

CONSTITUTION AND BYLAWS OF

AMERICAN LEGION AUXILIARY
AUGUSTUS RUSER JR, UNIT 273
DEPARTMENT OF FLORIDA

600 AMERICAN LEGION DRIVE
MADEIRA BEACH, FL 33708

APRIL 7, 2015

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 the *American Legion Auxiliary, Augustus Ruser Jr Unit No. 273, Department of Florida.*

Article II - Nature

Section 1: American Legion Auxiliary, Augustus Ruser Jr Unit 273 is a civilian organization of women.

Section 2: American Legion Auxiliary, Augustus Ruser Jr Unit 273 shall be absolutely nonpolitical and shall not be used for dissemination of partisan principles nor 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, Augustus Ruser Jr Unit 273, Department of Florida, shall be 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, 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.)

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

- A. Senior membership shall be composed of members over the age of eighteen (18) years; provided, however, that a wife under the age of eighteen (18) 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 (18) years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen (18) 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, Second Vice President, Treasurer, Chaplain, Historian, Sergeant-at-Arms, one (1) Assistant Sergeant-at-Arms and one (1) member of the executive Board for a three (3) year term, who shall serve until their successors are duly installed or as otherwise provided.

Section 2: The President-elect shall appoint a member to serve as both Corresponding and Recording Secretary.

Article VI - Executive Committee

Section 1: There shall be an Executive Committee which shall consist of the officers, Secretary, Immediate Past President and three (3) additional members-at-large elected by the Unit. The term of office for members of the Executive Committee shall be for three (3) years, one to be elected each year.

Article VII – 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.

Section 2: Amendments not having been previously read 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 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 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.

Section 3: One-third 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 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.

Section 5: All expenditure of funds by this Auxiliary Unit shall first be approved by the Executive Committee, except it is provided that the President may, in case of special need or emergency, spend a sum not to exceed the monthly allotment as defined in the Standing Rules.

Article II – Elections

Section 1: Elections shall be held annually. **See Standing Rules.**

Section 2: Elections shall be done by ballot. If there is only one person nominated for an office the ballot may be dispensed with and that nominee declared a winner.

Article III – Committees

Section 1: **See Standing Rules.**

Article IV – Dues

Section 1: Dues shall be paid annually. **See Standing Rules.**

Section 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 re-establishing eligibility and making application as a new member.

Article V – Quorums

Section 1: See Standing Rules.

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.

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

Article VII – Parliamentary Authority

Section 1: 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

Section 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.

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

Section 3: These 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

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.

Section 2: Duties of the Vice President: The First and Second Vice President in the 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.

Section 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.

Section 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. In addition, three signatures (President, Secretary and Treasurer) shall be placed on all bank accounts, however, only two of the three signatures shall be required on checks. If the Treasurer expects to be gone more than (5) five days, the check book should be left with the President.

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; to offer the divine, but non-secretarian, service in the event of dedications, funerals, public functions, etc., and to adhere to such ceremonial rituals as are required in the Manual of Ceremonies. She shall also send messages of greetings and sympathy to members and families of those ill or bereaved.

Section 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.

Section 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. She shall acquaint herself with the rules of Sergeant-at-Arms in the Unit Guide. She will have an elected Assistant Sergeant-at-Arms, who will assist her in all her duties.

Section 8: The office of Secretary may be combined with that of Treasurer and called "Secretary-Treasurer."

Dues

Section 1: The annual membership dues of this Unit shall be twenty-five (25) dollars for Seniors paid annually or for life, and shall include the Department and National per capita.

Section 2: The annual membership for Juniors shall be three (3) dollars paid annually until the age of 18 years.

Unit Meetings

Section 1: The regular meetings of this Auxiliary Unit shall be held on the first Tuesday of each month, unless otherwise specified, and shall be called to order at 11:00 A.M.

Section 2: The Executive Board will meet at 10:00 A.M. on the first Tuesday of each month, unless otherwise stated.

Section 3: The regular meeting and Executive Board meeting will not be held in the months of July and August, unless otherwise stated.

Section 4: Special meetings of this Unit may be called by the President, by a majority of the Executive Committee, or upon written or electronic request of three (3) members of the Unit.

Section 5: Twenty (20) members shall constitute a quorum at any meeting of the Unit.

Section 6: The Unit members shall act on all applications for and transfer of membership at the next regular meeting following the making of such application or transfer, and shall at said meeting be accepted, rejected or referred for further investigation or consideration.

Nominations and Elections

Section 1: Election may be by voice vote if there is only one candidate; but where there is more than one candidate for the same office, election shall be by ballot and the majority of votes cast shall be necessary to elect. Elections shall be held no more than ninety (90) days nor less than fifteen (15) days prior to Department Convention

Section 2: All officers and executive committee members shall be elected annually at a meeting duly called for that purpose. The Secretary may be appointed according to the President.

Section 3: Any member to be eligible for office must be in good standing, which means, the member's current dues must be paid.

Section 4: A nomination will be effective upon the Nominee being present at the time of the nomination or by the Nominee for office having previously filed a written acceptance of such nomination.

Section 5: Installation of Officers shall be held jointly with the Post.

Section 6: All Officers and Executive Committee Pins must be returned to the President at the last meeting of the current year.

Section 7: The Unit shall provide each Officer with a current Unit Guide. Any member can get a copy of the Unit Constitution and Bylaws for the nominal fee of \$1.00.

Section 8: All Unit Officers and Chairmen will file all reports as requested by District and Department, on or before the dates specified, and will submit a copy of all reports for the Unit files by August 1.

Section 9: All Unit Officers and Chairmen will forward all of their files, reports and other materials to their successors by August 1.

Section 10: The retiring President shall be presented with a Past President's pin, ring or gift of equal value to be presented at the Installation of the new Officers.

Department Convention & Fall Conference

Section 1: Delegates and alternates to a Department Convention shall be elected at a Unit meeting duly called for that purpose not less than two (2) weeks prior to the convention. Alternates shall have priority in the order of their election.

Section 2: Automatic Delegates for the Department Convention shall be in-coming and out-going Presidents and in-coming Secretary. If any of the above mentioned are unable to go, a Delegate shall be elected in their place.

Section 3: The out-going President shall be the Chairman of the Delegation. Should she be unable to attend, the in-coming President shall be the Chairman.

Section 4: Each automatic and elected Delegate shall receive their own check in the amount allotted in the budget and are responsible for their reservations.

Section 5: Members receiving monies from Department to any functions shall not receive any monies from the Unit.

Committees

Section 1: There shall be the following standing committees: Americanism, Auxiliary Emergency Fund, Cavalcade of Memories, Children & Youth, Community Services, Constitution & Bylaws, Education, Finance & Fund Raising, Girls State, Junior Activities, Leadership, Legislative, Membership, National Security, Past Presidents Parley, Poppy, Public Relations and Veterans Affairs & Rehabilitation.

Section 2: Audit Committee: A certified accountant shall audit the Treasurer's accounts at the close of each term and a report of the audit is to be made to the Unit.

Section 3: A Nominating Committee composed of (3) three members of the Unit shall be elected at the meeting in March and shall present a slate of officers at the regular April meeting. The Nominating Committee shall be automatically discharged when its report is formally presented to the assembly. The Unit President shall then ask for any additional nominations from the floor at this meeting and the May meeting. Elections will take place not more than ninety (90) days nor less than fifteen (15) days prior to the Department Convention.

Membership

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.

Section 2: The Membership Chairman will report the names of all new and transferred Auxiliary members at each meeting and the Auxiliary members will pass on their acceptance.

Miscellaneous

Section 1: All monies from fund raising activities shall be turned over to the Treasurer (or deposited) within five (5) days of the function and reported at the next meeting.

Section 2: When a member dies, a contribution of up to one hundred (100) dollars shall be made to the Educational Memorial Fund of the Department of Florida or a charity of the deceased members choosing. In each case, the amount will be determined by vote at a regular membership meeting.

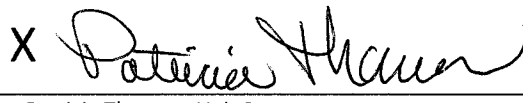
Section 3: President is authorized to incur expenditures up to one hundred (100) dollars monthly, in case of special need or emergency.

Amendments

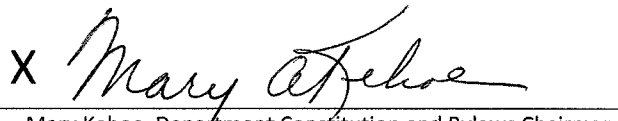
Section 1: These Standing Rules may be amended by a two-thirds vote of the members present at a regular Unit meeting, or if notice has been given, by a majority vote.

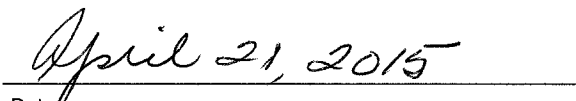
THESE CONSTITUTION, BYLAWS AND STANDING RULES WERE READ AND APPROVED AT A REGULARLY SCHEDULED MEETING HELD ON APRIL 7, 2015.

X 
Cathy Larkin-Richards, Unit President

X 
Patricia Thoman, Unit Secretary

X 
Katherine L Gabehart, Unit Constitution and Bylaws Chairman

X 
Mary Kehoe, Department Constitution and Bylaws Chairman


Date