

CONSTITUTION AND BYLAWS  
**UNIT NAME**  
**UNIT NUMBER**  
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 all wars, to inculcate a sense of individual obligation to the community, state and nation;  
to combat the autocracy of both the classes and 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 Unit \_\_\_\_ Inc.  
Department of North Carolina.

**Article II – Nature**

Section 1. The American Legion Auxiliary Unit #\_\_\_\_ is a civilian patriotic organization that supports  
the mission of the American Legion.

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

**Article III - Object**

Section 1. The object of the \_\_\_\_\_ American Legion Auxiliary Unit # \_\_\_\_, Inc.  
Department of North Carolina shall be as stated in the Preamble of the Constitution.

**Article IV – Eligibility**

**Membership in The American Legion Auxiliary shall be limited to the:**

- (1) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion; and**
- (2) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who served in either of the following periods: April 6, 1917, to November 11, 1918 and any time after December 7, 1941 who, being a citizen 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 either eligibility periods and died in the line of duty or after honorable discharge;**
- (3) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who were in the Armed Forces of the United States during either of the following periods: April 6, 1917, to November 11, 1918; and any time after December 7, 1941 who served on active duty in the Armed Forces of the United States during either eligibility periods and died in the line of duty or after honorable discharge; and**
- (4) to those women who of their own right are eligible for membership in The American Legion.**
- (5) A woman who is eligible for American Legion membership is eligible to join the American Legion Auxiliary regardless of whether she is a member of the American Legion. However, eligibility of her**

**female relatives (sister, mother, grandmother, daughter and granddaughter) depends upon her 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 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) and married shall be classified 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 be 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, 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 elected officers and three additional members-at-large elected by the Unit. The term of office for members of the executive board will be 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.

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.

Section 4. All amendments shall go into effect upon adoption unless the amendment states a specific date.

#### **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 whom she succeeds.

Section 3. One-third of the 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 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 conducted.

## **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 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 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 of office.

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 all correspondence sent and received; and perform other duties as shall be required by the President.

Section 4. Duties of the Unit Treasurer: It shall be the duty of the Treasurer to receive all money belonging to the Unit and to account for them. The Treasurer shall maintain two separate funds, namely a general fund and a Poppy fund. All Poppy donations shall be placed in the Poppy fund and be used to assist the veterans and his/her children. The Treasurer shall keep an accounting of receipts and expenditures, making a monthly report thereon, and such other reports as may be deemed necessary by the Unit Executive Committee. The accounts shall be audited annually. The Treasurer shall pay all current bills before transferring all funds, books and papers belonging to the Unit to their successor.

Section 5. Duties of the Historian: It shall be the duty of the Historian to compile historical records of the Unit for the year and to make a report to the Department.

Section 6. 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 such other duties as the President may direct.

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

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 31, shall be delinquent and suspended from all membership privileges. Payment of back dues, after suspension, shall reinstate such member to active membership. Any member delinquent by 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 IV - Unit Meetings**

Section 1. The regular meetings of the \_\_\_\_\_ Unit \_\_\_\_\_ shall be held on the \_\_\_\_\_ of each month, and shall be called to order at \_\_\_\_\_ o'clock.

Section 2. An annual meeting of this unit shall be held in the month of May of each year for the purpose of electing officers and receiving annual reports.

Section 3. Special meetings of this Unit may be called by the President, by a majority of the Executive Committee, or upon written request of ten senior members of the unit.

Section 4. \_\_\_\_\_ Senior members shall constitute a quorum at any meeting of the Unit.

Section 5. Electronic Meetings: If a regular unit in-person meeting cannot be held, the Unit President may call an electronic meeting as the unit meeting. The electronic meeting shall be conducted through the use of the Internet. All members must be able to hear each other and participate. Each member is responsible for their audio and internet connection. E-mail shall not be used to conduct unit meetings.

#### **Article V - 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 VI- Committees**

Section 1. A nominating committee composed of three members shall be appointed or elected for the purpose of presenting a slate of Unit officers for the ensuing year.

Section 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 make a report of the audit to the Unit.

#### **Article VII- Transfers**

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

#### **Article VIII -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 cast 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 be 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 to appeal to the Department Executive Committee, or 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 IX – Parliamentary Authority**

Section 1. The Unit organization shall be governed by Robert’s 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 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. Amendments not having been previously 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 Constitutions and Bylaws and standing rules of the American Legion Auxiliary.



The National Constitution and the acts of the National Conventions constitute the fundamental law of the Auxiliary and the Department Constitutions. The acts of the Department Convention and the Department Executive Committees must conform to them or be rendered null and void. Similarly, the Constitution of a Unit must conform to the Constitution of the Department in which it is located. Any provision of a Unit Constitution which conflicts with the Constitution of the Department or with any action of the Department Convention or Department Executive Committee is invalid and without effect. In a few Departments the adoption of a uniform Unit Constitution and Bylaws prescribed by the Department is mandatory.

President \_\_\_\_\_

Secretary \_\_\_\_\_

Date \_\_\_\_\_