

**CONSTITUTION AND BYLAWS OF  
AMERICAN LEGION AUXILIARY  
ESCAMBIA UNIT 340, INC.  
DEPARTMENT OF FLORIDA  
8890 ASHLAND AVE.  
PENSACOLA, FL 32534  
November 21, 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 Escambia Unit 340, Inc. Department of Florida.

**ARTICLE II - NATURE**

**Section 1:** American Legion Auxiliary Escambia Unit 340, Inc. is a civilian patriotic service organization that supports the mission of The American Legion.

**Section 2:** American Legion Auxiliary Escambia Unit 340, Inc. shall be 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 Escambia Unit 340, Inc., Department of Florida, shall be as stated in the Preamble to 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 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.
2. 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 or after honorable discharge. 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 aged 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**

The Unit shall elect annually a President, First Vice President, Second Vice President, Secretary, Treasurer, Membership, Chaplain, Historian, Sergeant-at-Arms, Assistant Sergeant-at-Arms who shall serve until June 30th annually.

#### **ARTICLE VI - EXECUTIVE COMMITTEE**

There shall be an Executive Committee, which shall consist of all officers, immediate past president, and three 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. Which is July 1<sup>st</sup> - June 30<sup>th</sup> Annually.

#### **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 succeeded.

**Section 3:** Five 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 meetings 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 meetings 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 Standing Committees; to create such other committees and appoint members thereof as deemed advisable; to perform other such duties as custom and parliamentary usage required and to appoint all officers not otherwise provided for.

**Section 2:** Duties of the Vice President - The First and Second Vice Presidents, in the order named, shall, when called upon, assist the President and if absent, perform the 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 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 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, and perform such other duties as directed by the President and to notify Department of any deceased members monthly.

**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 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 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 members 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 re-establishing eligibility and making application as a new member.

### **ARTICLE IV - UNIT MEETINGS**

**Section 1:** The regular scheduled meeting of American Legion Auxiliary, Escambia Unit #340, 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 call 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. 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, at which polls for elections will be open from 11:00 a.m. - 6:00 p.m. on the same day as the meeting is held, within the guidelines set by Department of Florida American Legion Auxiliary.

**Section 3:** 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 form furnished by Department.

**Section 4:** Vacancies in office between annual elections shall be filled by the Executive Committee.

**Section 5:** 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 at a regular meeting of the membership by a show of hands. 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 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.

**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", the Latest Printed Edition, on all points not covered in National and/or Department Constitution and Bylaws.

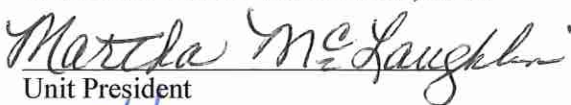
## ARTICLE X - AMENDMENTS

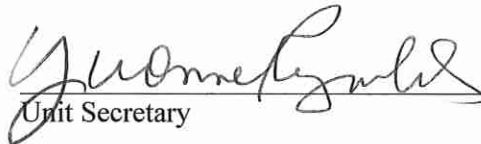
**Section 1:** These Bylaws may be amended by two thirds (2/3) vote of the members present at a regular meeting, provided the proposed amendments shall have been read at a previous Unit meeting.


**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 NOVEMBER 21, 2022.

  
Unit President

  
Unit Secretary

  
Unit Constitution and Bylaws Chairman

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

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

## STANDING RULES

1. The regular scheduled meeting of American Legion Auxiliary Escambia Unit #340, Inc. shall be held on the 3rd Monday of each month, unless otherwise specified and shall be called to order at 6:30 p.m. An Executive Committee meeting shall be held the 1st Monday of the month unless otherwise specified and shall be called to order at 6:30 p.m. In cases where Escambia Unit 340 cannot meet in person, the unit shall conduct virtual meetings. The unit will utilize Zoom for the virtual meetings. The unit shall pay any cost incurred for using this platform. Each member who has provided their email address will get an invitation link to join the meeting. Members who have provided their cell phone number will receive a text with the link.
2. Six members of this Unit shall constitute a quorum at any regular meeting of this Unit.
3. The annual Senior membership dues of the Unit shall be \$40.00 to include Department and National per capita. Effective with the 2024 year. The annual dues of the Junior membership shall be \$6.25 to include the Department and National per capita.
4. In addition to the bylaws, we will support the following. AEF, Girls State, Community Service, Education, Junior Activities, Leadership, Legislative, Poppy and Public Relations.
5. Unit elected Officers, consisting of President, Treasurer and Membership Chairman 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 for 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 a corresponding secretary may be appointed to carry on the duties normally performed by the Secretary.
8. The Unit shall be guided by the Code of Ethics as published in the National Auxiliary Standing Rules.
9. The incoming President will be presented with a gavel with their name and year engraved, which will be presented at the Installation of Officers.
10. The outgoing Unit President shall receive, as a gift from our Unit, a Past President's pin and a gift not to exceed a total of \$100, outgoing officers will receive a past officers' pin.
11. Any member joining must present proper I.D. and proof of eligibility. New potential members shall be presented at the General Membership meeting and the General Assembly will vote on their membership into the unit before the member receives a membership card. All transfers will be voted on. No eligible member will be denied membership based on hearsay.
12. The 1st Executive meeting after the election of new officers will be a special meeting to instruct newly elected officers as to their duties and the day to day running of the Unit activities and functions.
13. The Installation of Officers will be held at the discretion of the newly elected Post Commander and Unit President following Department Convention. The Installation time and date shall be with the approval of the District Commander and the District President. The outgoing President shall plan the Installation with the coordination of the Post Commander, as their last function as Unit President. On the date of the installation, the Unit must pay \$20.00 to the District President for District Dues. Also, the installing Officer receives a \$25.00 gift from the Unit at Installation.
14. Delegates numbers are provided by Department. Delegates to Department Convention shall consist of the outgoing President, incoming President, and the additional number of delegates determined by State (based on current

membership). Delegates and alternates shall be members in good standing and have been elected according to Article 5 Section 5 of Unit 340's Bylaws.

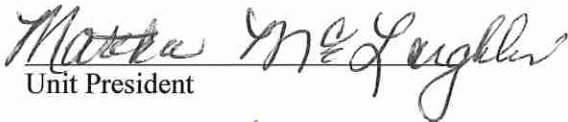
15. Funds for Department Convention are set as follows: Each delegate will be given \$500.00 for expenses. This is contingent upon your attendance to assigned meetings and general assembly particularly during voting. A check for no more than \$200.00 will be available for unit books and supplies.
16. Any Unit member removing Unit property from the premises shall sign a receipt for the property. Said signature shall be witnessed by an officer of the Unit. By signing a receipt for the property, the Unit member accepts responsibility for the property and is also responsible for the property to be returned in working condition.
17. All records of the Unit are to be maintained in the Unit office.
18. The Unit President may request a check in the amount of \$100 from the Unit Treasurer for a discretionary fund not to exceed \$300 per year.
19. All officers and Membership Chairperson are to have keys to the office, paid for with Auxiliary funds.
20. There will be (3) keys to the locked file cabinet and they are to go to those that are signers on the checking account.
21. The Chaplain shall order flowers for a hospitalized Unit member who has been hospitalized for a minimum of three (3) days. A member may receive flowers once a year and not to exceed \$50.00.
22. The Chaplain shall also send flowers to funerals of a deceased Unit member or their immediate family. A member's immediate family shall consist of their spouse, children, father, mother, brother, or sister only. The cost of the flowers for a funeral shall not exceed \$75.00. The choice of the florist is the responsibility of the Chaplain. Receipts are required for all purchases. The Chaplain may also send sympathy and get-well cards to members as needed.
23. The Unit is responsible for a wreath that includes Poppies for Veterans Day and Memorial Day.
24. If a Unit member needs monetary assistance by the Unit, that member shall have been a member of Unit for a minimum of three years with current membership paid. It is the responsibility of the member to make the request and is limited to up to \$500 per year.
25. The Unit President will have an initiation once a year, in the month of February, for new members as well as pins for current members in 5-year increments. Members must be present to receive their year pins.
26. Nominations will be accepted by the Nomination Committee and from the floor for two months prior to elections being held.
27. All members have access to the Unit's office; however, an officer must be present to ensure that all records and materials remain in the Unit office.
28. The Membership chairman is authorized to take necessary files and paperwork home to ensure all records are up to date. When the Membership chairman is changed, all records and files will be given to them by the outgoing Membership chairman.
29. All cell phones should be turned off or set on silent during a meeting or incur a \$5.00 fee.
30. No smoking, electronic cigarettes, or alcohol will be allowed during the general membership or Executive Committee meeting.
31. 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 to be presented by this committee. This committee is to form no later than three (3) months prior to an election.

32. Criteria for an election volunteer responsible for membership verification, ballot distribution, monitoring of the ballot box, and counting the ballot box when polls close at 6:00 p.m. Will consist of the following: must be a member in good standing (current year's membership dues paid) and not running for office. Current membership chairman must supply a current roster of membership prior to the election.

Standing Rules are adopted by a majority vote and may be amended by two-thirds (2/3) vote at any meeting, or if notice has been given, by a majority vote.

These standing rules were read, voted on and approved at our general meeting on November 21, 2022.

  
Unit President

  
Unit Secretary

  
Unit Constitution and Bylaws Chairman

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

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