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CONSTITUTION AND BYLAWS  
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STANDING RULES  
of

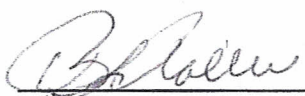
BANDERA  
AMERICAN LEGION AUXILIARY  
UNIT # 157

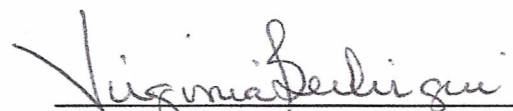
AMERICAN LEGION AUXILIARY  
21<sup>st</sup> DISTRICT  
4<sup>th</sup> DIVISION  
DEPARTMENT OF TEXAS

BANDERA, TEXAS

2011-2012

THESE CONSTITUTION AND BYLAWS WERE  
UNANIMOUSLY VOTED ON AND APPROVED AT  
THE GENERAL MEETING OF the Bandera America Legion  
Auxiliary Unit #157 on July 19, 2011

  
4<sup>th</sup> Division C&B Chairman      8-8-11      date

  
Unit President      7/27/2011      date

# CONSTITUTION

## **Preamble**

For God and Country, we associate ourselves together for the following purpose:

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 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.

## **Article I - Name**

The name of this organization shall be The Bandera American Legion Auxiliary Unit No. 157, Department of Texas.

## **Article II – Nature**

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 partisan principles or for the promotion of candidacy of any person seeking office or preferment.

### **Article III – Object**

The object of the American Legion Auxiliary, Bandera Unit No. 157, Department of Texas, shall be as stated in the Preamble to 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 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 the cessation of hostilities as determined by the government of the United States, all dates inclusive; or who being citizens in 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 said periods, and died in the 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 years; provided, however, that a wife under the age of eighteen years, who is eligible under Section 1 of this article shall be classed as a Senior member.

(b) Junior membership consist of that group under the age of eighteen years, whose activities shall be supervised by the



Seniors 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, Secretary, Treasurer, Chaplain, Historian, and Sergeant-of-Arms.

#### **Article VI – Executive Committee**

There shall be an Executive Committee, which shall consist of the officers and the past President.

#### **Amendment 1 Article**

There shall be an Executive committee, which shall consist of the officers and three from the general membership.

#### **Article VII – Fiscal year**

The fiscal year shall be the same as that of the Department.

#### **Article VIII – Amendments**

Section 1. This constitution may be amended by two-thirds vote of the members present at a regular Unit meeting, provided the proposed amendments shall have been at a 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 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 Committees 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 the majority vote of the entire Executive Committee. (Exception: A vacancy in the office of President shall be automatically filled by the First Vice President; the Second Vice President shall become the First Vice President, etc.) A person so elected shall hold office for the unexpired term of the member whom she succeeds.

Section 3. Two-thirds of the members of the Executive Committee shall constitute a quorum. A minimum of 4 members.

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.

## **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 deems advisable; to perform such other duties as custom and parliamentary usage require; and to appoint all offices not otherwise provided for.

Section 2. Duties of the Unit 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.

**Section 3. Duties of the Unit 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 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 conduct the correspondence of the Unit; to keep on file in a comprehensive manner copies of all correspondence sent and received; and perform such other duties as shall be required by the President.

**Section 4. Duties of the Unit Treasurer:** It shall be the duty of the Unit Treasurer to receive all moneys belonging to the Unit and to account for the same. **The Treasurer shall maintain two separate funds, namely a general and a rehabilitation fund. All poppy donations shall be placed in the rehabilitation fund and be used to assist the veterans and his/her children.** The treasurer shall pay all orders signed by the President or Secretary and shall retain these as her vouchers. She shall keep and accounting of her receipts and expenditures, making an annual report thereon, and such 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. Two signatures shall be required on each check. They shall be the President and Treasurer. The Vice President shall sign only in the absence of the President or Treasurer.

**Section 5.. Duties of the Unit Historian:** It shall be the duty of the Unit Historian to compile historical records of the Unit and to make an annual report to the Department Historian.

**Section 6. Duties of the Unit 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 may be directed by the President.

**Section 7. Duties of the Unit Chaplain:** It shall be the duty of the Unit Chaplain to offer prayer at the opening of each meeting and perform such other duties as the President directs.

**Section 8. The office of secretary may be combined with that of the Treasurer and called "Secretary/Treasurer".**



**Amendments**  
**Article II - Duties and Powers of officers**  
**Section 7**

**Amendment 1.** Delete Section 7 entirely.

**Amendment 2. Section 7.** Duties of the Unit Chaplain: It shall be the duty of the Unit Chaplain to offer a prayer at the opening and closing of each meeting; to mail sympathy and get well cards, and to perform other acts as would fall within her realm of her office according with the Unit Handbook.

**Article III - Dues /Finances**

**Section 1.** Revenue of the Unit shall be derived from annual membership dues and such other resources as may be approved by the Executive Committee. Department and National dues collected by the unit shall be transmitted by the Unit Treasurer within thirty days after their collection.

**Section 2.** The annual membership dues of this Unit shall be \$20.00 for Seniors and \$3.50 for Juniors, which shall include the department and National per capita.

**Section 3.** A member failing to pay annual dues, including the Unit, Department, 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 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. Payment of back dues will not constitute continuous membership.

**Section 4.** The Unit's Christmas assessment, an obligatory payment from each Unit, shall be promptly submitted to the Department Headquarters upon notification of the amount due prior to December 1. Only Unit delegations in good standing shall be seated at the department convention. To be a Unit in good standing the Unit must: a) have a minimum of 10 members with current dues paid and recorded at Department Headquarters two weeks prior to the convening of said convention and, b) be current in their payments of the Christmas Assessment and Bonding Fee.



**Section 5.** The Unit bonding fee shall be transmitted promptly to Department Headquarters upon notification of amount due and no later than when submitting the annual Certification of Officers.

**Admendments**  
**Article III - Dues /Finances**

**Section 2.** the annual membership dues of this Unit shall be \$23.00 for Seniors and \$3.50 for Juniors, which shall include the Department and National per capita.

**Article IV - Unit Meetings**

**Section 1.** The regular meeting of the American Legion Auxiliary of Bandera, Tx Unit No. 157 shall be held on the third Tuesday of the month, and shall be called to order at 7:30 p.m.

**Section 2.** An annual meeting of the Unit shall be held in the month of June each year for the purpose of electing officers, delegates and alternates to the Department Convention. Following the annual meeting of elections, the Certification of Officers form and the Certification of Delegates and Alternates shall be transmitted promptly to department Headquarters and received at least ten (10) days prior to the Department Convention.

**Section 3.** A unit registration fee of \$10.00 shall accompany the list of delegates mailed to the Department Headquarters and must be received ten (10) working days prior to the Department Convention.

**Section 4.** Special meetings of this Unit may be called by the President, by a majority of the Executive Committee, or upon written request of five (5) Senior members of the Unit.

**Section 5.** Five members shall constitute a quorum at any regular meeting of the Unit.

**Admendments**  
**Article IV**

**Amendment 1. Section 1.** The regular meeting shall be called to order at 7:00 p.m.

**Amendment 2. Section 2.** The elections for officers, delegates, and alternates shall be prior to the Department Convention.

**Article V**

**Section 1.** Elections will be by ballot and a majority of the votes cast shall be necessary to elect. Written ballots will be held securely on the premises of the Legion Home for 1 year.

**Section 2.** Delegated and alternates to the Department Convention shall be elected at a Unit meeting duly called for that purpose; not less than 4 weeks prior to the convention. Alternates have priority in the order of their election.

**Section 3.** Officers and Executive board members of the Unit shall be elected at the same time as the delegates to the Department Convention, and shall assume the duties of their office at the first regular meeting after Department Convention.

**Amendments**  
**Article V**

**Amendment 1. Section 3.** Officers and Executive board members of the Unit shall be elected at the same time as the delegates and alternates to the annual Department Convention, and shall assume their duties of their office at the close of the election meeting.

**Amendment 2. Section 4.** Junior members in good standing shall be able to hold non-essential offices. Non-essential offices being: Sergeant-at-Arms, Historian, and Chaplain.



## **Article VI - Transfer**

**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.

**Section 2.** No person may, at any time, be a member of more than one (1) unit.

## **Article VII - Discipline**

**Section 1.** For any violation of the Unit, Department, 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 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 said member or officer shall have been given at least fifteen (15) days notice in writing by the Unit Executive Committee 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 expense of said appeal shall be borne the appellant.

**Section 2.** For exclusion or suspension of a member, the procedure as outlined in the Unit Handbook (rev. 2005) Chapter XXV, entitled "Procedure in the Expulsion or Suspension of a Member of the American Legion Auxiliary", shall be followed.

**Section 3.** Should an officer fail to attend three (3) consecutive meetings, regular or executive without warranted reason, and not complied with the duties of her office shall be duly notified in writing that she is approaching replacement. Upon failure to respond within fifteen (15) days to said notification the office shall be declared vacant and shall be filled by a majority vote of the intire Executive Comittee. A person so elected shall hold office for the unexpired term of the member she succeeds.

**Section 4.** Neither this Unit in the Department or any member thereof shall circularize any other unit or member thereof without the consent of the Department Executive Comittee.



**Section 5. Liabilities:** No member or group of members shall subject this Unit to liability without authorization of this Unit.

### **Article VIII - Committees**

**Section 1.** A Nominating Committee composed of three (3) members shall be elected for the purpose of presenting a slate of Unit Officers for the ensuing year. Any Unit member in good standing may be nominated. The President may not serve on this committee.

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

**Section 3.** All committees shall prepare an annual report for their committee, as provided for in the Department Annual Plan of Works, with said report to be sent to the Unit's respective District President prior to April 15th of each year.

### **Article IX - Parliamentary Authority**

**Section 1.** This Unit organization shall be governed by the CURRENT EDITION of "Roberts Rules of Order, Newly Revised"; on all points not covered by this Constitution and Bylaws, the Department of Texas Constitution and Bylaws and Standing Rules, and National Constitution and Bylaws and Standing Rules.

### **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 the previous Unit meeting.

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

Section. These Bylaws shall be automatically amended to conform to 3 the **National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary.**

**THESE CONSTITUTION AND BYLAWS WERE  
UNANIMOUSLY VOTED UPON AND APPROVED AT THE  
GENERAL MEETING OF THE Bandera American Legion  
Auxiliary Unit # 157 on July 19, 2011**

<u>Betty Collier</u> Chairman	<u>8-8-11</u>	<u>Virginia Derlugini</u>	<u>7/27/2011</u>
4 <sup>th</sup> Division C&B Chairman	date	Unit President	date

First reading June 21 2011  
Date

Second reading July 19, 2011  
Date

## **Standing Rules**

### **Preface**

Standing Rules are rules and regulations for the guidance of a assembly which have been adopted, the same as ordinary resolutions, by a majority vote without previous notice. A standing Rule may be amended or rescinded by a two-thirds vote, or if notice has been given, by a majority vote. Standing Rules are usually adopted from time to time, as they are needed in the form of resolutions.

### **STANDING RULES OF AMERICAN LEGION AUXILARY POST 157**

1. Each Unit officer, at the close of the administrative year; must pass on to her successor, all records, pins, and material pertaining to her office.
2. It shall be the prerogative of the Unit President-elect to choose an installing officer who meets the qualifications set forth in the Unit Manual of Ceremonies.
3. The June meeting will be a social and installation of Officers.
4. A Calling (notification), Committee shall be appointed by the President.



5. The Treasurer is authorized to disburse funds for the following:

- a. A corsage for presentation to an Installing Officer.
- b. Purchase of membership pins and a Past President's pin to the out going President.
- c. Purchase of stamps, envelopes, cards, checks, printing and other supplies needed by the Unit Officers in performance of their duties.
- d. To ALA Department of Texas – all monies received for membership dues.
- e. To ALA Department of Texas – cost of Security Bond as determined by ALA Department of Texas.

6. All other expenditures made by the Treasurer must be approved PRIOR TO EXPENDITURE by a motion, second and majority vote of a quorum of the Executive Board meeting; said motion must be duly recorded in the minutes of the Board meeting. A voucher (REQUEST FOR CHECK), must be signed by the President and Treasurer and correspond to every check issued. NO CHECKS WILL BE ISSUED WITHOUT RECEIPTS.

7. Receipts will be written for all monies received by the treasurer. These receipts will written in duplicate,

8. The Chaplain will send a "Get Well" card to any member hospitalized and a "Sympathy" card when appropriate.

9. An "In Memorial" card of a \$25 donation to a charity of the family's choice will be sent to the family or any member who passes away or to a member who suffers, through death, the loss of an immediate family member.

10. The Auxiliary will coordinate with the Legion and host the annual Christmas Party for the Post members.

11. The Executive Board meeting shall be for conducting business of the Auxiliary such as paying bills and recommending events and projects. All plans must be approved at a general meeting. A complete record of each event should be prepared and filed for future use.

12. No smoking while meeting is in session.

13. Senior membership dues will automatically have an increase of \$5 above those set by Department and National. Junior membership dues will automatically have an increase of \$1.50 above those set by Department and National.

THESE STANDING RULES WERE UNANIMOUSLY VOTED ON AND APPROVED AT THE GENERAL MEETING OF the Bandera American Legion Auxiliary Unit #157 on July 19, 2011

B. Bell 8/8/11  
4<sup>th</sup> Division Chairman date

Virginia Berlingeri 7/27/2011  
Unit President date