

**CONSTITUTION AND BYLAWS
OF
AMERICAN LEGION AUXILIARY
PAUL W. AIREY UNIT 392, INC.
DEPARTMENT OF FLORIDA
P O BOX 885 PANAMA CITY, FL 32402**

January 10, 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 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

Section 1: The name of this organization shall be American Legion Auxiliary, Paul W. Airey, Unit 392, Inc., Department of Florida.

ARTICLE II – NATURE

Section 1: American Legion Auxiliary, Paul W. Airey Unit 392, Inc. is a civilian patriotic organization of women that supports the mission of the American Legion.

Section 2: American Legion Auxiliary Paul W. Airey Unit 392, 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 Paul W. Airey Unit 392, 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 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 or 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 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.

B. Junior membership shall consist of that group 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.

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, Second Vice President, Secretary, Treasurer, Chaplain, Historian, Sergeant-at-Arms, 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.)

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 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 ($\frac{2}{3}$) vote of the members at a regular meeting, provided the proposed amendments 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 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 succeeded

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 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 it is necessary to carry out the duties of the office successfully for the good of the American Legion Auxiliary. 5

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 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 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.

Section 8: Where considered necessary, a recording secretary and a corresponding secretary may be elected to carry out the duties normally performed by the secretary. **Section 9:** The office of secretary may be combined with that of treasurer and called “secretary-treasurer.”

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, Paul W. Airey Unit 392, 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.

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 a winner.

Section 3: All Officers and Executive Committee members shall be elected at a meeting duly called for the purpose not more than ninety (90) days prior, nor less than fifteen (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 the 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 Constitutions, 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

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 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 XI – 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 two-thirds ($\frac{2}{3}$) 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 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 10th, 2023

Jennifer Simmons
Unit President

Shirley Patterson
Unit Secretary

Lindsay Pravatonne
Unit Constitution & Bylaws Chairman

January 10, 2023
Date Approved

Department Constitution & Bylaws Chairman

Date Approved

STANDING RULES - American Legion Auxiliary Paul W. Airey Unit 392, Inc.

Meetings: The regularly scheduled meeting of American Legion Auxiliary Paul W. Airey Unit 392, Inc. shall be held on the **2nd Tuesday of each month**, unless otherwise specified and shall be called to order at **6:30 pm**. Meetings are to be held at American Legion Post 392, 535 Oak Ave.

An Executive Committee meeting shall be held each month based on the convenience and needs of the current Executive Committee each year.

All meetings of this Unit are considered 'open' and any member or guest is welcome to attend, however, only members have a vote and no one has a voice unless recognized by the Chair.

Meetings may be canceled upon short notice when an emergent situation arises, and notice is provided to members via social media post and email. Emergent situations can include but shall not be limited to more than three board members absent, inclement weather, unavailability of meeting space, sickness/illness of multiple board members, etc. Meeting cancellations will be decided upon by the eBoard with immediate notification sent out via email and social media.

Quorum: General Membership meeting = five (5) members
Executive Committee meeting = a majority of the members

Amendments: 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.

Dues: A. The annual Senior membership dues of the Unit shall be **\$45.00** to include Department and National per capita. The annual dues of the Junior membership shall be **\$12.00** to include the Department and National per capita.

B. New members applying for membership during the months of July and August and September will be asked to pay the current membership dues for the current year and then offered the opportunity to pay the per diem only portion of the next year's membership. Per diem being the National and Department per capita expense.

Disbursement of Funds: Unit elected Officers consisting of President, Treasurer and 1st Vice are authorized to sign checks for disbursement of funds from the Unit treasury. All checks MUST have two of the three above signatures.

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.

Unit 392 banks at Regions Bank in Panama City.

Unit 392 has elected to have a debit card that remains with the President, First Vice or Treasurer. All purchases must have a receipt, expense report and reported at the monthly meeting.

Powers and duties of Officers - Expanded per Unit custom:

President: Shall have discretionary spending authority up to \$500.00 every month between meetings. The expenditure must be of an emergency nature and must be accounted for at the next regularly scheduled meeting.

Vice President: Perform other such duties as may be required by the President as well as:

- The First and 2 Second Vice President shall chair a standing committee – to be appointed by the President

Secretary: Perform other such duties as shall be required of her by the President to include:

- Record the minutes of the meeting and shall present them to the Unit membership in draft form via email from the official email account (alaunit392@gmail.com) for approval at the next meeting (the minutes must be read in full if not received by email or if is requested at the next meeting).
- Record financial motions at the meeting to assist Treasurer
- Track and record Volunteer hours and assist with end of year reporting
- Ensure that an Email goes out each month to Unit members when the Department Communique has been published on the Department website at www.alafl.org.
- Where deemed necessary, a Recording Secretary and a Corresponding Secretary may be elected to carry on the duties normally performed by the Secretary with such duties assigned to each by the President.
- The office of Secretary may be combined with that of Treasurer and called "Secretary/Treasurer."
- When deemed necessary, a Recording Secretary and a Corresponding Secretary may be elected/appointed to carry on the duties normally performed by the Secretary.

Treasurer: Perform other such duties as shall be required to include:

- File the annual 990EZ online IRS document by the required due date but no later than December 15th and forward a copy to the Department of Florida office.
- File the annual renewal documents for the Unit Incorporation paperwork by the required due date but no later than May 1st.
- File the necessary paperwork with the Florida Department of Agriculture Department of Consumer Affairs by the required due date but no later than December 8th.
- Work with the Budget Committee and ensure payment of Department of FL Obligations (invoiced by Department) in a timely manner.
- Make donation payments, when possible, on the Funds Transmittal sheet through the Department of FL office. It is customary to donate at least \$1.00 (when possible) to all the charities on the Transmittal sheet form. These funds must be reflected in the Budget and must be to Department by April 30th each year.

Chaplain: Perform other such duties as shall be required to include:

- Will be given a budget to purchase get well cards and/or a small token gift for those members that are in need.
- Will, when possible, contact sick or infirm members via phone, visit in the hospital or send a card.

Historian: There shall be a budgeted amount for the compilation of a Unit History book.

Sergeant at Arms: The Sgt at Arms (and/or Asst Sgt at Arms) will be responsible for setting up the meeting room each month and also be responsible for staying current on Flag etiquette and ensure it is followed at all meetings. Will make sure the signup sheets are set up and the Preamble is distributed prior to the meeting and perform other host duties as required by the President.

Committees:

Section 1: The immediate Past President of this Unit shall be a member of the Executive Committee of this Unit and have full voting powers.

Section 2: A nominating committee composed of three (3) members shall be elected annually at a meeting duly called for that purpose, for the purpose of presenting a slate of Unit officers for the ensuing year.

a. The nominating committee shall post a list of positions in the Unit and their duties in March for the purpose of self nominations. These shall be read at the March meeting.

b. The nominating committee shall encourage participation and scout candidates for leadership positions.

c. The nominating committee shall elect a chairman and that chairman will run the election.

d. The nominating committee should have paper or printed ballots available for the election.

Section 3: An audit committee composed of three (3) members shall be appointed by the President annually 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.

a. The audit committee should accomplish, if possible, the audit within thirty (30) days of the election of a new Treasurer.

b. The audit committee shall at least ensure that the bank account is balanced and that all checks issued correspond with motions made and passed in the minutes.

Section 4: A Budget committee composed of three (3) members shall be appointed by the President annually for the purpose of presenting a budget for the ensuing year.

a. The budget committee should compile the budget for presentation to the membership, as soon as possible but no later than August.

b. The budget committee should use past budgets as well as the incoming President's agenda to build the current year's budget.

Section 5: The President shall appoint a Unit member to be the representative to the American

Legion Post 392 Entertainment Committee to ensure Auxiliary Unit events are put on the Calendar and that meeting room and/or pavilion facilities are reserved. This person will report back to the Executive Committee and General Membership about upcoming calendar events. This person should be kept up to date on long term Auxiliary plans and should be able to make decisions for the Auxiliary at the meetings.

Section 6: The President shall appoint an American Legion Liaison that will attend the American Legion Post 392 Executive Board meetings and American Legion Post 392 General Membership Meetings to ensure Auxiliary Unit 392 events and projects are communicated to the Legion. This person will report back to the Executive Committee and General Membership about upcoming Legion events and projects.

Section 7: The President shall appoint an American Legion Rider (ALR) Liaison that will attend the American Legion Rider meetings to ensure Auxiliary Unit events and projects are communicated to the ALR. This person will report back to the Executive Committee and General Membership about upcoming Legion events and projects. This person should be an active member of the American Legion Riders if possible.

Section 8: There shall be the following standing committees appointed by the President: Veterans Affairs and Rehabilitation, Children and Youth, Americanism, National Security, Education, Constitution & Bylaws, Audit, and any other committee the Unit deems necessary.

a. It is customary for this Unit to also participate in Community Service, Auxiliary Emergency Fund and Girls State each year.

b. Each year it shall be the duty of the President to ensure that the annual Plans of Action are received from the Department of FL website at www.alafl.org and at the planning meeting of the Executive Committee that the work that can be accomplished should be selected and the committees and duties assigned.

Bank Account:

Section 1: The President, 1st Vice President and Treasurer will be signers on the bank account.

Section 2: Upon elections, the old Treasurer and all new signers must immediately ensure that the bank account is updated (the bank requires the minutes of the meeting electing the new Officers).

Fiscal Year: The Fiscal year of the Paul W. Airey American Legion Auxiliary Unit 392 will be from July 1st to June 30th, the same as the Department of Florida.

Installation (and start of new administrative year):

Section 1: Newly elected officers will assume their responsibilities immediately the night of the election with the transition of paperwork and records occurring as soon after as possible but no later than thirty (30) days. It is encouraged that all Unit records be brought to the Election meeting to facilitate the exchange.

Section 2: Scheduling installation of Officers by the 1st District Auxiliary President will be the

responsibility of the OUTGOING President of the Unit. She shall coordinate the date as soon after Department Convention as is possible.

Section 3: The OUTGOING President of the Unit should coordinate with the Post 392 Commander of the American Legion and Commander of the Son's of the American Legion to discuss the Auxiliary's portion of costs associated with food, decorations, etc. (this cost should be reflected in the Unit Budget).

Section 4: It is customary for the Unit to purchase a Past President's pin and parting gift for the outgoing President (this cost should be reflected in the Unit Budget). It is the OUTGOING President's duty to assign this duty. These items will be presented during the Installation Ceremony.

Section 5: It is customary for the Unit to purchase a token gift to the Installing Officer not to exceed the budget amount of \$100.00. It is the OUTGOING President's duty to assign this duty.

Convention/Fall Conference/District Meetings:

Section 1: The Unit will pay the registration fee (as designated by Department) for Delegates and Alternates to Department Annual Convention (this should be reflected in the Unit Budget).

Section 2: The Unit will, if possible, pay for up to 2 hotel rooms for the Delegate and Alternate to Department Annual Convention and Department Fall Conference (this should be reflected in the Unit Budget). Delegates must attend breakout sessions as well as the General sessions to receive reimbursement.

Section 3: The Unit will, if possible, pay for gas expenses for travel to District Meetings (this should be reflected in the Unit Budget). Attendees should make a report at the next regular Auxiliary meeting to receive reimbursement.

Communication:

Section 1: The official Communication vehicle for this Unit will be Email. The Unit shall maintain an email address that is: alaunit392@gmail.com

a. All OFFICIAL communication will be via Email. Official notification of meetings, events, etc. shall be via Email and not Facebook.

b. The President of the Unit shall maintain the email account as Administrator. There should be one other person that has access as an administrator and it is suggested that it be 1st Vice President but must be an elected member of the Executive Committee.

c. The Membership Chairman is responsible for ensuring new member emails are given to the Email administrator to be added to the email account. ii. The Secretary is responsible for ensuring official correspondence is documented from the Email account.

Section 2: The Unit shall maintain a social media account on Facebook that is: American Legion Auxiliary Unit 392 Panama City Florida.

a. The Social media account will be a place to share Auxiliary photos, advertise Auxiliary events, and share veteran related information.

b. The President of the Unit shall maintain the facebook account. There should be one

other person that has access as an administrator and it is suggested that it be 1st Vice President but must be an elected member of the Executive Committee.

c. The Administrators of this account shall use discretion and have the responsibility to remove any posts that they feel are inappropriate for this account.

Membership:

Section 1: All new members and transfers must be voted on for acceptance into the Unit in conformance with Department and National rules.

Section 2: The President appoints the Membership Chairman.

Section 3: The Membership Chairman is responsible for:

- a. The timely processing of all membership applications and transfers in accordance with the guidelines set forth by the Department of Florida.
- b. Ensure that there are application and transfer forms available at the Post.
- c. Tracking Membership quotas and percentages and report at the Unit meeting.
- d. Ensuring the Secretary has an up to date roster.
- e. Ensuring the administrator of the email account has all current email addresses of current members.

New Member Initiation: An Initiation Ceremony shall be held once a year preferably in the month of September with membership pins given to the new members that attend. The membership pin expense must be reflected in the current budget.

These Standing Rules for American Legion Auxiliary Unit 392 were read and approved at a regularly scheduled meeting held on **January 10, 2023**

Jennifer Simmons
Unit President

Lindsay Pravatonne
Unit Constitution & Bylaws Chairman

Department Constitution & Bylaws Chairman

Suz Peterson
Unit Secretary

January 10, 2023
Date Approved

Date Approved