

BENT-BURKE UNIT #10
AMERICAN LEGION AUXILIARY
CONSTITUTION & BY-LAWS

CONSTITUTION

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 Americanism: To preserve the memories and incidents of our associations during all Wars: To combat the autocracy of both the classes and the masses: To make right the master of might: To promote peace and good will 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 Bent-Burke Unit #10, American Legion Auxiliary, Department of New Hampshire.

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 nor for the promotion of the candidacy of any person seeking public office or preferment. No candidate for nomination or election to, or no incumbent of, any remunerative elective public office, shall hold any elective office or any appointive office in the Department of New Hampshire or any Unit thereof. Provided that members of the Unit, Department or National Standing or Special Committees shall not be affected.

Article III. Object

Section 1: The object of the Bent-Burke Unit #10, American Legion Auxiliary, Department of New Hampshire, 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, spouses, and direct and adopted female descendants of members of The American Legion; and 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;

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 to those women who of their own right are eligible for membership in The American Legion.* The ONLY men that can join are spouses of female veterans OR spouses of a gay marriage.

Section 2: There shall be two classes of membership: Senior and Junior.

A: Senior membership shall be functioning for active group, composed of members over the age of eighteen years; provided, however, that a spouse under the age of eighteen years, who is eligible under Section 1 of the 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 Senior membership. Upon reaching the age of eighteen years, Junior members shall automatically be admitted into active membership with full privileges.

C: Dues of both classes shall be paid annually.

D: Membership Chair shall process all new memberships, transfers and membership renewals to be sent to the Department. Collect all payments and work with the Treasurer and Department for payment and transmittals.

Keep a record of names and addresses of the members, showing the source of their eligibility. Advise at monthly meetings of all new, transferred and membership renewals.

E: All applications for membership in the Auxiliary will be voted on at the monthly meeting. If the vote passes the application will be presented to the Post Commander for signature. No applicant shall be present when their application is being voted on.

F: New Junior and Senior members will be given a copy of the Constitution and By-laws.

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.

Article VI: Executive Committee

Section 1: There shall be an Executive Committee that shall consist of the Unit Officers and Chairman of Standing Committees. At least three (3) members of the Executive Committee will be a quorum.

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 and notification of proposed Constitution & By-Laws changes shall have been mailed to all Senior members so the proposed changes would be received by members at least 14 days prior to the date of the vote.

Section 2: Amendments not having been previously read or notification given 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 Constitutions and By-Laws and standing rules of the American Legion Auxiliary.

BY-LAWS

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. The Executive Committee includes all Unit Officers and all standing Committee Chairmen.

Article II. Duties and Powers of Officers

Section 1: Duties of the Unit President: It shall be the duty of the Unit President to preside at all meetings of the Unit and the Unit Executive Committee: To enforce strict observance of the Constitution and By-Laws: To appoint members of the standing committees: To create such other committees and appoint members thereof as they deem advisable: To perform such other duties as custom and parliamentary usage requires and to appoint all officers not otherwise provided for.

Section 2: Duties of the Unit Vice President: The First and Second Vice President in the order named shall, when called upon, assist in the absence of the Unit President by performing the duties, and shall succeed the office in case of death, resignation or removal.

Section 3: It shall be the duty of the Unit 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 file in a comprehensive manner, copies of all correspondence sent and received: and perform other duties as shall be required by the

President. The secretary shall pay over to and deliver to the successor all correspondence, books and papers belonging to the Unit.

Section 4: Duties of the Unit Treasurer: It shall be the duty of the Unit Treasurer to receive all money belonging to the Unit and to account for the same. The Treasurer shall give bond in such amount as the Unit Executive Committee may determine, the premium of the aforesaid bond to be paid by the Unit: Pay all orders signed by the President and retain these orders and vouchers. The Treasurer shall keep account of the receipts and expenditures, making annual reports thereon, and such other reports as may be deemed necessary by the Unit Executive Committee. Accounts shall be audited annually. The Treasurer shall pay over to and deliver to their successor all money, vouchers, books and papers belonging to the Unit.

Section 5: Duties of the Unit Historian: It shall be the duty of the Unit Historian to compile records of the Unit and to make a report to the Department. Report should be from May 1 to April 30 and entered in the Department contest in time for judging at the convention in June.

Section 6: Duties of the Unit Sergeant-at-Arms: It shall be the duty of the Sergeant-at-Arms to be responsible for order at all Unit meetings: For the advancement and retirement of the Colors and for their proper care: For courtesies to guests and such other duties as may be assigned to you: For regular attendance at meetings and cooperation with the President.

Section 7: Duties of the Unit Chaplain: It shall be the duty of the Chaplain to offer prayer at the opening of each meeting, and perform such other duties as the President may direct, as perform at the service at the death of a member.

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".

Section 10: Officers may hold same office for the amount of terms elected.

Article III. Dues

Section 1: The annual membership dues of this Unit shall be as set in the Standing Rules and can only be changed as forth in Article XVI, and shall include the Department and National per capita, payable annually, after Department Convention.

Article IV. Unit Meetings

Section 1: The regular meeting of this Auxiliary shall be held on the second Monday of each month, except the months of July and August, and shall be called to order at 6:00 PM

Section 2: An annual meeting of this Unit shall be held in the month of April of each year for the purpose of electing officers.

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 four members of the Unit.

Section 4: Three members shall constitute a quorum at any meeting of the Unit.

Article V. Elections

Section 1: Election shall be by ballot and a majority of the votes cast shall be necessary to elect, unless only one person is vying for one particular office: A voice vote may take place.

Section 2: Delegates and alternates to a Department Convention shall be elected at a Unit meeting in April. Financial assistance for these persons shall be voted on at same meeting. Alternates shall have priority in the order of their election.

Section 3: All officers shall be elected annually.

Article VI. Transfers

Section 1: Transfer of membership from one Unit to another in the Department of New Hampshire shall be upon application of the member to, and acceptance by, the new Unit, in conformity with National and Department Constitutions and By-Laws.

Article VII. 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 Executive Committee of the charges and the hearing thereon. Either party may have the right of appeal to the Department Executive Committee and 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 members shall subject this Unit to liability without authorization of the Unit.

Article VIII. 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 By-Laws. A copy of "Robert's Rules of Order, Newly Revised" shall be kept by the unit Secretary for members to read as requested.

Article IX. Gold Star Mothers

Section 1: Gold Star Mothers of all wars shall be remembered with a card on Birthdays and Mother's Day and flowers if voted by the Unit. This is the responsibility of the Unit President.

Section 2: All Gold Star Mothers confined to nursing homes or at age 75 and over, will have their annual dues paid by the Unit.

Article X. Scrapbook

Section 1: The Unit shall keep a scrapbook and it shall be the property of the Unit. The Unit is to pay for the expense of same.

Section 2: All citations, scrapbooks, histories, trophies and awards shall be kept locked up at the Legion Home.

Article XI. Supplies

Section 1: The Treasurer shall purchase the Past Presidents Pins for seniors and juniors as well as necessary books, papers, stationery and stamps.

Article XII. Reports

Section 1: All reports of President, Secretary and Treasurer and standing committees shall be in writing and ready for the annual meeting in June to be kept in a book of reports.

Article XIV. Hats and Pins

Section 1: Pins should be worn to all formal meetings.

Article XV. Amendments

Section 1: These By-Laws 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 and notification of proposed Constitution & By-Laws changes shall have been mailed to all Senior members so the proposed changes would be received by members at least 14 days prior to the date of the vote.

Section 2: Amendments not having been previously read or notification given may be adopted by the unanimous vote of the members present.

Section 3: These By-Laws shall be automatically amended to conform to the National and Department Constitutions and By-Laws and standing rules of the American Legion Auxiliary.


President Signature


Secretary Signature


Constitution & Bylaws Chairman

Revised and Adopted March 2025

STANDING RULES

(Can be changed by a majority vote at a regular meeting)

1. The dues for this Unit shall be \$30 for Senior members and \$15 for Junior members. Members over the age of 75 will be paid by the Unit. This must be voted on as a Constitution change.

2. If an emergency arises, the President may do a phone call/text or email vote of all the officers of the unit for permission to expend not more than \$200.00. All must agree. This must be reported at the next monthly meeting.
3. Money for the retiring President's gift is to be taken from the General Fund, in an amount not to exceed \$25.00.
4. A gift shall be given to the District Director if they are present at the Unit Installation. This gift is not to exceed \$15.
5. The official uniform of this Unit is a white blouse, navy blue or black skirt or slacks, and comfortable shoes. This in no way contradicts the Department uniform for Department Convention and meetings, which is: Scottie Cap or Wave-like hat, white dress or blouse, white skirt or slacks, and white shoes.
6. A Christmas Committee will be formed by current members as part of Bent-Burke Unit #10, American Legion Auxiliary's commitment to the Wilton/Lyndeborough Community. The unit will vote for a Chair & Co-Chair (s) during the same time officers are voted in.

