

CONSTITUTION & BYLAWS
of the
AMERICAN LEGION AUXILIARY
JOHN M. WEST UNIT 408
2022

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 prosperity, 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 1

NAME

Section 1: The name of this organization shall be the American Legion Auxiliary, John M. West Unity #408, Department of Kansas.

ARTICLE II

NATURE

Section 1: The American Legion Auxiliary is a civilian organization.

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 candidate of any person seeking public office or preferment. No candidacy for nomination or election to, or not incumbent of, any remunerative office, shall hold any elective office or any appointment remunerative office in the American Legion Auxiliary or in any Department or Unit thereof. Provided that members of Unity, Department and National standing or special committees shall not be affected.

ARTICLE III

ELIGIBILITY PERIOD

Section 1: Membership in The American Legion Auxiliary shall be limited to the:

- 1) grandmothers, mothers, sisters, spouses, and direct and adopted descendants of the members of The American Legion; and
- 2) grandmothers, mothers, sisters, spouses, and direct and adopted 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 the eligibility periods and died in the line of duty or after honorable discharge;
- 3) grandmothers, mothers, sisters, spouses, and direct and adopted descendants of all men and women 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 individuals who of their own right are eligible for membership in the American Legion.

Information on Veterans Service Record can be obtained by contacting:
National Archives and Records Administration
Telephone: 1-866-272-6272
www.archives.gov

Section 2

There shall be two (2) membership – Senior and Junior.

- (a) Senior membership shall be the functioning (o active) group, composed of members over the age of eighteen (18) years of age; provided, however, that a spouse under the age of eighteen (18) years of age 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 (18) years who activities shall be supervised by the senior membership. Upon reaching the age of eighteen (18) years, junior member shall be admitted into active membership with full privileges.
- (c) Dues of both classes shall be paid annually.

ARTICLE IV

OFFICERS

The Unit shall elect annually a President, Vice-President, Treasurer, Secretary, Chaplain, Historian, Sergeant-at Arms, and a Chairman on the Executive Committee.

ARTICLE V

EXECUTIVE COMMITTEE

There shall be an Executive Committee which shall consist of all elected officers and chairman, who shall be elected annually from our Past Presidents.

ARTICLE VI

FISCAL YEAR

The fiscal year shall be the same as that of Department – July 1 to June 30th of any given year.

ARTICLE VII
AMENDMENTS

Section 1: This Constitution may be amended by a two-thirds (2/3) vote of the members present at a regular meeting, provided the proposed amendments shall have been read at a previous meeting.

Section 2: This Constitution shall be automatically amended to conform to the National, Department, and District Constitution and By-Laws, and Standing Rules of the American Legion Auxiliary.

BY-LAWS OF THE AMERICAN LEGION AUXILIARY

ARTICLE I
EXECUTIVE COMMITTEE

Section 1: The Executive Committee shall be composed of all elected officers and an annually elected Chairman, each of whom shall have a vote. Between meeting the Executive Committee shall act in an advisory capacity to the President. The elected Chairman of the Executive Board shall be a Past Unit President.

Section 2: A vacancy existing in the Executive Committee from any cause other than the expiration of 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 they succeed.

Section 3: Five (5) members shall constitute a quorum for an Executive Committee.

Section 4: Any Unit Officer who shall neglect or improperly perform their duties shall be replaced by a two-thirds (2/3) vote of the members of the Executive Committee present.

Section 5: The Executive Committee shall determine the amount of the expense to be allowed the Unit Delegates to attend the District and Department Convention, Fall Conference, Mid-Winter, and any Department or District Work Shops.

ARTICLE II
DUTIES AND POWERS OF UNIT OFFICER

Section 1: The Duties of the Unit President:

- (a) It shall be the duty of the Unit President to preside at all meetings, if unable to preside at any time, it is their responsibility to contact and make arrangements to

have the Vice President to preside in their absence. At the end of the fiscal year, they shall appoint a nominating committee of three (3) to recommend new officer candidates for the new fiscal year.

- (b) They shall turn over all books to their successor as well as papers belonging to the Unit.

Section 2: The Duties of the Unit Vice-President:

- (a) The Vice-President shall act as membership chairman and keep all records pertaining to new members and renewals of the Unit. All money for membership and renewals shall be turned in to the Treasurer / or deposited directly into the account as soon as possible. The Unit transmittals shall be mailed to the Department Secretary at least monthly and more frequently as deemed needed. They will assist and aid the President when called upon in their absence and shall succeed the President in the event of death, removal, or resignation.
- (b) They shall turn over all books and/or money to their successor as well as papers belonging to the Unit.

Section 3: The Duties of the Secretary:

- (a) It shall be the duty of the Unit Secretary to record the proceedings of the meeting and to read all communications as well as record of Executive Committee Meetings. Keep all records and perform such other duties as are incident to the office. The Secretary shall make three (3) copies of the minutes, one set for themselves, the President and the Historian.
- (b) They shall turn over all books to their successor as well as papers belonging to the Unit.

Section 4: The Duties of the Treasurer:

- (a) It shall be the duty of the Unit Treasurer to receive all money belonging to the Unit and the account for the same. Checks shall be signed by two of the three officers on the bank account in disbursing the funds of the Unit. They shall deposit all money received. Report all expenditures and balance the account before each Unit meeting. The accounts shall be audited annually, by a committee appointed by the Unit President.
- (b) In the event the Secretary and Treasurer is one (1) individual then two (2) other officers shall also be added to the account to sign all checks utilized to pay Unit expenditures.
- (c) They shall turn over all books and money to their successor as well as papers belonging to the Unit.

Section 5: Duties of the Chaplain:

- (a) It shall be the duty of the Chaplain to offer prayer at the opening and closing of all Unity Meetings and perform duties as requested by the Unit President that they

may deem necessary. They shall send cards to the sick and to any others the Unit President may deem necessary.

(b) They shall turn over all books to their successor as well as papers belonging to the Unit.

Section 6: Duties of the Historian:

(a) It shall be the duty of the Unit Historian to prepare the records of the Unit and its members thereof and make an annual report to the District. At the end of the year, History minutes shall be given to the incoming Unit Historian.

(b) They shall turn over all books to their successor as well as papers belonging to the Unit.

Section 7: Sergeant-at-Arms:

It shall be the duty of the Unit Sergeant-at-Arms to preserve order at the meeting and such other duties a deemed necessary by the Unit President. They should also carry unit flags to any event for the President.

ARTICLE III

DUES

Section 1:

A member failing to pay dues by January 31 of the following year will be classified delinquent and shall be suspended from all membership privileges, **however such suspension. Payment of back dues after suspension shall be reinstated to active membership.** Any member delinquency to December 31 of the year of delinquency shall automatically be dropped from the membership rolls and may only be reinstated by re-establishing their eligibility and completing a new application as a new member.

ARTICLE IV

Meetings

Section 1:

The regular meeting of the unit shall be the 2nd Monday of each month or as necessary. The meetings shall be called to order at 7pm. A majority vote is required to change this.

Section 2:

Any Officer missing three (3) meetings in a row without a good reason will be replaced

Section 3:

Five (5) members shall constitute a quorum at any meeting of the unit.

ARTICLE V

Elections

Section 1:

The nominating committee shall consist of three (3) members, designated by the Unit President at the first meeting in January. The nominating committee shall present to the unit a slate consisting of the names of nominee for each office at the "First" meeting in March; Officers and the Chairman of the Executive Committee shall be elected at the meeting.

Section 2:

Further nominations may be made from the floor and election shall be by ballot. If there be but one candidate for an office vote maybe by acclimation.

Section 3:

All the Officers and Chairman of Executive Committee thus elected, shall enter upon the duties of their office at the first meeting in June. All officers shall be installed by a Past unit President, Direct Officer, or Department Officer.

Section 4:

To be eligible to serve as President of this Unit a member must belong to the unit for one (1) year and attend one (1) leadership class or complete the online course.

Section 5:

In order to participate in the election of the unit officers a member shall have paid their dues for the current year within which the election is held, at least two (2) weeks prior to the election. All Officers and Executive Board Chairman shall be in good standing with their unit.

Section 6:

Delegates and Alternates to the District and Department Convention shall be elected at a meeting of the unit at least one (1) month before the Conventions. The President and Secretary shall automatically be delegates to all Conventions. The remaining delegates shall be nominated from the floor with preferences given to the officers of the unit.

ARTICLE VI

Transfers

Section 1:

Any member in good standing in the unit shall be entitled to a transfer to another unit. Any member in good standing with their own unit wishing to transfer to another unit, must present to the new Secretary their current membership card. Upon acceptance of the transfer application by the unit, the Secretary will complete the certificate of transfer. The member should then be entitled to active membership in said unit. No dues shall transfer.

ARTICLE VII

Committees

Section 1:

The committees shall be the same as those of the Department. The Unit President shall appoint the chairman and members of the committees and such other committees as they deem advisable. The chairman of all committees shall submit an annual report to the District Chairman except, the nominating committee.

Section 2:

Each chairman shall keep their notebook up to date, adding any important information received during the year, the chairman shall turn the notebook over to the outgoing President, who in turn will present them to the newly elected President.

ARTICLE VII

Parliamentary Ruling

Section 1:

These By-Laws may be amended by two thirds (2/3) vote at a regular meeting, provided the proposed amendments have been read at a previous meeting.

Section 2:

These By-Laws shall be automatically amended to conform to the National, Department, and District Constitution, By-Laws and Standing Rules of the American Legion Auxiliary.

STANDING RULES

1. The President, Vice President, Secretary, Treasurer, Chaplain, and Historian shall be allotted sufficient money for stamps and supplies as they are needed. Stationery to be purchased by the Unit.

2. The Unit shall automatically buy the Past President pin or an appropriate gift to be presented at the Installation of Officers.

3. A memorial donation shall be contributed to the Child Welfare Fund in the name of the member that has passed away during the year. This donation amount shall be stipulated according to what the unit can afford.

4. The President, Vice President, Treasurer and all signers on checking account are bonded by the department.

5. The Past President Parley and/or unit member shall perform the following services, initiation of new members, memorial services for deceased member at the funeral, draping of the charter at the next meeting for the deceased member and in charge of food donations or meal service at the post home.

6. It shall be the duty of the new President to see that all officers have a copy of the Constitution and By-Laws.

7. All money-making projects must be planned and submitted to the Executive Committee; upon their approval it must be brought before the membership at a regular meeting for final vote.

8. All money with receipts shall be turned over to the Treasurer/or deposited as soon as possible after completion of the project.

9. After an audit of the Treasurer's books, the auditing committee shall give the Unit the report at the next meeting.

10. The annual dues of this unit shall be \$30.00 for Senior members which shall include per-capita tax annually.

11. The annual dues of this unit shall be \$12.00 for Junior members which shall include per capita tax annually.

12. In the event of an emergency, the President shall contact two (2) officers and they must reach a vote of yes to use funds with the vote of the membership. The maximum amount they can donate is \$100.00 until the next unit meeting for membership approval, with the maximum amount of \$300.00 per year.

13. Any essential expenses above \$20.00 must be presented to the unit membership by the committee Chairman for approval.

14. Dual member of TAL and ALA will pay half of annual dues required for the ALA.

15. The President, Vice President and Treasurer will be primary signers on any accounts. Two (2) of the above-board members must sign all checks.