

Revised July 2005

AMERICAN LEGION AUXILIARY

Department of California

MODEL

UNIT BYLAWS

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AMERICAN LEGION AUXILIARY
Department of California

ARTICLE I - NAME

The name of this organization shall be **East Palo Alto** Unit No. **472**, District No. **26**, American Legion Auxiliary, Department of California.

ARTICLE II - OBJECT

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

Section 2. The American Legion Auxiliary shall be absolutely non-political and shall not be used for the dissemination of the partisan principles nor for the promotion of the candidacy of any person seeking public office or any appointive remunerative office.

ARTICLE III - MEMBERSHIP

Section 1. Membership in the American Legion Auxiliary shall be limited to the mothers, wives, daughters, sisters, grandmothers, granddaughters, and great-granddaughters of members of the American legion and to the mothers, wives, daughters, sisters, grandmothers, granddaughters, and great-granddaughters 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 herein, 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 to 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 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 age of eighteen years, Junior members shall automatically be admitted into Senior membership with full privileges.

Section 3. No person shall at any time be a member of more than one Unit.

Section 4. Applications for Senior membership must be signed by applicant in person. Junior applications may be signed by their natural or legal guardian or sponsoring Auxiliary member.

Section 5. Eligibility does not constitute acceptability. Persons seeking membership in this Unit shall fill out the proper application form and have same fully completed and certified by the proper signatures. Upon receipt of this application, dues and any required initiation fees, applicants name, and qualifications shall be presented to the Unit at a regular meeting. Election to membership shall be by two-thirds vote of those present and voting. Voting shall be viva voce.

Section 6. Applicants accepted as members shall be initiated or obligated. Initiation fee (if required) for new Senior members shall be \$ N/A for Seniors and \$ N/A for Juniors. Members shall be entitled to a membership card, Auxiliary pin, Flag of the United States, and a copy of the Unit Constitution and Bylaws and Standing Rules.

Section 7. Any member in good standing in a Unit shall be entitled to transfer to another Unit. A member in good standing wishing to transfer must present her current membership card to the new Unit. Upon acceptance of the transfer application and vote of the new Unit, the Unit Secretary will complete certification of transfer. The member shall then be entitled to active membership in the new Unit. No dues shall be transferred.

Section 8. A Unit member may withdraw her membership providing her current dues are fully paid.

Section 9. Membership dues shall be **\$25.00** per year for Senior members and **\$5.00** per year for Junior members. Dues include National, Department and District per capita. Senior dues shall also include subscriptions to the State publication and National News.

Section 10. Dues shall be payable annually for the succeeding calendar year. A member failing to pay annual dues by January 31st shall be classed as delinquent and shall be suspended from all membership privileges, provided however, such suspended member shall be notified by the Secretary of the Unit of such suspension prior thereto. Payment of back dues after suspension shall reinstate a member to active membership. Any member delinquent to December 31st of the year of delinquency shall be automatically dropped from the rolls and may not thereafter be reinstated without the payment of all past dues and a vote of the Unit, or by re-establishing eligibility and submitting application as a new member.

Section 11. Discipline of the officers or members of this Unit shall be as defined by the Department Bylaws.

ARTICLE IV - UNIT OFFICERS

Section 1. The officers of this Unit shall be: President, First Vice President, Second Vice President, Secretary, Treasurer (the office of Secretary-Treasurer may be combined), Web-Master/Historian, Chaplain, Parliamentarian, Junior Past President, and (#) 1 Executive Committeewomen.

Section 2. The elective officers shall be: President, First Vice President, Second Vice President, Secretary/Treasurer, and (#) 1 Executive Committeewomen and shall be elected annually by majority vote at a meeting designated by a vote of the Unit, provided nominations and elections are held not earlier than April 1st or less than five (5) days prior to the opening of Department Convention. The Unit shall notify their membership and the District President of the time set for election.

a. No member shall hold more than one elective office.

b. Any member in good standing in this Unit who is present at the nomination or election meeting, or who has given her written consent is eligible to seek office.

c. Election shall be by ballot. A majority vote shall elect. When there is but one candidate for office, the ballot may be dispensed with and the nominee elected viva voce.

d. This Unit shall elect Delegates and Alternates to the Department Convention at least 15 days prior to the date set for the District Pre-Convention Caucus but not earlier than April 1st.

e. Any vacancy in an elective office, except those otherwise provided for in these Bylaws, shall be filled by election at a regular meeting without unreasonable delay. Advance notice of election shall be provided to the membership.

Section 3. The appointive offices shall be (list): Web-Master/Historian, Chaplain, Parliamentarian, and if not elected _____ (#) Executive Committeewomen. (Junior Past is automatic - no need to list.)

Section 4. Officers shall be installed prior to September 1st. Officers shall continue until successors are installed.

Section 5. The **President** shall preside at all Unit and Executive Board meetings. She shall have general supervision of the duties of all officers and chairmen and be responsible for the transaction of all Unit business in accordance with the Unit Bylaws. She shall be ex-officio member of all committees and shall perform such other duties as are usually incident to the office.

a. She shall appoint the non-elective officers that are required to carry out the Unit ritual and all chairmen of standing committees. She will create such other committees and appoint members thereon as she deems advisable.

b. She shall sign the Unit Bylaws and amendments after the second reading and approval by the Unit.

Section 6. The **First Vice President** shall assist the President, and in the absence of the President, she shall be the presiding officer. In case of death or resignation of the President, the First Vice President becomes President for the unexpired term. She shall assume such other duties as may be assigned to her by the President.

Section 7. The **Second Vice President** shall hold herself in readiness to assume the duties of the First Vice President whenever, for any cause, the First Vice President or the President cannot act.

Section 8. The **Secretary** shall keep a record of all the proceedings of meetings of the Unit and Executive Board meetings. She shall read the minutes of the previous meeting and recommendations of the Executive Board, and make such corrections as may be ordered. She shall keep a roll of members. She shall furnish all officers and committees with papers referred to them and delegates with credentials. She shall keep a list of all officers and committees and maintain a file of the National, Department, District, and Unit Constitution and Bylaws and Standing Rules. She shall have charge of all records and papers of the Unit, except those that are assigned to others.

a. At the expiration of her term of office, she shall turn all reports and papers over to her successor.

Section 9. The **Treasurer** shall be custodian of all Unit funds. She shall keep an itemized account of all receipts and expenditures. She shall sign with the President all orders on the treasury that are authorized by the Unit. She shall keep all poppy proceeds separate from the general funds in an account known as the Welfare Fund. It shall be her responsibility to see that these funds are exclusively used for the welfare of veterans and their families and that no expense other than Veterans Affairs and Rehabilitation, Children and Youth, and Education shall be drawn from the Welfare Fund.

a. She shall pay out Unit funds only on order of the Unit.

b. She shall make report upon the call of the President.

c. She shall have her accounts ready to turn over to the Auditing Committee at the time designated in the Bylaws.

d. The office of treasurer shall be bonded, said bond to be paid by the Unit annually, payable July 1st for the ensuing fiscal year.

Section 10. The **Web-Master/Historian** shall maintain the E-Unit website and keep a complete history of the Unit website. She shall make an annual report to the Unit of the progress during the current year, and perform such other duties as may be assigned by the Unit President.

Section 11. The **Chaplain** shall offer prayer at the opening and closing of each business meeting of the Unit, and perform other duties as assigned by the Unit President.

Section 12. It shall be the duty of the **Parliamentarian** to advise the presiding officer on points of parliamentary law and also to give similar advice to the Unit and Executive Board upon request. She shall have a copy of Unit Bylaws, Standing Rules and a Unit copy of Robert's Rules of Order Newly Revised.

Section 13. The **Executive Committee** shall serve as advisors to the Unit between meetings or make decisions at the call of the President.

ARTICLE V - UNIT MEETINGS

Section 1. The Auxiliary Unit shall hold nine (9) meetings per year to be held on the first Thursday of each month. Seven (7) meetings will be held via electronic meeting devices in the months of September, October, November, December, January, February and March. Two (2) physical meetings will be held in April one for elections (at a restaurant or hotel to be chosen) and one for installation (at the Girls State session). Any of the above can be changed by a vote of the Unit. Members shall be notified via email of any changes in meeting terms at least three days prior to the date of the meeting.

Section 2. The order of business shall be as prescribed by the Manual of Ceremonies.

Section 3. Any elective officer who shall be absent from three consecutive meetings without valid excuse shall be given one week's written notice of her delinquency, and unless good and sufficient reasons be given, her office shall be declared vacant and the Unit shall elect a new officer.

Section 4. Special meetings of the Unit shall be called by the President or written request of five members.

Section 5. The notices for all special meetings shall state the business to be considered and no other business may be transacted.

Section 6. In the event it becomes necessary to postpone or cancel a meeting, it may be done by vote of the membership at a previous meeting. All members shall be notified of the change.

Section 7 A quorum for a Unit meeting shall be (odd #) 7 members.

ARTICLE VI - EXECUTIVE BOARD (or Board of Directors)

Section 1. The Executive Board shall consist of the elected and appointed officers and the Jr. Past President.

Section 2. Regular meeting of Executive Board shall be called by the President.

Section 3. Special Executive Board meetings may be called by order of the President or by written request of at least three (3) members of the Executive Board.

Section 4. The Executive Board shall have authority to act in cases of emergency and when it is impracticable to procure a meeting of the Unit. They shall not incur bills or authorize expending funds totaling more than \$ 50.00 without a vote of the Unit.

They shall consider matters affecting the Unit and make recommendations thereto. All actions of these meetings shall be reported to the Unit at its next regular meeting for approval.

Section 5. A vacancy existing in the Executive Board from any cause other than the expiration of a term shall be filled in accordance with these Unit Bylaws. This person shall hold office for the unexpired term of the member she succeeds.

Section 6. A quorum of this Board shall be (odd #) 5 members.

Section 7. Permanent records (membership, minutes, finance reports) shall not be destroyed. Routine records of Unit shall be held for three (3) years before being destroyed by Executive Board.

ARTICLE VII - COMMITTEES

Section 1. This Unit shall have such Standing Committees and Activities as are required by the Department, and such other committees as the President of the Unit may deem necessary.

a. The President shall appoint an Auditing Committee of three members to serve during her term of office. This committee shall audit, or cause to be audited, the books of the Unit Treasurer, annually. Audits may be conducted throughout the Auxiliary year, but all books must be audited prior to the installation of officers-elect.

b. This Unit shall not (insert shall or shall not) have a Nominating Committee.

ARTICLE VIII - PARLIAMENTARY AUTHORITY

Section 1. This Unit shall be governed by *Roberts Rules of Order NEWLY REVISED* on all points not covered by these Bylaws.

ARTICLE IX - AMENDMENTS

Section 1. These Bylaws may be amended at any Unit meeting by two-thirds affirmative vote of the members present and voting, provided that the proposed amendments shall have been read to the Unit at the meeting prior to taking action.

Section 2. These Bylaws shall automatically be amended to conform to any changes made in the National or Department Constitution and Bylaws and Model Unit Bylaws where applicable.

Section 3. All Unit Bylaws and Bylaw amendments shall be submitted for the approval of the Department Constitution and Bylaws Chairman and signature of the Department President. Units shall submit two (2) complete copies of Bylaws and five (5) signature pages, or five (5) copies of proposed amendment, bearing dates of first and second reading and signature of Unit President and Unit Constitution and Bylaws Chairman with proper spacing allowed for date and signatures of Department Constitution and Bylaws Chairman and Department President. After approval and signatures, the Department Bylaws Chairman will return three (3) signature pages to the Unit. The Unit will place original copy in book of approved Bylaws, and forward one (1) copy to the District President and one (1) to the District Constitution and Bylaws Chairman. Department Constitution and Bylaws Chairman will keep a copy for Chairman's file and forward one (1) copy to the Department Office file.

ARTICLE X - DISSOLUTION

Section 1. Dissolution shall be as prescribed by the Department and National Constitution and Bylaws.

Section 2. Any Unit, whose charter is surrendered or revoked, must return charter, records, properties and all funds remaining to the Department Headquarters office after all Unit indebtedness has been paid.

**AMERICAN LEGION AUXILIARY
Department of California
SIGNATURE PAGE**

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Check the one which applies to these Bylaws:

- Bylaws for a New Unit
- New amendment(s) to Bylaws
- Rewritten Bylaws to conform to mandates
- Rewriting Bylaws which are **ten years old** (Date is when signed by Department)

UNIT NAME: **East Palo Alto** NO. **472** DISTRICT NO. **26**

First reading: Date _____

Second reading and adoption: Date _____

ATTESTED TO:

Unit Constitution & Bylaws Chairman _____ Date _____

Unit President _____ Date _____

APPROVED BY:

Department Constitution & Bylaws Chairman _____ Date _____

Department President _____ Date _____

Name, address and phone number of Unit member to contact and/or return signed Bylaws:

Name: _____

Address: _____

City, Zip: _____

Phone (include area code): _____

E-mail, if available: _____