Constitution/Bylaws/and Standing Rules of

American Legion Auxiliary Lake Wales Memorial Unit 71 Inc.
P.O. Box 3993, Lake Wales, FL 33859
American Legion Auxiliary
Department of Florida
April 6, 2019

JUN 1 9 2019

Read and approved by Unit: April 6, 2019
President: Linda Hayes
Constitution & Bylaws Chairman: Karen Wolzanski

CONSTITUTION AND BYLAWS OF
LAKE WALES MEMORIAL, UNIT 71
AMERICAN LEGION AUXILIARY DEPARTMENT OF FLORIDA
P.O. Box 3993, Lake Wales, FL 33859

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 the Great 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, Lake Wales Memorial Unit No. 71, Department of Florida.

Article II - Nature

Section

1. The American Legion Auxiliary is a patriotic civilian organization of women that supports the mission of the American Legion.

2. The American Legion Auxiliary shall be absolutely non-political and shall not be used for the dissemination of principles or for the promotion of candidacy of any person seeking public office or preferment.

Article III - Objective

Section

1. The objective of the American Legion Auxiliary, Lake Wales Memorial Unit No. 71, Department of Florida shall be as stated in the Preamble of the Constitution.

Article IV - Eligibility

Section

1. Membership in the American Legion Auxiliary shall be limited to the grandmothers, mothers, sisters, wives and direct and adopted female descendants of members of The American Legion, and to the grandmothers, mothers, sisters, wives, 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, December 7, 1941 to December 31, 1946, June 25, 1950 to January 31, 1955, February 28, 1961 to May 7, 1975, August 24, 1982 to July 31, 1984, December 20, 1989 to January 31, 1990,

August 2, 1990 to the date of cessation of hostilities as determined by the Government of the United States, all dates inclusive, 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 line of duty or after honorable discharge; and to those women who of their own right are eligible for membership in The American Legion

(**Note:** The wording above for Article IV, Section 1, was adopted at the August 2013 National Convention under a proviso that delays enactment upon the Legion's adoption of corresponding changes to its governing documents. Until The American Legion enacts this wording, the previous wording remains in effect, as follows:

Membership in the American Legion Auxiliary shall be limited to the, **mothers, wives, daughters, sisters, granddaughters, great-granddaughters, and grandmothers of members of The American Legion, and to the mothers, wives, daughters, sisters, granddaughters, great-granddaughters, and grandmothers** 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, December 7, 1941 to December 31, 1946, June 25, 1950 to January 31, 1955, February 28, 1961 to May 7, 1975, August 24, 1982 to July 31, 1984, December 20, 1989 to January 31, 1990, August 2, 1990 to the date of cessation of hostilities as determined by the Government of the United States, all dates inclusive, 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 line of duty or after honorable discharge; and to those women who of their own right are eligible for membership in The American Legion.)

2. There shall be two classes of membership, Senior and Junior.

    a. Senior membership shall be composed of members over the age of eighteen years; provided, however, that a wife under the age of eighteen years, who is eligible under Section 1 of this article shall be classed as a Senior member.
    b. *Junior membership shall consist of that group under the age of eighteen years,* whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen years, 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, Treasurer, Chaplain, Historian and Sergeant-at-Arms who shall serve until their successors are duly installed or as otherwise provided. *(Or a combination of some of these officers).* The office of the president may only be held for a maximum of 3 consecutive years and not be re-elected for two consecutive after that. The Unit Secretary is to be appointed by the President.

Article VI - Executive Committee

Section

1. There shall be an Executive Committee which shall consist of the officers and one additional member 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 Unit meeting provided the proposed amendments shall have been read at the previous meeting.

2. 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.

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 she succeeds.

3. One third of the members of the Executive Committee shall constitute a quorum.

4. Special meetings may be called by order of the President or on written or electronic request of at least three 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 hours in advance. At special meetings only business specified shall be transacted.

Article II - Elections

See Standing Rules, Elections Sections 1,2,3,4

Article III - Committees

See Standing Rules, Committees Sections 1,2

Article IV Dues

Section

1. Dues shall be paid annually or for life. See Standing Rules.

2. A member failing to pay annual dues, including the Unit, State and National assessments, 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 automatically be dropped from the rolls and may be reinstated only by paying all back dues or by reestablishing eligibility and making application as a new member.

Article V – Quorums

See Standing Rules, Unit Meetings, Section 4

Article VI – Discipline

Section

1. For any violation of the Unit, Department or National Constitutions, or for conduct improper and prejudicial to the welfare of the American Legion Auxiliary or of 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 that said member or officer shall have been at least a fifteen (15) day 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.

2. No member or group of members shall subject this Unit to liability without authorization of the Unit.

Article VII - Parliamentary Authority

Section

1. The Unit organization shall be governed by "Robert's Rule of Order, Newly Revised" on all points not covered in National and or Department Constitution and Bylaws.

Article VIII – Amendments

1. These Bylaws 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 a previous Unit meeting.

2. Amendments not having been read may be adopted by the unanimous vote of the members present.

3. This Constitution and Bylaws shall be automatically amended to conform to the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary.

STANDING RULES

6/5/19 APPROVED

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 Committee; to enforce strict observance of the Constitution and Bylaws; to appoint members of the standing committees; to create such other committees and appoint members thereof as she deems advisable; to perform such other duties as custom and parliamentary usage require; and to appoint all officers not otherwise provided for.

2. ***Duties of the Vice President :*** The Vice President shall, when called upon, assist the President and in her absence, perform her duties, and shall succeed her in office in case of death, resignation or removal.

3. ***Duties of the Secretary :*** It shall be the duty of the Secretary to record the proceedings and transactions of all the meetings of the Unit; to act as custodian of all books, papers, and records; to keep a record of names and addresses of the members, showing the source of their eligibility; to send out such notices as are directed by the President; to process the correspondence of the Unit; to keep on file in a comprehensive manner copies of all the correspondence sent and received; and perform such other duties as shall be required of her by the President.

4. ***Duties of the Treasurer :*** It shall be the duty of the Unit Treasurer to receive all money belonging to the Unit and to account for them. 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 report thereon 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, and papers belonging to the Unit to her successor.

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 to perform such other duties as the President may direct.

6. ***Duties of the Historian :*** It shall be the duty of the Unit Historian to compile historical records of the Unit and to make a report to the Department.

7. ***Duties of the Sergeant at Arms :*** It shall be the duty of the Sergeant at Arms to preserve order at the meetings of the Unit and to perform such other duties as may be requested by the President.

8. ***The office of Secretary*** may be combined with that of Treasurer or any other officer except President.

2. An auditing committee composed of three members shall be appointed by the Unit President 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.

Transfers

Section

1. *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 Constitutions and Bylaws.

Additional Standing Rules:

1. All monies not approved of in our budget must be authorized by the executive committee before being spent or discussed at a regular meeting and voted on by the members present.
2. The Unit President may have an emergency discretionary fund of $50.00/year. If the money is spent she must show a just cause to have the money reimbursed.
3. A donation to a requested memorial or to a survivor upon the death of a member or close *relative is approved up to $50.00/memorial.*
4. $20.00 is the suggested donation to our district president to help cover her gas for unit duties.
5. Further standing rules may be added at anytime without changing our basic constitution and bylaws.

Amendments

Section

1. These Standing Rules 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 a previous Unit meeting.

2. Amendments not having been read may be adopted by the unanimous vote of the members present.

These Constitution, Bylaws and Standing Rules were read and approved at a regularly scheduled meeting held on APRIL 6, 2019.

Unit President: Linda Hayes

Constitution and Bylaws Chairman: Karen H Wolzanski

Date approved by Unit: April 6, 2019

Approved by:

Department Constitution & Bylaws Chairman

Date: 6/5/19

APPROVED

JUN 1 1 2019