

Revised:
September 1995
September 2018
September 2019
January 2024

UNIT CONSTITUTION

TO BE USED BY UNITS IN THE DEPARTMENT OF MINNESOTA

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 per cent 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 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: American Legion Auxiliary Unit of William R. Witty Post No. 37 The American Legion, Department of Minnesota.

ARTICLE II

Nature

Section 1. The American Legion Auxiliary is a civilian patriotic service organization, and each member shall perform her/his full duty as a citizen according to her conscience and understanding and according to the Constitution of the United States of America.

Section 2. The American Legion Auxiliary shall be wholly non-political and non-sectarian, 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.

ARTICLE III

Organization

Section 1. All Units in a District shall be a part of the District organization.

Section 2. Each Unit shall maintain a minimum membership of 10 Senior members.

Section 3. Application for charter must be approved by the Post to which the Unit wishes to become attached.

Section 4. No Unit shall be received into the organization until it shall have received a charter from the National Headquarters of the American Legion Auxiliary.

Section 5. Each Unit shall adopt the Unit Constitution and Bylaws as prescribed by the American Legion Auxiliary, Department of Minnesota. Units shall adopt standing rules for its government and such regulations as are proper and which do not conflict with the Constitution and Bylaws and Standing Rules of the National and Department organizations.

ARTICLE IV

Eligibility

- Section 1. (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.

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

- (a) Senior membership shall be the functioning (or active) group composed of members over the age of 18 years; provided, however, that a spouse 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 18 years, whose activities shall be supervised by the Senior membership. Upon reaching the age of 18 years, Junior members shall automatically be admitted into active membership with full privileges.

(c) Dues of both classes shall be paid annually.

Section 3. No person shall be a member at any time of more than one Unit.

Section 4. A Unit shall be the judge of its own membership.

Section 5. (a) Any member in good standing in a Unit shall be entitled to a transfer to another Unit.

(b) Any member in good standing, wishing to transfer to another Unit, must present to the new Unit her/his current membership card. Upon acceptance of the transfer application by the new Unit, the Unit Secretary will complete the Certificate of Transfer. The member shall then be entitled to active membership in said Unit. No dues shall be transferred.

ARTICLE V

Officers and Their Election

Section 1. There shall be a President, First Vice President, Second Vice President, Secretary, Treasurer, Chaplain, Sergeant-at-Arms, Historian and Parliamentarian.

Section 2. The Unit at its April, May or June meeting shall elect annually a President, a First Vice President, a Second Vice President, Treasurer, Sergeant-at-Arms, and two members of the Executive Committee. These officers will take office at the close of the Department Convention and hold office until the close of the following Department Convention.

Section 2. (a) Unit members shall not be permitted to vote unless present at the Unit meeting. There shall be no voting by mail or proxy.

(b) A plurality of the votes cast shall be necessary to elect. Only in case of a tie should another ballot be taken.

Section 3. In case of vacancy occurring between annual meetings in the office of Second Vice President, Treasurer, Sergeant-at-Arms, or the two elected Executive Committee members, the Unit Executive Committee shall fill said vacancy for the balance of said term. The person so named shall hold the office so vacated until the next annual meeting of said Unit for the election of officers. The Secretary and Treasurer may be one person.

Section 3. (a) A vacancy occurring in any elective office between the May or June election and the next Department Convention shall be filled by election at a Unit meeting duly called for that purpose.

(b) In case of vacancy occurring between Department Convention and the next annual meeting in the office of Unit President, the First Vice President shall fill said vacancy for the balance of said term, and the Second Vice President shall fill the office of First Vice President for the balance of said term.

Section 4. The new officers of Units automatically become the custodians of all Unit property and the retiring officers are charged with the duty of turning over to their successors not later than the time of Department Convention, such property as records, official correspondence, convention proceedings, charter, colors, handbooks, Unit Guide, manuals, etc.

Section 5. The Unit Executive Committee shall consist of seven persons, two of whom shall be elected as such at the annual meeting and the President, First Vice President, Second Vice President, Treasurer and retiring President. The Secretary shall be an ex-officio member without vote.

Section 6. In the event of the President succeeding themselves, her/his predecessor in office shall remain a member of the Executive Committee.

ARTICLE VI

Amendment

Section 1. This Constitution may be amended at any Department Convention by a two-thirds vote of the total number of votes to which the accredited delegates present are entitled by provisions as set forth in Article VII, Section 2 of the Department Constitution, providing the proposed amendments shall have been submitted through the Department Secretary to the Department Executive Committee prior to the convention; and provided further that all proposed amendments shall be read at a regular meeting of the convention.

Section 2. Necessary amendments proposed after distribution as described in Section 1, may be adopted by a two-thirds vote of the delegation, provided they have been read at one meeting of the convention session prior to taking the vote.

Section 3. A proposed amendment not having been previously read or distributed as required in Section 1 shall be referred to the Convention Constitution and Bylaws Committee called together for a special meeting before it comes to the floor for a vote. It may be adopted by the unanimous vote of the convention body.

ARTICLE VII

This Constitution shall be automatically amended to conform to the Constitution of the American Legion Auxiliary, Department of Minnesota.