

**UNIT CONSTITUTION AND BYLAWS
Palm Bay Unit 394**

**AMERICAN LEGION AUXILIARY
DEPARTMENT OF FLORIDA**

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 THE MUTUAL HELPFULNESS.

CONSTITUTION

ARTICLE I – NAME

The name of this organization shall be the AMERICAN LEGION AUXILIARY, PALM BAY UNIT 394, Department of Florida.

ARTICLE II – NATURE

Section 1: American Legion Auxiliary, Palm Bay Unit 394, Inc. is a civilian patriotic service organization that supports the mission of the American Legion.

Section 2: American Legion Auxiliary, Palm Bay Unit 394, Department of Florida shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

ARTICLE III - OBJECT

Section 1: The object of the American Legion Auxiliary, Palm Bay Unit 394, 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, spouse and direct and adopted female descendants (daughters and granddaughters) 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 anytime 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 (2) 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 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, Treasurer, Chaplain, Historian and Sergeant-at-Arms, who shall serve until their successors are duly installed or as otherwise provided. The Secretary shall be appointed by the President.

ARTICLE VI –EXECUTIVE COMMITTEE

Section 1: 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

Section 1: 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 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 By-Laws and Standing Rules of the American Legion Auxiliary.

BY-LAWS

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 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: Three (3) of the members of the Executive Committee shall constitute a quorum.

Section 4: Special meetings may be called by the order of the President or upon electronic or written request of a 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 meetings only business specified shall be transacted.

ARTICLE II – DUTIES 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 the Unit Executive Committee, to enforce strict observance of the Constitution and By-Laws; to appoint members of the Standing Committees; to create such other committees and appoint members thereof as they deem advisable; to perform such other 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 Vice President and Second Vice President when called upon, shall assist the President and in her absence perform her duties and shall succeed her in office in case of death, resignation or removal until such time that the Office can be filled at an election of the membership at the next regular meeting of the Unit and/or a special meeting called in accordance with Article IV, Section 2.

Section 3: Duties of the Unit Secretary: It shall be the duty of the Secretary to record 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 members, to process the correspondence for the Unit, to keep on file in a comprehensive manner copies of all correspondence sent and received and perform other duties as shall be required of her by the President.

Section 4: Duties of the Unit Treasurer: It shall be the duty of the Unit Treasurer to receive all money belonging to the Unit and to account for same. She shall pay the bonding fee as determined by the Department Office. 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 and annual report there on 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, vouchers and papers belonging to the Unit to her 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, report to Department and District Chaplain and Unit member taking care of membership the name and date of death of a member and perform such other duties as the President may request.

Section 6: Duties of the Historian: It shall be the duty of the Historian to record the activities and accomplishment 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 all meetings of the Unit and such other duties as the President may direct.

ARTICLE III – DUES

Section 1: The annual membership 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 their dues, including the Unit, Department and National 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 be automatically dropped from the rolls and may be reinstated only by paying all back dues or by establishing eligibility and making application as a new member.

ARTICLE IV – UNIT MEETINGS

Section 1: The regular meeting of American Legion Auxiliary, Palm Bay Unit 394, shall be held as stated in the Standing Rules. Executive Committee meetings 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 if 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.

Section 4: Five (5) members shall constitute a quorum at a meeting of the Unit.

ARTICLE V – ELECTION

Section 1: Elections shall be held annually. In order to participate in the election of the Unit Officers the member must be in good standing.

Section 2: Election may be by voice vote if there is only one candidate, but where there is more than one candidate for the same office the election shall be by ballot and the majority of votes cast shall be necessary to elect.

Section 3: Delegates and alternates to a Department Convention shall be elected at a regular Unit meeting duly called for that purpose, not less than two weeks prior to the Convention. Alternates shall have their priority in order of the election.

Section 4: All Officers and Executive Committee members shall be elected annually at a regular Unit meeting, duly called for that purpose not more than ninety (90) days prior and not less than fifteen (15) days prior to the Department Convention. The Secretary shall be appointed by the incoming President.

ARTICLE VI – COMMITTEES

Section 1: 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

Section 1: Transfers 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 By-Laws.

ARTICLE VIII – DISCIPLINE

Section 1: For any violation of the Unit, State or National Constitutions or for conduct improper and prejudicial to the welfare of the Auxiliary or of the American Legion, any member may be expelled from membership or any Officer removed by 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 bearing thereon. Both parties 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: Liabilities: No member or group of members shall subject this Unit to liability without authorization of the Unit.

ARTICLE IX – PARLIAMENTARY AUTHORITY

Section 1: The Unit organization shall be governed by "Roberts Rules of Order, Newly Revised", on all points not covered by this Constitution and By-Laws.

Section 2: These By-Laws shall automatically be amended to conform to the National and Department Constitutions and By-Laws and Standing rules of the American Legion Auxiliary.

THIS CONSTITUTION AND BY-LAWS WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON 11-01-2022.

Sandra Brewster
Unit President

Genia Raymond
Unit Secretary

Mary Jane Murphy
Unit Constitution and By-Laws Chairman

Department Constitution & By-Laws Chairman

Date Approved