

CONSTITUTION AND BYLAWS
OF
AMERICAN LEGION AUXILIARY
TARPON SPRINGS UNIT 46, INC
DEPARTMENT OF FLORIDA
1254 SOUTH PINELLAS AVENUE
TARPON SPRINGS, FL 34689

February 20, 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 American; 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, Tarpon Springs Unit 46, Inc. Department of Florida.*

ARTICLE II – NATURE

Section 1: The American Legion Auxiliary, Tarpon Springs Unit 46, Inc. is a civilian patriotic service organization that supports the mission of The American Legion.

Section 2: The American Legion Auxiliary, Tarpon Springs Unit 46, 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, Tarpon Springs Unit 46, Inc. 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 as listed below and shall be updated as appropriate.

Membership in the American Legion Auxiliary shall be limited to the following:

- (A) grandmothers, mothers, sisters, spouses and direct or adopted female descendants of members of the American Legion; and
- (B) grandmothers, mothers, sisters, spouses and direct or 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 an honorable discharge;
- (C) grandmothers, mothers, sister, spouses and direct or 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 6th, 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 dies in the line of duty or after an honorable discharge; and
- (D) 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 that are age 18 and older: provided, however, a member eligible under section 1 of this article, and who is under the age of 18 years and is married shall be classified as a Senior member.
- (B) Junior membership shall consist of that group under the age of 18 whose activities shall be supervised by the Senior membership. Upon reaching the age of 18, Junior members shall be automatically 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, Vice President, Treasurer, Secretary, Chaplain, Historian, Sergeant-at-arms and 3 members at large.

ARTICLE VI – EXECUTIVE COMMITTEE

There shall be an Executive Committee which shall consist of all of the officers, the 3 members at large and the Past President.

ARTICLE VII – FISCAL YEAR

The Unit fiscal year shall be the same as that of the Department.

ARTICLE VIII – AMENDMENTS

Section 1: This Constitution may be amended by 2/3 vote of the members at a regular meeting, provided the proposed amendment was read at the previous meeting.

Section 2: Any amendments not having been read, may be adopted by the unanimous vote of the members that are 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 46, 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 other cause other than expiration of a term shall be filled by a majority vote of the entire committee. A person that is elected, shall hold that position of office for the unexpired term of the member succeeded.

Section 3: The majority of the Executive Committee shall constitute a quorum for a meeting to be held.

Section 4: The Executive Committee shall meet once a month and special meetings may be called by order of the President as needed.

ARTICLE II – DUTIES AND POWERS OF OFFICERS

Section 1: Duties of the President – It shall be the duty of the President to preside at all meetings of the Unit and of the Unit Executive Meetings; to enforce strict observance of the Constitution and Bylaws; to appoint members of Standing Committee; 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 Unit Vice President – The Vice President shall when called upon, shall assist the President. If the President is absent, the Vice President shall perform the Presidents’ duties of that office and shall succeed to the office until the President returns or able to perform their duties as above stated.

Section 3: Duties of the Unit Secretary – The Secretary shall receive and answer any mail under the direction of the President; to keep on file all correspondence that is sent out or received; and to send and give notice to the members of all meetings. The Secretary will be responsible for taking notes of the meetings of the Unit and to keep all the information, records or filings of the office in order. The Secretary is vested with such authority as it is needed to carry out the duties of the office for the good of the American Legion Auxiliary.

Section 4: Duties of the Treasurer – The Treasurer of the Unit shall receive all the monies belonging to the Unit and be able to account for their being. The Treasurer will pay the bonding fee as determined by the Department Office and shall maintain separate funds for all donations, fundraisers, events and membership dues. The Treasurer shall pay orders signed by the President and shall maintain their order as vouchers as well as keeping all receipts and expenditures. An annual report with such reports as deemed necessary by the Unit Executive Committee. The Treasurers accounts shall be audited annually/ The Treasurer shall be responsible for paying all current bills before transferring funds, books, vouchers, and papers that belong to the Unit when being turned over to the successor.

Section 5: Duties of the Chaplin – The Chaplin shall offer the members a prayer at the opening and closing of each meeting and shall perform any other duties that might be directed by the President. The Chaplain is to notify the President and the Secretary as well as the Treasurer of any deceased members on a monthly basis.

Section 6: Duties of the Historian – It shall be the responsibility of the Historian to complete the historical records of the Unit.

Section 7: Duties of the Sergeant-at-arms – The Sergeant-at-arms shall preserve order at the meetings of the Unit and to perform any such duties as may be requested by the president.

ARTICLE III – DUES

Section 1: The annual Senior membership dues to the Unit shall be stated in the Standard Rules which shall include the Department and National per capita. The annual dues for the Junior membership shall be 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, State and National assessments by January 21, shall be classified as delinquent and shall be suspended from all membership privileges. Payment of back dues, after suspension, shall be suspended, 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 re-establishing eligibility and making application as a new member.

ARTICLE IV – UNIT MEETINGS

Section 1: The regular scheduled meeting of the American Legion Auxiliary, Tarpon Springs Unit 46, 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 this Unit that shall constitute a quorum at any regular scheduled meeting of the Unit shall be stated in the Standing Rules.

Section 3: Special meetings of this 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: In order to participate in the election of the Unit Officer, a member shall have paid the 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.

Section 3: All Officers and Executive Committee members shall be elected at a meeting duly called for the purpose not more than 90 days prior, nor less than 15 days prior to Department Convention.

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 2 weeks prior to the Conference or Convention. Alternates shall have priority in the order of their election.

ARTICLE VI – COMMITTEES

Section 1: The Unit shall have the following Core Committee: 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.

Section 2: A Nominating Committee, composed of 4 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 in order to be presented by this committee, This committee is to form no later than 2 months prior to the election, The report of this nominating committee shall be made at the regular meeting prior to the meeting designated for election. Nominations from the floor may also be made at this time.

Section 3: A Budget/Audit Committee composed of 3 members and the Unit Treasurer, shall be elected by the general membership, for the purpose of presenting a budget for the ensuing year and performing internal audits as necessary to maintain a balanced treasury ledger. The Treasurer will not have a vote on the budget, their sole purpose being presenting past treasurer reports, budgets and minutes and recording of the new budget.

ARTICLE VII – TRANSFERS

Transfer of membership from one Unit to another in the Department of Florida, shall be upon application of the member and acceptance by the other Unit, in conformity with National and Department Constitution and Bylaws. There shall be no fee charged for a member to r=transfer from Unit to Unit.

ARTICLE VIII – DISCIPLINE

Section 1: For any violation of this Unit, State of 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: Liabilities: No members, or groups of members, shall subject this Unit to liability without authorization of the Unit.

Section 3: Neither this Unit in the Department, nor any members thereof, shall circularize any other Unit or member with the consent of the Department Executive Committee.

ARTICLE IX – PARLIAMENTARY AUTHORITY

The Unit shall be governed by "Robert's Rules of Order, Newly Revised" on all points not covered by the 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, BYLAWS AND STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING HELD ON _____.

X _____
Unit President

X _____
Unit Secretary

X _____
Unit Constitution and Bylaws Chairman

X _____
Department Constitution and Bylaws Chairman

X _____
Date Approved

STANDING RULES

1. The regular scheduled meeting of the American Legion Auxiliary Tarpon Springs Unit 46, Inc. shall be held on the second Wednesday of each month, unless otherwise specified and shall be called to order at 5pm. An Executive Committee meeting shall be held the second Tuesday of the month unless otherwise specified and shall be called to order at 6pm.
2. The Executive Committee shall act on all applications for transfer of membership at the next Executive meeting following the making of such application, and shall be at said meeting accepted, rejected, or referred for further investigation and consideration,
3. Nine (9) members of this Unit shall constitute a quorum at any regular scheduled meeting of the Unit.
4. The annual Senior membership dues of the Unit shall be \$40.00 to include Department and National per capita. The annual dues of the Junior Memberships shall be \$15.00 to include the Department and National per capita.
5. A Transferring member from another Unit into Unit 46 of Tarpon Springs will be issued a new card at their yearly renewal date not at transfer date.
6. A \$5.00 fee will be charged for any member to get a duplicate membership card.
7. The Unit will pay the annual membership dues for female members for life once they have been a member for 50 years and remain a member of Unit 46 of Tarpon Springs.
8. In addition to the Core Committees listed in the Bylaws, as the Unit continues to grow in members, the Unit can expand with the following Committees: Auxiliary Emergency Fund (AEF), Community Service, Education, Girls State, History (Cavalcade of Memories), Junior Activities, Leadership, Legislative, Past Presidents Parley, Poppy and Public Relations.
9. In addition to the duties defined in the Bylaws, the Vice President shall oversee the finding of volunteers for events at the Post including kitchen help in the Canteen when needed.
10. Unit elected Officers, consisting of the Unit President, Unit Vice President, and Unit Treasurer are authorized to sign checks for disbursement of funds from the Unit Treasurer. All checks MUST have two of the three above signatures.
11. Membership Chairman is an elected position and will be nominated and elected prior to general elections.
12. 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.
13. As a formality, the newly elected President, at the first Unit meeting after election, shall ask to have the appointed Secretary ratified.
14. The President shall be allotted an amount up to \$200 to be used in case of emergencies. A receipt must be presented to the Treasurer at the next meeting for reimbursement.
15. The Treasurer's books shall be reviewed at the end of the term by an outside source approved by the Executive Committee. If needed, a fee may be paid for these services.
16. The Unit will pay the annual membership dues for the current President, Vice President, Secretary and Treasurer while serving their term(s) in Unit 46 of Tarpon Springs.
17. A Budget Committee composed of three (3) members, including the Unit Treasurer, shall be elected by the members, or appointed by the President, for the purposes of presenting a budget for the ensuing year.

18. A Nomination 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. These members must be in good standing to be eligible. This committee shall form no later than two (2) months prior to the election. No election is needed is only one candidate is for said open position(s).
19. Flowers or a memorial donation shall not exceed \$50.00 for the loss of a Unit member or their spouse.
20. If funds are available, \$200.00 may be allocated to the President to help with room fees or expenses for the Department Convention(s).
21. A discretionary fund up to \$500.00 will be allocated to be spent on unforeseen event(s) or special project(s) each year not included in the budget. This must be voted on by the members before funds are approved.
22. A Past President Pin will be presented to a past President who has served at least a 3 year term.
23. No officer can appoint another member to take her place without approval of the President. The President can appoint any member good standing to fill a position.
24. The Unit has a proposed budget and does not necessitate the spending of the entire amount allotted. If anyone spends without prior approval from the President or Treasurer, they will not be reimbursed for their purchase.

These Standing Rules may be amended by two thirds (2/3) vote of the members present at a regular meeting, provided that the proposed amendments have been read at a previous Unit meeting. However, if not read previously, then they may be adopted by unanimous vote of the members that are present.

THIS CONSTITUTION, BYLAWS AND STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING HELD ON _____.

X _____
Unit President

X _____
Unit Secretary

X _____
Unit Constitution and Bylaws Chairman

X _____
Department Constitution and Bylaws Chairman

X _____
Date Approved