**UNIFORM UNIT CONSTITUTION GUIDE**

**American Legion Auxiliary - Department of Nebraska**

This is a guideline for Nebraska American Legion Auxiliary Units. If you have pertinent information that you would like to see added to this guideline please contact the Department President and Secretary. The experiences we share are important to the success of the Department. Do not hesitate to ask questions.

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**UNIT CONSTITUTION AND BY LAWS - AMERICAN LEGION AUXILIARY**

**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, **Beaver Crossing Unit 178**, Department of Nebraska.

**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 any promotion of the candidacy of any person seeking public office or preferment.

**Article III - Object**

Section 1. The object of the American Legion Auxiliary **Beaver Crossing Unit 178**, Department of Nebraska, Beaver Crossing, NE, 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.

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

1. Senior membership shall be composed of members age eighteen (18) and older; provided, however, a member eligible under Section 1 of this article and who is under the age of eighteen (18) years and married shall be classified as a Senior member.
2. 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 years, Junior members shall automatically be admitted into Senior membership with full privileges.
3. 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, Secretary, Treasurer, Chaplain, Historian and Sergeant-at- Arms who shall serve until their successors are duly installed or as otherwise provided.

**Article VI - Executive Committee**

Section 1. There shall be an Executive Committee which shall consist of the officers and additional members-at-large elected by the Unit. The term of office for members of the Executive Committee shall be for one 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. 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 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- 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.

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, and to perform such other duties as the President may direct.

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.

Section 8. Where deemed necessary, a Recording Secretary and a Corresponding Secretary may be elected to carry on the duties normally performed by the Secretary.

Section 9. The office of Secretary may be combined with that of Treasurer and called "Secretary-Treasurer."

**Article III – Dues**

Section 1. A member failing to pay annual dues, including the Unit, State and National assessments, by January 31st, shall be classed as delinquent and shall be suspended from all membership privileges. Payment of back dues, after suspension, shall re-instate such members to active membership. Any member delinquent to December 31st of the year of delinquency shall automatically be dropped from the rolls and may be re-instated only by paying all back dues or by re-establishing eligibility and making application as a new member.

**Article IV - Election**

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.

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

Section 3. All officers and executive board members shall be elected annually at a meeting duly called for that purpose. The Secretary may be either, elected or appointed according to the rules prescribed by the Department.

**Article V - Transfers**

Section 1. Transfer of membership from one Unit to another in the Nebraska Department shall be upon application of the member to, and acceptance by, the other Unit, in conformity with National and Department Constitutions and Bylaws.

**Article VI - Discipline**

Section 1. For any violation of the Unit, State or National Constitutions, 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 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 days’ notice in writing by the Unit Secretary of the charges and the hearing thereon. Either party may have the right of appeal to the Department Executive Committee; 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 circularize any other Unit or member thereof without the consent of a Department Executive Committee.

Section 3. Liabilities: 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 Rules or Order, Newly Revised," on all points not covered by this 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 Unit meeting, provided the proposed amendments shall have been read at the previous Unit meeting.

Section 2.  These Bylaws shall be automatically amended to conform to the National and Department Constitutions and Bylaws and standing rules of the American Legion Auxiliary.

The Bennet Unit 280 of the First District, American Legion Auxiliary hereby adopts the Unit Constitution and Bylaws as prescribed by the American Legion Auxiliary, Department of Nebraska, Roberts Rules of Order, Newly Revised, in all questions, not governed by articles of the National, Department and Unit Constitution and Bylaws, shall govern this Unit.

**Standing Rules**

**Section A: Meeting**

The regular meeting of this unit shall be held at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The time and date shall be \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The unit will meet in the months of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

An annual meeting of this unit shall be held each year for the purpose of electing officers and receiving annual reports.

\_\_\_\_\_\_\_Members in good standing shall constitute a quorum at any meeting.

**Section B: Dues**

The senior members’ dues for this Unit shall be $\_\_\_\_\_ ; $10.25 Department;

$12.00 National.

The total dues collected shall be $\_\_\_\_\_\_, which includes the National, Department and Unit dues amounts.

The junior members’ dues for this Unit shall be $\_\_\_\_\_\_\_; $1.25 Department;

$2.50 National.

The total dues collected shall be $\_\_\_\_\_\_\_, which includes the National, Department and Unit dues amounts.

The membership chairman shall send in the names of PUFL, State Life members and Honorary Life members to Department to be marked as paid annually.

**Section C: Elections**

The Unit has a nominating committee.

The Unit Secretary and Treasurer or the Unit Secretary/Treasurer is elected.

The unit elects delegates and alternates to department convention according to the current department bylaws. The information is communicated to the Department.

**Section D: Installation of Officers**

The installation of Unit officers will be conducted by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date and time of installation is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Section E: Finances**

**Rent or utilities are not paid to hold meetings at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

1. **Annual gifts are/are not given for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
2. **Cards, flowers or gifts are/are not given for illness/death.**
3. **Expenses are not paid to delegates to attend annual meetings.**
4. **When bills are paid the checks are signed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
5. **Delegate(s) to Girls State are selected by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
6. **Unit does/does not sponsor contests.**
7. **Arrangements for special dinners**
8. **Donations are made annually for Department’s special programs.**
9. **Unit financial books are/are not audited annually.**
10. **Fiscal year of this unit will be \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Special events**

The Unit participates in the following on a regular basis:

These Standing Rules may be amended by two-thirds (2/3) vote at any regularly scheduled meeting, or if notice has been given, by a majority vote.

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Unit President Unit Secretary

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Unit Constitution Chairman Date of Approval