

American Legion Auxiliary, Department of Florida
Dana – Howard Weekley Unit 130

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, Dana-Howard Weekley, Unit 130, Department of Florida.

Article II Nature

Section 1. The American Legion Auxiliary is a civilian organization of women.

Section 2. The American Legion Auxiliary 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

The object of the American Legion Auxiliary, Dana-Howard Weekley, Unit 130, Department of Florida shall be stated in the preamble of the constitution.

Article IV Eligibility

Section 1. 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 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 date 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.

Section 2. There shall be two (2) classes of membership, Senior and Junior:

- A. Senior membership shall be the group composed of the members over the age of eighteen years; provided, however, that a wife under the age of eighteen years, who is eligible under Section I 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

The unit shall elect annually a President, first Vice President, second Vice President, Treasurer, Chaplain, Historian, Sergeant-at-Arms and three (3) Executive Committee members. The Secretary and Assistant Sergeant-at-Arms are appointed by the President.

Article VI Executive Committee

There shall be an Executive Committee, which shall consist of the officers and three (3) additional elected members and immediate Past President if she is not holding an office.

Article VII Fiscal Year

The Fiscal year shall be the same as that of the Department of Florida.

Article VIII Amendments

Section 1. This Constitution may be amended by two thirds (2/3) vote of the members present at a regular unit meeting provided the proposed amendments have been read at the previous meeting.

Section 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 the management of the 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 other cause 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 who she succeeds.

Section 3. At least 4 members of the Executive Committee shall constitute a quorum.

Section 4. The Executive Committee shall meet once a month. Special meetings may be called by order of the President or written request of at least three (3) members of the Executive Committee.

Section 5. All unit members may attend Executive Committee meetings, however, only officers and duly elected Executive Committee members may vote on motions brought before the Executive Committee meeting.

Article II Duties and powers of Officers

Section I. 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 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.

Section 2. Duties of the Vice President: The First and Second Vice President in order named, 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. The First Vice President may be Membership Chairman. The Second Vice President may be Poppy Chairman.

Section 3. Duties of the 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 send out such notices as are directed by the President; to conduct the correspondence of the unit; to keep on file, in a comprehensive manner, copies of correspondence sent and received; and perform other duties as shall be required of her by the president.

Section 4. Duties of the Treasurer:

- A. It shall be the duty of the Treasurer to receive all money belonging to the unit and to account for same. The Treasurer shall pay all orders signed by the President or Secretary and shall retain these orders as her vouchers. She shall keep account of her receipts and her expenditures making monthly financial reports thereon, and such other reports as may be deemed necessary of the unit Executive Committee. Her accounts shall be audited annually. She shall pay over to and deliver to her successor all money, vouchers, books and papers belonging to the unit.
- B. The unit Treasurer's books may be audited upon request of (5) members of the unit. All Monetary receipts are incorporated in the General Account. Junior auxiliary monies and Poppy receipts, which is the Welfare Fund (Poppy receipts are used exclusively for Veteran's Affairs and Rehabilitation and Veteran's Children), are allocated as unspendable for any other purpose. She must write all stubs and checks showing the purpose of the payment.
- C. Signature cards on bank accounts shall have three (3) signatures, two (2) required on all checks. The signators shall be President, Vice President and Treasurer.

Section 5. Duties of 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.

Section 6. Duties of Sergeant-at-Arms: It shall be the duty of the Sergeant-at-Arms to preserve order at the meetings of the unit, and for the advancement and retirement of the colors and for their proper care, and to perform other duties as may be prescribed by the President.

Section 7. Duties of the Chaplain: It shall be the duty of the Chaplain to offer prayer at the opening and closing of each meeting; to conduct memorial services as needed by the unit; to send cards or small gifts to our members sick or in need of a kind word; to participate in funeral services at the post home or unit when needed; and to perform others duties as the President may direct.

Section 8. The office of Secretary may be combined with that of the Treasurer and called Secretary-Treasurer to be elected by the membership.

Section 9. A Parliamentarian may be appointed by the President of the unit, and is generally filled by the immediate Past President if she is not currently holding any office. If the immediate Past President is holding another office then any Past President or member knowledgeable of parliamentary procedure may be asked to serve. Parliamentarians serve as advisors to the President.

Article III Dues

Section 1. The annual membership dues of the unit shall be: Senior members \$25.00 per year; Junior members, \$10.00 per year, to be paid annually or for life, which shall include Department and National per capita.

Section 2. Annual dues shall be paid annually for the succeeding calendar year. A member failing to pay such annual dues by January 31st shall be classed as delinquent and shall be suspended from all membership privileges which include voting, holding office, receipt of member benefits and all other privileges. Payment of back dues, after such suspension, shall reinstate such member to active membership. Any member delinquent to December 31st of the year of delinquency shall be automatically dropped from the rolls and may be reinstated only by, vote of the unit, paying all back dues or re-establishing eligibility and making application as a new member.

Section 3. All officers must have their dues paid before installation.

Section 4. All Past Presidents, beginning in 1981, who remain active in the unit will have their dues paid each year by the unit.

Article IV Unit Meetings

Section 1. The regular meetings of this Auxiliary shall be held on the third Thursday of each month, and shall be called to order at 7:00 PM in the American Legion Post home at 699 Hickpoochee, Labelle, Florida. July and August meetings may be eliminated by the incumbent President if so desired and approved by the membership.

Section 2. An annual meeting of the unit shall be held in the month of January to elect three (3) members to the Nominating Committee.

Section 3. Special meetings of this unit may be called by the President, by a majority of the Executive Committee, which is seven (7), or upon written request of five (5) members of the Unit.

Section 4. Ten (10) members shall constitute a quorum at any regular meeting of this unit.

Article V Election

Section 1. The election of unit officers will be held not more than sixty (60) days prior to or less than (15) days prior to Department Convention. The unit will receive a report from the Nominating Committee at each Unit meeting until the actual election. Nominations for all offices may be made from the floor. Election shall be by ballot and a majority of the votes cast shall be necessary to elect. The Secretary and the Assistant Sergeant-at- Arms, and Parliamentarian shall be appointed by the incoming President. All nominees must accept the nomination before being placed on the ballot. This acceptance shall be so stated at a General meeting of the auxiliary or by letter to the President read at

the next General meeting. All officers and Executive Committee members shall be elected as per article IV, Section 2 of the Bylaws.

Section 2. After a member is elected to office and later decides to resign; her resignation must be put in writing. The officer resigning after installation must return all unit property at the time of her resignation.

Section 3. Newly elected officers shall be certified to the Department Secretary not less than ten (10) days prior to the Department convention, (even before installation). Certification to be made on forms furnished by the Department Secretary,

Section 4. Delegates and alternates to a Department convention shall be elected no less than two (2) weeks prior to the convention. Delegates shall include officers of incoming offices and /or members duly elected by the membership.

Section 5. The registration fees and motel rooms for the number of delegates and alternates elected to attend Department convention and an equal number of attendees to midwinter convention shall be paid by the unit; all other expenses are the responsibility of the individual. The current president's travel and expenses for all functions attended for the unit auxiliary shall be paid by the unit: i.e., room, gas or current federal rate per mile and her meals at \$25.00 per day, shall be paid by the unit, not to exceed two (2) nights lodging. In the case where the current president is unable to attend the convention these travel expenses will be paid to one of the following as alternate in the following order of availability:

1. Incoming president elect
2. Current 1st Vice President
3. Incoming 1st Vice President elect
4. Elected delegate as so voted on by the General membership

All other attendees, regardless of position, will be compensated and act as follows:

- A. Delegates and alternates lodging will be paid for one (1) night only at either convention.
- B. Any Auxiliary delegate or alternate being paid for either convention shall attend all meetings and submit a detailed written report by the next meeting in order to be paid.
- C. Each delegate shall be entitled to one (1) vote at Department convention. The vote of any delegate absent or not represented by an alternate shall be cast by the majority of the delegates present from her unit.
- D. The president or her alternate, as noted above, shall be paid mileage and expenses for all auxiliary functions exceeding 50 miles attended on behalf of the unit.

Section 6. Installation of officers shall be at a time coinciding with the post to which the unit is attached, if at all possible.

Article VI Committees

Section 1. A Nominating Committee composed of three (3) members shall be elected by the unit members for the purpose of presenting a slate of officers for the ensuing year.

Section 2. An Auditing Committee composed of (3) members shall be appointed by the Unit President for the purpose of auditing the Treasurer's accounts annually, and making a report of the audit to the unit.

Section 3. Standing Committees of the unit shall be: Americanism, Auxiliary Emergency, Fund, Cavalcade of Memories, Children and Youth, Community Service, Constitution and Bylaws, Education, Girl's State, Junior Activities, Leadership, Legislation, Membership, National Security, Past President Parley, Poppy, Public Relations, VA&R.

Section 4. Duties of Standing Committees of this unit shall be as prescribed by the unit handbook, unit guide, and Department Chairman as requested.

Section 5. Chairmen of the Standing Committees shall submit a Year End report to the Unit and to the respective District and Department Chairmen as requested.

Section 6. Any Special Committees shall consist of a minimum of three (3) members and their plans for the special project shall, upon completion, meet with the approval of the Executive Committee before being placed in operation.

Section 7. The Executive Committee shall be limited to the allocation of expenditures of not more than one hundred dollars (\$100) for any one purpose without the vote of approval of the membership of the unit. In case of an emergency, funds to be allocated must be approved by 5 members of the Executive Committee. Flowers to members in the hospital shall be limited to thirty-five dollars (\$35). Flowers or money for death of a member, spouse, mother, father, or children shall be limited to fifty dollars (\$50).

Section 8. The President shall have \$50.00 spending authority with the consent of two (2) Executive Committee Members.

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 the Department Constitution and Bylaws.

Article VIII Discipline

Section 1. For any violation of the unit, State or National Constitution, 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 from office by two-thirds (2/3) vote at a meeting duly called for that purpose, said expulsion or removal to be binding only in the event said member or office shall have been given at least fifteen (15) days notice in writing by the unit Executive Committee of the charges and hearing thereon. Either party may have the right of appeal to the Department Executive

Committee, and their action thereon shall be final. The expense of said appeal shall be borne by the appellant.

Section 2. Neither this unit in the Department nor any member thereof shall circulate information regarding any other unit or member thereof without the consent of the Department Executive Committee.

Section 3. Liabilities: No member or group of members shall subject this unit to liabilities without authorization of the unit.

Article IX Parliamentary Authority

The unit organization shall be governed by "Roberts Rules of Order, Newly Revised", on all points not covered by this Constitution and Bylaws.

Article X Amendments

Section 1. These Bylaws may be amended by a two-thirds (2/3) vote of the members present at a regular unit meeting.

Section 2. The 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

Section 1. The Auxiliary shall send \$.10 per member to both Department and National to be directed to the Auxiliary Emergency Fund annually. All other obligations shall be at least \$25 for each category except those designated in the unit guide. These are to be paid when funds are available and after all mandatory obligations are met.

Section 2. Two Dispatch subscriptions shall be ordered in August of each year. One to be sent to the Barron Library and one shall come to the unit for the Legislative Chairman.

Section 3. Each Officer and Chairmen shall be given a unit guide, paid by the unit, at the beginning of each administrative year.

Section 4. The Auxiliary will make a donation to the post each year. The amount to be voted on at a general meeting of the members.

Section 5. The Auxiliary will give \$100.00 each year to the Post for Christmas Dinners.

Section 6. The Auxiliary will pay ½ the cost of advertising for the Swamp Cabbage festival activities.

Section 7. New membership applications and transfer applications shall be voted on by secret ballot at general unit meetings. A majority of votes cast shall be required for acceptance. Membership cards and pins may be sent in the mail.

Section 8. Installing auxiliary District Officers and incoming unit officers will receive two (2) beverages at installation to be paid by the Auxiliary.

Section 9. When electing delegates to convention or selecting Girl State-Candidates, those receiving the most votes are elected. Alternates will be selected in descending vote order.

Section 11 The spending of all unbudgeted monies over \$100 is to be voted on (ratified) by the membership.

Section 12 These Standing Rules shall be voted on annually.

Jacqueline Moody

Constitution and Bylaws Chairman

Committee Member

Ann Hendrick

Committee Member - COCHAIRMAN

Michele M. Alvarez

President

Dated: 02 / 04 / 10

These Constitution and Bylaws approved by the Executive Committee of the American Legion Auxiliary, Unit 130, Department of Florida, this 4th day of Feb, 2010, and by the Unit membership meeting in regular session the 17th day of JANUARY, 2010. All previous, or former Bylaws and standing Rules of this Unit are hereby rescinded/ annulled in totality.

Patricia Klowhne Markovic
Department Constitution & Bylaws Chairman
February 9, 2010