

**CONSTITUTION AND BYLAWS
OF
AMERICAN LEGION AUXILIARY
BERT HODGE UNIT #45, INC.
DEPARTMENT OF FLORIDA
316 OSCEOLA STREET
Palatka, FL 32177**

NOVEMBER 5, 2019

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 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 Bert Hodge Unit #45, Inc., Department of Florida.*

ARTICLE II—NATURE

Section 1: American Legion Auxiliary, Bert Hodge Unit #45, Inc. is a civilian patriotic service organization of women that supports the mission of The American Legion.

Section 2: American Legion Auxiliary, Bert Hodge Unit #45, 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, Bert Hodge Unit #45, Inc, Department of Florida, shall be as stated in the Preamble to the Constitution.

ARTICLE IV--ELIGIBILITY

Section 1: Membership in the American legion auxiliary shall be limited to the grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion, and to the 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 any of the following periods: April 6, 1917 to November 11, 1918: and any time after December 7, 1941: or who, being citizens 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 any of said periods, and died in the 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 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 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 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 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 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 proceeding 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: 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 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.

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.

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 31st 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 and making application as a new member.

ARTICLE IV—UNIT MEETINGS

Section 1: The scheduled meeting of American Legion Auxiliary, Bert Hodge Unit #45, Inc. shall be held as stated in the Standing Rules. An Executive Committee meeting shall be held at 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 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 addressees of such newly elected officers, not less than then (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 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 Constitution, or for conduct improper and prejudicial to the welfare of the Auxiliary or the 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, 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 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 December 12, 2019

X Linda N. Stet

Unit President

Patricia D. Hunt

Unit Secretary

X Debra D. Schraft

Unit Constitution and Bylaws Chairman

APPROVED

X Robert McQuillan

Department Constitution & Bylaws Chairman

3/13/2020

Date Approved

RECEIVED

MAR 18 2020

STANDING RULES
OF
AMERICAN LEGION AUXILIARY
BERT HODGE UNIT #45, INC.
DEPARTMENT OF FLORIDA
316 OSCEOLA STREET

PREFACE

The American Legion Auxiliary, Bert Hodge, Unit #45 Standing rules are duly adopted by the appropriate unit governing body of the American Legion auxiliary, Bert Hodge, Unit #45 to provide guidance to the American Legion Auxiliary, Bert Hodge, Unit#45, general membership. Standing Rules have the same importance as the Unit Constitution and Bylaws and may be amended as frequently as needed.

Certain Standing Rules can only be amended or rescinded by action of the Unit general membership. Standing Rules that specifically state 'As provided in the Unit Bylaws' can only be amended by action of the Unit general membership.

Except when otherwise specified in the Bylaws or these Standing Rules, a standing rule may be amended or rescinded by a two-thirds vote, in addition to these Standing rules, supplementary unit policies or rules may be adopted as they are needed from time to time by the Unit Executive committee or Unit general membership.

1. The regular scheduled meeting of American Legion Auxiliary, Bert Hodge Unit #45, Inc. shall be held on the 2nd Thursday of each month, unless otherwise specified and shall be called to order at 7:00 p.m., after our potluck dinner.
2. Four (4) members 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 \$35.00, to include Department and National per capita. The annual dues of the Junior membership shall be \$10.00 to include 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), Local Auxiliary Emergency Fund (LAEF), Community Service, Education, Girls State, Cavalcade of Memories, Juniors, Leadership, Legislative, Past Presidents Parley, Poppy and Public Relations.
5. Three (3) Unit elected officers are authorized to sign checks for disbursement of funds from the Unit treasury. All checks Must have two of the three appointed 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. A Budget Committee composed of three (3) members, including the Unit Treasurer, and shall be elected by the members, or appointed by the President, for the purpose of presenting a budget for the ensuing year.
8. A Nominating committee, composed of three (3) members, shall be elected by the members for presenting a slate of officers for the ensuing year. The committee shall have the permission of each candidate for an office before presenting at the meeting by this committee. This committee is to form no later than two (2) months prior to the election.
9. Special meetings of the Unit may be called by the Unit President, by a majority of the Executive Committee, or upon written request of members of the unit.
10. Encumbered Funds—Educational, Poppy, Girls State, Dorothy Fawley Girls State Scholarship, Membership, Scholarship, AEF, LAEF, Juniors, VA&R, etc., --CANNOT be moved or used for any other reason other than what it was Ear-Marked for.
11. Our finances, minutes, and other business discussion in the regular scheduled meeting and the Executive meeting are not to be discussed outside our meetings.
12. Executive board meeting will meet the Monday @ 10:00 am, prior to the Auxiliary general membership meeting.
13. The amount up to forty dollars and zero cents (\$40.00) can be used for funeral expenses of a Post or Unit member. This could be flowers, flag, membership dues, etc., no vote is required by the Unit. The Unit President must announce it at the next membership meeting.
14. The Unit will pay the delegate's registration fees when attending the Department Convention.
15. Installation of officers in July is the responsibility of the out-going Unit President.
16. A welcome letter will be sent out or welcome packet presented to ALL new members containing greetings and pertinent information as to meeting dates, times, etc., This shall be the duty of the Membership Chairman.
17. The Unit President is authorized to expend funds up to the amount of one hundred dollars (\$100.00) per month for the purpose of incidental (occurring merely by chance or without intention or calculation) emergencies upon presentation of receipts. All expenditures over this amount must have approval by the Unit membership at the next scheduled meeting. This discretionary fund does not roll over to the next month. These **funds are not** to be used to avoid going to a vote or override a vote.
18. All activity money is the responsibility of the Treasurer and no money leaves the premises of the Post or Auxiliary room. Collect project funds daily or otherwise; shall go directly to the Treasurer or be placed in the Auxiliary cash box with a note stating where the money is from. **NO Exceptions.**
19. Get well, sympathy cards and flowers will be sent to a member or a member's family in accordance with the situation. This responsibility shall be that of the Chaplain.
20. The ballots shall be counted by an election board consisting of a Past President as judge and a teller chosen by each opposing candidate. The election board shall not comprise of anyone currently running for office. Ballots will be counted in secret within a separate

- room. The judge shall announce the name of the winner but not the number of votes received. Ballots shall be burned or shredded after the results are tallied and announced.
21. All receipts, bank statements, and checks shall be held for seven (7) years for the purpose of an audit by the Auxiliary and the IRS.
 22. The general membership must approve the Secretary recording the meeting prior to the scheduled meeting. Only the secretary shall be allowed to record the proceeding of both the Executive Committee and regular meeting to assure accuracy of the written minutes. Said recordings will be erased after the minutes are written and approved.
 23. The minutes from the Unit general meeting should be typed and ready for review within seven (7) business days.
 24. The minutes will be read at the Unit general meeting from the previous month and approved by two-third (2/3) vote by the general membership. The regular meeting minutes should be approved and filed within the unit for audit. The Unit President and Secretary should sign the minutes. Approved minutes should only be given to the Unit President, Treasurer, and Historian.
 25. If a member wishes to see the approved regular meeting minutes from any of the unit's past regular meetings, a request must be made to them and, the request will be fulfilled after the regular scheduled meeting. All approved regular meeting minutes shall not be copied or removed from the Unit's meeting room.
 26. The Financial Statement form will be reported at the meeting and the three (3) copies will be made and distributed to the Unit President, Secretary, and Treasurer. Auditor's report should be read, adopted, and filed as well.
 27. The Treasurer's report is read at the general membership meeting and approved by the general membership. They shall be filed for audit. Requests to see the Treasurer's financial reports can be reviewed at the Treasurer's convenience but shall not be copied or be removed from the Unit meeting room.
 28. All Treasurer's Financial Reports, Secretary's Minutes, and Executive committee Notes are open to the general membership.
 29. There will be no reimbursements without a purchase receipt.
 30. There shall be a bi-annual meeting of the Unit in the month of November and March each year for the purpose of receiving and review of committee reports. All committee chairman are required to attend.
 31. An annual meeting of the Unit shall be held in the month of April each year for the purpose of receiving annual reports.
 32. The Unit shall have committees and committee chairs appointed as deemed necessary by the Unit President.
 33. An Audit committee composed of three (3) members shall be appointed by the Unit at the close of each yearly term and they will make a report to the Unit at the regular meeting following officer initiation.
 34. Items placed in the Auxiliary room are not to be removed from the room without the permission of the Executive Committee.
 35. Items placed in the Auxiliary room are still someone else's property, so please respect your fellow members property.

36. All paper shall be handed over within 3 days of installation, (president to president, treasurer to treasurer, secretary to secretary, and so on down the officer line).
37. The elected signers of the banking account shall be changed within 3 days of installation.
38. Both the debit card and checkbook shall be kept in a locked cabinet in the Auxiliary room when not in use.
39. All transfers are to be investigated and voted on before transfer approval.
40. If there are complaints or disagreements, they are to be brought to the Executive committee meeting.

CODE OF ETHICS

Section 1: The success of the Unit is depended on the trust and confidence members earn from our general memberships, officers, and committee members. The Unit gains credibility by adhering to our commitments, display honesty, integrity, and reaching goals solely through honorable conduct.

Section 2: The membership all deserves to work in a unit where members are treated with dignity and respect. American Legion Auxiliary, Bert Hodge, Unit #45, Inc., is committed to creating such a unit, because it brings out the full potential in each of our members, which in turn, contributes directly to our unit success. Units cannot afford to let any member's talents go to waste.

Section 3: The Unit is committed to providing a unit that is free of discrimination of all types, from abusive, offensive, or harassing behavior to out and out threats. Any member who feels harassed or discriminated against should report the incident to an Executive Committee member or the Unit President.

Section 4: At the American Legion Auxiliary, Bert Hodge, Unit #45, Inc., everyone should feel comfortable to speak ^{his} her mind, particularly with respect to ethics concerns. The Unit President has a responsibility to create an open and supportive Unit where the membership feels comfortable raising such questions.

Section 5: The American Legion Auxiliary, Bert Hodge, Unit #45, Inc., will investigate all reported instances of questionable and/or unethical behavior. The Unit will take appropriate action as stated in the Unit's Constitution and Bylaws. Unit's will not tolerate retaliation against members who raise general ethics concerns in good faith.

THESE STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR
REGULAR UNIT MEETING ON December 12, 2019.

X Linda D. Steer
Unit President

Patricia D. Hunt
Unit Secretary

X Cherise Rae Shookcraft
Unit Constitution and Bylaws Chairman

APPROVED

X Talbin M. Appleby
Department Constitution & Bylaws Chairman

3/13/2020
Date Approved

RECEIVED

MAR 18 2020