. 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 members of the Unit.

Section 4. Five (5) members shall constitute a Quorum at any meeting of the Unit. (IF POSSIBLE THIS SHOULD BE AN ODD NUMBER)

Elections

Section 1. At the Unit meetings in February and March, the members shall nominate officers for the ensuing year. The final nomination and election of officers will be held at the April meeting.

Election may be by voice vote if there is only one candidate; but where there is more than one candidate for the same office, election shall be by ballot and the majority of votes cast shall be necessary to elect. At the April meeting, the Unit Secretary will present the slate of nominated officers to the membership for voting and will assume the responsibility of tabulating and securing any necessary voting by ballot. Elections shall be held no more than 90 days nor less than 15 days prior to Department Convention.

Section 2. Delegates and alternates to a Department Convention shall be elected at a Unit meeting duly called for that purpose not less than two weeks prior to the convention. Alternates shall have priority in the order of their election.

Section 3. All officers and Executive Committee members shall be elected annually at a meeting duly called for that purpose. The Secretary may be either, elected or appointed according to the Unit Bylaws.

Committees

Section 1. 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 to the Unit.

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 Constitutions and Bylaws.

Amendments


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

Additional Standing Rules:

1. All officers of this Unit shall be installed at a joint installation, at a time which will coincide with the installation of Officers of Yale-Yarnall, Post 34 of the American Legion.
2. In order to participate in the election of Unit Officers a member shall have paid her dues for the current fiscal year within which the election is held. No member should accept a nomination for office or accept a chairperson-ship if she knowingly cannot attend meetings regularly or fulfill all obligations required for her office or chairpersonship.
3. The official contact with the Yale-Yarnall, Post 34 of the American Legion shall be through the Unit President and the Post Commander or Liaison of the Legion and Auxiliary.
4. Resignation of any officer must be in written form stating reasons and presented to the chairperson of the Executive Committee. All resignations shall be automatically accepted.
5. Upon the death of an active member of this unit or her sponsored family member, a donation to a requested memorial will be sent, not to exceed \$50.00. The Unit President has the authority to decide when other than active members and their family members should receive a memorial i.e., "special circumstances" only to provide the funds available. Any active member hospitalized shall receive an appropriate gift not to exceed \$50.00. All members shall receive an appropriate card in the event of illness or bereavement.
6. All monies are to be deposited into a banking institution that is federally insured. Unit President and Unit Secretary-Treasurer are authorized to sign checks for disbursement of funds from the Unit Treasury. Two (2) signatures are required for any withdrawal of funds.

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8. The Unit President may automatically disburse funds up to, but not to exceed \$100.00 for the benefit of the Unit or programs of the American Legion Auxiliary.

These Constitution, Bylaws and Standing Rules were read and approved at a regularly scheduled meeting held on Sunday, February 5, 2023.


Unit President


Unit Secretary

Date: February 5, 2023