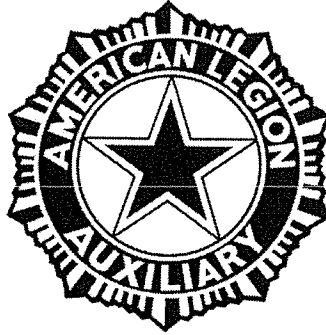




FRANCIS SCOTT KEY UNIT NO. 11

CONSTITUTION AND BY-LAWS

OCTOBER, 2010

**CONSTITUTION AND BYLAWS
Of
FRANCIS SCOTT KEY UNIT NO. 11
AMERICAN LEGION AUXILIARY
DEPARTMENT OF MARYLAND INC.**

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 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 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

SECTION 1. The name of this organization shall be Francis Scott Key Unit 11 of the American Legion Auxiliary, Department of Maryland, Inc.

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 any promotion of the candidacy of any person seeking public office or preferment.

ARTICLE III - OBJECT

SECTION 1. The object of the Francis Scott Key Unit No. 11, American Legion Auxiliary, Department of Maryland, Inc. 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 mothers, wives, daughters, sisters, granddaughters, and great granddaughters 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; December 22, 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 cessation of hostilities as determined by the Government of the United States; all dates inclusive; or who being citizens 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 any of the said periods, and died in line of duty or after honorable discharge; and to those women who of their own right are eligible to membership in The American Legion.

SECTION 2. There shall be two (2) classes of membership; Senior and Junior. The only form of membership that is authorized is active membership of which there are two classes; Senior and Junior, and there can be no granting of special or honorary membership for any purpose or reason whatsoever.

- 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 shall consist of that group under the age of eighteen years whose activities shall be supervised by the senior membership. Upon reaching the age of eighteen year, junior members shall automatically be admitted into senior membership with full privileges.
- c. Dues for both classes shall be paid annually or for life.

ARTICLE V - POWERS

SECTION 1. This Auxiliary Unit shall be subject to all provisions of the National and Department Constitutions of the American Legion Auxiliary.

ARTICLE VI – OFFICERS

SECTION 1. The officers shall be a President, First Vice President, Second Vice President, Recording Secretary, Treasurer, Chaplain, Historian, Sergeant-At-Arms, and two (2) Color Bearers, and said officers shall assume their respective offices following the June elections meeting.

ARTICLE VII – COMMITTEES

SECTION 1. Executive Committee – There shall be a Unit Executive Committee which shall consist of Unit Officers, Past Unit Presidents, and three (3) additional members-at-large, elected by the Unit.

SECTION 2. Nominating Committee – The President of this Unit shall appoint at the April meeting, a Nominating Committee to report its selection of candidates at the May meeting with elections held in June.

ARTICLE VIII – FISCAL YEAR

SECTION 1. The fiscal year of the Unit shall be the same as that of the Department.

ARTICLE IX – PARLIAMENTARY AUTHORITY

SECTION 1. The Unit organization shall be governed by “Roberts’ Rules of Order, Revised,” on all points not covered by this Constitution and By-Laws.

ARTICLE X – AMENDMENTS

SECTION 1. This Constitution may be amended at any meeting of the Unit by a two-thirds majority of the vote cast, provided the proposed amendment shall have been read at the meeting immediately preceding the vote thereon.

BY-LAWS

ARTICLE 1 – EXECUTIVE COMMITTEE

SECTION 1. Between meetings the government and management of this Auxiliary shall be trusted 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 she succeeds.

SECTION 3. Five (5) members of the Executive Committee shall constitute a quorum.

SECTION 4. The Executive Committee shall meet on an as needed basis, or may be called by order of the Unit President or on written request of at least three (3) 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 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 standing committees; to create such other committees and appoint members thereof as she deems advisable; to perform other duties as custom and parliamentary usage require; and to appoint all officers not otherwise provided for. At the April meeting of the Unit she shall appoint a Nominating committee of three (3) members, who shall report its selection of candidates at the May meeting.

SECTION 2. Duties of the Vice President: The First and Second Vice Presidents, in order named, 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. (a) Duties of the Recording Secretary: It shall be the duty of the Recording Secretary to record all proceedings of the Unit and the Unit Executive Committee meetings and to keep all books that are necessary to successfully carry on the work of the office; to act as Secretary to the Unit Executive committee, and to conduct her office in a business-like manner. She shall care for the archives of the Unit and shall also keep a record of all money received from all the members for per capita assessments or from other sources. She is hereby vested with such authority as is necessary to carry out her duties successfully for the good of the American Legion Auxiliary.

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. She shall be bonded through the Blanket Position Bond through the National Organization paid for by the Department. She shall pay all bills authorized by the Unit and/or the Executive Committee. She shall keep account of her receipts and expenditures, making a monthly report thereof, and such other reports as may be deemed necessary by the Unit and/or the Executive Committee. Her accounts shall be audited

annually. She shall pass on to and deliver to her successor all money, books and papers, belonging to the Unit prior to the first Unit meeting of the new administration.

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

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 may be prescribed by the President.

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

SECTION 8. Duties of the Color Bearers: It shall be the duty of the Color Bearers to present and retire the Unit colors at all Unit meetings and at such other times as requested by the Unit President.

ARTICLE III – DUES

SECTION 1. The annual membership dues of this Unit, which shall include the Department and National per capita, shall be set by the Unit at the November meeting, following advance announcement at the October meeting. If/when changed, the dues amount noted in Standing Rule 1 shall be changed accordingly.

SECTION 2. A member failing to pay annual dues, including the Unit, State and National assessments, by January 31st, shall be classed as delinquent and shall be suspended from all membership privileges; provided, however, such suspended member shall be notified in writing by the Secretary of the Unit of such suspension prior thereto. Payment of back dues, after suspension, shall reinstate such member to active membership. Any member delinquent to December 31st, of the year of delinquency shall automatically be dropped from the rolls and may not be reinstated without vote by the Unit where the Constitution of the Unit requires a vote on application for membership, and the payment of all past dues, or by re-establishing eligibility and making application as a new member.

SECTION 3. The Unit is the sole judge of its membership with authority to accept or reject an application, transfer, or reinstatement by vote of the majority of members present at a regular Unit meeting.

ARTICLE IV – UNIT MEETINGS

SECTION 1. The regular meetings of this Unit shall be held on the third Tuesday of each month, excluding July, and shall be called to order at seven p.m. (7:00 p.m.).

SECTION 2. Seven (7) members shall constitute a quorum at any meeting of the Unit.

SECTION 3. A. Special meeting of this Unit may be called by the President, by a majority of the Executive Committee, or upon written request of seven (7) members of the Unit.

SECTION 4. An Annual meeting of this Unit shall be held in the Month of May each year for the purpose of nominating officers with elections held in June.

SECTION 5. If a joint installation is held with the Post, an annual meeting of this Unit for the purpose of installing officers shall be held in July of each year, the date to be at the discretion of the Post, if however, no joint installation is held, the officers shall be installed at the regular August meeting.

ARTICLE V – ELECTIONS

SECTION 1. A majority of the votes cast shall be necessary to elect.

SECTION 2. (a) The outgoing President shall automatically be a delegate to the Department Convention and shall be chairman of the delegation.

(b) Delegates and alternates to a Department Convention shall be elected at a regular Unit meeting not less than two (2) 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 the June regular meeting. Except Color Bearers who shall be appointed by the Unit President.

SECTION 4. Vacancies in office, caused by death, resignation, etc. may be filled for the remainder of the unexpired term by an oral election at the next regular meeting following the vacancy.

ARTICLE VI – TRANSFERS

SECTION 1. Transfer of membership from this Unit to another in the Department shall be upon application of the member to, and acceptance by, the other Unit, and record of same shall be sent to Department Headquarters.

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 American Legion Auxiliary or The American Legion, any member may be expelled from membership or any officer 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 thirty (30) 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 shall be final. The expense of said appeal shall be borne by the appellant.

SECTION 2. Neither this Unit or any member thereof shall circularize any other Unit of member thereof without the consent of the Department Executive Committee.

SECTION 3. No member or group of members shall subject this Unit to liability without authorization.

ARTICLE VIII – AMENDMENTS

SECTION 1. These By-Laws may be amended at any meeting of the Unit by a two-thirds majority of the vote cast, provided the proposed amendment shall have been read at the meeting immediately preceding the vote thereon. These By-Laws may also be amended at any meeting of the Unit by unanimous consent.

SECTION 2. These By-Laws shall be automatically amended to conform to the National and Department By-Laws of the American Legion Auxiliary.

ARTICLE IX – PARLIAMENTARY AUTHORITY

SECTION 1. The unit organization shall be governed by “Roberts’ Rules of Order, Revised”, on all points not covered by this Constitution and By-Laws.

As approved at the October 19, 2010 Unit meeting.

Deborah Cline, President

Dolores Green, Secretary