

**CONSTITUTION AND BYLAWS
OF THE
AMERICAN LEGION AUXILIARY**

_____ UNIT# _____
_____, South Dakota

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 in all 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.

**ARTICLE I
Name**

Section 1. The name of this organization shall be the American Legion Auxiliary.

_____ Unit # _____ Department of South
Dakota. Located in _____, South Dakota

**ARTICLE II
Nature**

Section 1. The American Legion Auxiliary is a civilian patriotic service 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 nor for any promotion of the candidacy of any person seeking public office or preferment.

ARTICLE III
Eligibility

Section 1. Eligibility for membership in the American Legion Auxiliary is determined by The American Legion. The eligibility requirements from The American Legion governing documents shall be provided as a footnote to this Constitution for information purposes and shall be updated as appropriate.

Section2. There shall be two (2) classes of membership, Senior and Junior.

(a) Senior membership shall be comprised 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.

(b) Junior membership shall be comprised of members 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.

(c) Dues of both classes shall be paid annually or for life

Footnotes

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.

Article IV
Unit Officers

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 otherwise provided. *(or a combination of some of these officers)*

Article V
Executive Committee

Section 1. There shall be an Executive Committee which shall consist of the officers and additional members-at-large *(Suggest that it be three additional members)* elected by the Unit. The term of office for members of the Executive Committee shall be for one year.

Article VI
Amendments

Section 1. The Constitution may be amended by a two-thirds vote of the members present at a regular meeting, provided that the proposed amendments have been read at the previous meeting.

Section 2. The 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.

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 they succeed.

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 2

Duties and Powers of Officers

Section 1. Duties of the Unit President: It shall be the duty of the President of 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 is deemed advisable; to preform duties as custom and parliamentary usage require; and to appoint all officers otherwise provided for.

Section 2. Duties of the Vice President: The First Vice President in the order named shall, when called upon, assist the President and in absence, preform duties, and shall succeed 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 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 correspondence sent and received; and preform such other duties as shall be required by the President.

Section 4. Duties of the Treasure: It shall be the duty of the Unit Treasurer to receive all money belonging to the Unit and to account for them. The Treasurer 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. The Treasurer shall keep an accounting of receipts and expenditures, making a monthly report thereon and such other reports as may be necessary by the Unit Executive Committee. The Treasurer accounts shall be audited annually. The Treasurer shall pay all bills before transferring all funds, books and papers belonging to the Unit to the 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 Historian to complete 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 the Secretary may be combined with the Treasure and called "Secretary-Treasurer"

Article III Dues

Section 1. The annual membership dues of the Unit shall be \$_____ for Senior members and \$_____ for Junior members paid annually or for Life, and shall include the Department and National per capita.

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 IV Unit Meetings

Section 1. The regular meeting of the _____ Auxiliary Unit #_____ shall be held on the _____ each month, unless otherwise specified and shall be called to order at _____ am/pm.

Section 2. An annual meeting of this Unit shall be held in the month of _____ Each year for the purpose of electing officers and receiving annual reports.
(suggest the month of April; most reports are due to Department Chairman by May1)

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

Section 4. _____ members shall constitute a Quorum at any meeting.
(make sure your quorum is attainable or you can not call your meeting to order or pay any bills)

Article V Elections

Section 1. Elections may be by voice vote if there is only one candidate; but where there are 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. Nomination of all elected officers shall be by a Nominations Committee, consisting of 3 members, providing, however, that nominations may be made by any member from the

floor. Nominations shall be made at the regular meeting of the Unit and shall be open until time of election.

Section 3. Delegates and alternates to attend 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 4. 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 two or three members shall be elected for the purpose of presenting a slate of Unit offices for the ensuing year.

Section 2. An auditing committee composed of two or 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 making a report of the audit to the Unit.

Article VII Transfers

Section 1. Transfer of membership from one Unit to another in the South Dakota 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 VIII Discipline

Section 1. For any violation of the Unit, Department, 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, 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 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 the current edition of “ROBERTS 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 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.

Unit President

Unit Secretary

Date Approved