



**American Legion Auxiliary  
Constitution and Bylaws**

**Smyrna Unit 160  
Department of Georgia  
160 Legion Drive  
Smyrna, GA 30080**

**REVISED  
February  
2020**

**In the Spirit of Service Not Self**



**CONSTITUTION  
AMERICAN LEGION AUXILIARY  
SMYRNA UNIT 160 - SMYRNA, GEORGIA**

**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 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**

The name of this organization shall be American Legion Auxiliary Smyrna, Unit 160, Department of Georgia.

**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  
OBJECT**

The object of the American Legion Auxiliary Smyrna, Unit 160, Department of Georgia, shall be as stated in the Preamble of the Constitution of the Auxiliary.

**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 to the grandmothers, mothers, sisters, spouses, and direct and adopted female descendants, including step relatives, of all men and women who were in the Armed Forces of the United States during the period of April 6, 1917 through November 11, 1918; or any time after December 7, 1941 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

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associated with the United States during any of said 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.

- 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 age eighteen (18) and older; provided, however, that a spouse under the age of eighteen who is eligible under Section 1 of this article, shall be classified as a Senior member.
  - (b) Junior membership shall consist of that group 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.

**ARTICLE V  
UNIT OFFICERS**

The Unit shall elect annually a President, First Vice President, Second Vice President, Secretary, Treasurer, Chaplain, Historian, and one (1) Sergeant-At-Arms. When a full slate of officers cannot be filled, the Unit may elect only one (1) Vice President.

**ARTICLE VI  
UNIT EXECUTIVE COMMITTEE**

The Executive Committee shall consist of the Unit Officers which is composed of the President, First Vice President, Second Vice President, Secretary, Treasurer, Chaplain, Historian, and Sergeant-At-Arms. If only one Vice President is elected, the Executive Committee shall consist of the Unit Officers which is composed of President, Vice President, Secretary, Treasurer, Chaplain, Historian, and Sergeant-At-Arms.

**ARTICLE VII  
FISCAL YEAR**

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

**ARTICLE VIII  
AMENDMENTS**

- Section 1.** This Constitution may be amended by being read at two (2) meetings, with action taken at the second meeting. Approval requires two thirds vote of the members present.
- Section 2.** All amendments to the Constitution and Bylaws shall conform to the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary.

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**ARTICLE I**  
**MEMBERSHIP**

- Section 1.** All applications for membership shall be made in writing, typed or in ink, and shall be given to the Membership Chairman to verify eligibility and obtain signature of the Post Adjutant or Post Commander.
- Section 2.** Application fees for membership shall be paid to the Membership Chairman upon making application. The applicant for membership shall be notified of acceptance or rejection by the Membership Chairman. If applicant is rejected their membership fee will be refunded.
- Section 3.** There will be at least one (1) Initiation Ceremony per year; however, the Unit may have as many as deemed necessary.

**ARTICLE II**  
**UNIT 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.
- 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 membership present. If more than one candidate is nominated, election shall be by secret ballot. A person so elected shall hold office for the remaining term of the member she succeeds.
- Section 3.** Four (4) members of the Executive Committee shall constitute a quorum.
- Section 4.** The Executive Committee shall meet monthly, prior to the General Membership Meeting. Special meetings maybe called by order of the President or on written request of at least three (3) members of the Executive Committee. Each member of the Executive Committee must be informed of the purpose of the meeting and only business specified shall be transacted.

**ARTICLE III**  
**DUTIES AND POWERS OF THE OFFICERS**

- Section 1. DUTIES OF THE PRESIDENT:** It shall be the duty of the President to preside at all meetings of the Unit and the Executive Committee to enforce strict observance of the Constitution and Bylaws; to appoint members of the standing committees and to create other duties as custom and parliamentary usage requires. The President

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shall be eligible to serve as Ex-Officio member of all committees except the nominating committee. In the event the President resigns, is removed from office, or can no longer perform such duties, an election may be held to replace the President if the First or second Vice-President cannot assume that office. The President shall appoint a Parliamentarian. The Parliamentarian has no voice or vote during the meeting according to Roberts Rules of Order.

- Section 2. DUTIES OF THE FIRST VICE-PRESIDENT:** It shall be the duty of the First Vice-President, when called upon, to assist the President and in the absence of the President, perform such duties and shall succeed the President in office in case of death, resignation, or removal. The First Vice-President shall be the Leadership Chairman and is responsible for an annual leadership workshop.
- Section 3. DUTIES OF THE SECOND VICE-PRESIDENT:** It shall be the duty of the Second Vice-President to assume the duties of the First Vice-President or the President in their absence. By virtue of this office, the First Vice-President shall be chairman of the Membership Committee, and as such, shall receive and process all applications for membership. If it is necessary to elect only one Vice-President, the Vice President would have the duties of the First and Second Vice-President.
- Section 4. DUTIES OF THE SECRETARY:** It shall be the duty of the Secretary to record proceedings and transactions of all meetings of the Unit and to keep all records that are needed to carry on successfully the work of such office. The Secretary shall receive and answer all official mail under the direction of the President, and other such duties as shall be required by the President. The Secretary shall always keep all official records in a binder or file in the Auxiliary office.
- Section 5. DUTIES OF THE TREASURER:** It shall be the duty of the Treasurer to receive all money belonging to the Unit and to account for it. The Treasurer and any member handling Unit funds shall be bonded by the Department; the premium of the aforesaid bond to be paid by the Unit. The Treasurer shall pay all legitimate requests for payment and shall retain these vouchers. The Treasurer shall keep account of receipts and expenditures, making a monthly report thereof, and such other reports as deemed necessary by the Executive Committee. The checkbook will be turned over to the in-coming Treasurer on July 1st. All other records of the Treasurer will be turned over to the Audit Committee chairman immediately following the approval of the June financial statement at the July General Membership meeting.
- Section 6. DUTIES OF THE HISTORIAN:** It shall be the duty of the Historian to compile the historical records of the Unit, to make a report to the District and Department, and to be responsible for preparing the History book and sending it to the District Historian for judging. If the History Book places 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> in the District, it will

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be sent to the Department Historian for judging. The Historian shall perform other such duties as may be required 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 meeting, and to be responsible for preparing the Prayer Book and sending it to District for judging. If the Prayer Book places 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> in the District it will be sent to Department Chaplain for judging. The Chaplain shall perform other such duties as may be requested by the President. Dedication of the Prayer Book is determined by the Chaplain.
- Section 8. 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, to include removal of any member violating the code of conduct. Shall perform other such duties as may be requested by the President.
- Section 9.** All Officers may serve as long as they are re-elected each year by the Unit.

**ARTICLE IV**  
**COMMITTEES**

- Section 1. NOMINATING COMMITTEE:** The Nominating Committee is comprised of three (3) members, all of whom shall be elected by the Unit, one (1) whom shall be elected as Chairman. This committee shall be elected in March for the election in May. Members of this committee may seek election to an office.

It is the responsibility of the Nominating Committee to present a slate of officers for the ensuing year. The Nominating Committee Chairman will be responsible for placing a Declaration Board in the Legion Social Quarters forty-five (45) days prior to the election. Any member desiring to run for office must personally sign their name. The Declaration Board will be removed one (1) week prior to the May meeting by the Nominating Committee Chairman. Nominations from the floor will be opened for each office at the May meeting. The nominating committee is also responsible for preparing ballots for distribution to members at the May meeting.

- Section 2. AUDIT COMMITTEE:** An Audit-Committee of three (3) shall be appointed by the President to examine the Treasurer's books annually for the past Auxiliary year beginning July 1 and ending June 30. The Treasurer will be an Ex-Officio member of the committee and will turn over to the committee all records necessary to perform the audit upon the review and approval of the final Treasurer's report at the July meeting. This committee shall give their report to the membership by the September General Membership meeting.

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**ARTICLE V**  
**DUES**

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

**ARTICLE VI**  
**UNIT MEETINGS**

- Section 1.** An annual election of officers of this unit shall be held at the General Membership meeting in May.
- Section 2.** All annual reports from committee chairmen shall be turned in to the Unit President at the April meeting. All annual committee reports are due to be mailed to Department and District postmarked by May 1.
- Section 3.** Special meetings of the Unit may be called by the President, by a majority of the Executive Committee, or upon written request of three (3) members at large.

**ARTICLE VII**  
**ELECTION OF OFFICERS**

- Section 1.** All Officers and Executive Committee members shall be elected at the annual May General Membership meeting.
- Section 2.** Election shall be by secret ballot. A majority of votes shall be necessary to elect. When there is only one (1) candidate for an office, the nominee shall be elected by voice vote.
- Section 3.** In order to participate in the election of Unit Officers, a member shall be a member in good standing and have paid dues by January 31 of the election year.
- Section 4.** It is the responsibility of the person seeking office, if there is opposition, to appoint a Teller for the purpose of counting ballots. The President shall appoint a Head Teller.

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**Section 5.** Delegates and Alternates to all District Conventions and Department Conventions shall be elected at Unit meetings prior to District and/or Department Conventions. Alternates shall have priority in the order of their election.

**ARTICLE VIII**  
**TRANSFERS**

Transfer of membership from one Unit to another in the Georgia Department shall be upon application of the member to, and accepted by, the other Unit, in conformity with National and Department Constitution and Bylaws.

**ARTICLE IX**  
**DISCIPLINE**

- Section 1. CODE OF CONDUCT:** No member shall harass, degrade, threaten, or harm another Auxiliary member, or disrupt any Auxiliary meeting vocally or physically at any time; or by such actions, bring disgrace upon the Unit as a whole or upon any member as an individual.
- Section 2. EXPULSION OR SUSPENSION:** For violation of the Unit, State, or National Constitution, or for conduct improper and prejudicial to the welfare of the Auxiliary of the American Legion, any member may be expelled from membership or an 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 at least 15 days notice in writing by the Unit Secretary of the charges and hearing thereon. Both parties may have the right of appeal to the Department Executive Committee, and their action thereon shall be final. The expense of said appeal should be borne by the appellant.
- Section 3.** Expulsion from one Unit does not prevent a member from applying for membership in any other Unit.
- Section 4. LIABILITIES:** No member or group of members shall subject this Unit to liability without authorization of the Unit.

**ARTICLE X**  
**PARLIAMENTARY AUTHORITY**

The Unit organization shall be governed by the “Current Edition of Robert’s Rules of Order, Newly Revised” in all points not covered by the Unit, Department, and National Constitution and Bylaws, and the Unit Handbook of the American Legion Auxiliary.

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**ARTICLE XI  
AMENDMENTS**

**Section 1.** These Bylaws may be amended by being read at two (2) meetings, with action taken at the second reading. Amendments must be approved by the majority of members present.

**Section 2.** These Bylaws shall be automatically amended to conform to the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary.

**2020 Committee:** Barbara McGee, Chairman  
Ramona McCary  
Marilyn Roy  
Cheryl Waybright

**Revised and Presented**

Date Adopted February 18, 2020

Constitution & Bylaws Chair Barbara McGee  
President Kari Marschark  
Secretary Susan Flett

**Amendment History:**

2019-2020. Edits per requirements of national to include all wars, spouse, her, and removal of voting in a member.

**AMERICAN LEGION AUXILIARY  
SMYRNA UNIT 160  
STANDING RULES 2019-2020**

The Smyrna Unit 160 of the 5<sup>th</sup> District, American Legion Auxiliary, hereby adopts the Constitution and Bylaws as prescribed by the America Legion Auxiliary, Department of Georgia.

1. The regular meeting of this Auxiliary Unit shall be held on the third Tuesday of each month and shall be called to order at 7:30 PM, the exception shall be joint meetings held with the Legion and S.A.L.
2. Annual dues of \$30.00 for Seniors and \$8.00 for Juniors shall be payable annually for the succeeding calendar year or for life.
3. Anyone with continuous service of forty (40) years shall automatically become a life member.
4. American Legion Auxiliary Standing Rules are to be updated annually by the Standing Rules Committee selected by the incoming president. Written recommendations are to be presented to the General Membership for approval.
5. The Auxiliary member responsible for ticket sales will always request someone from the audience to draw tickets.
6. No smoking or alcoholic drinks will be permitted at any Auxiliary meeting.
7. The Treasurer will not pay anyone for purchases made without a valid receipt or, in the event of a lost receipt; the Executive Board must approve payment.
8. Poppies are to be ordered for Memorial Day and Veteran's Day distribution. Poppies may also be used for ceremonies and/or decorations throughout the year.
9. All Auxiliary mail is to be sent to the Home Post in the name of the respective officer and opened only by the recipient named or by the Auxiliary President. Exception to this rule is membership dues mailed to the Post Home, identifiable by member name and return address. This mail to be opened by the 2<sup>nd</sup> Vice President/Membership Chairman only.
10. All Officers should have their key card validated to the Auxiliary office. Other members may request that their key card be validated.
11. All Fund Raising Chairmen or persons appointed will count all monies with the Treasurer or person designated by the Treasurer.
12. There will be a two (2) minute limit per item per member for reports and discussions during Auxiliary meetings.
13. Minutes of the General Membership Meeting will be emailed within 10 days to all members that have provided an email address.

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14. Four (4) Executive Committee members and four (4) members at large shall constitute a quorum at any General Membership meeting.
15. Unit minutes are signed by the Unit Secretary and Unit President.
16. A Committee of three is appointed by the President every five years, or as often as deemed necessary by the current Executive Committee, to study and update the current Bylaws
17. Constitution and Bylaws and Standing Rules are signed by the Committee Chairman, Unit president and Unit Secretary.
18. The adopted copy of Constitution and Bylaws and Standing Rules are mailed to Department, Constitution and Bylaws Chairman and Department Headquarters.
19. Budget –
  - A. The President may authorize spending up to \$50 per month for Auxiliary emergencies without calling the Executive Committee. Receipts must be submitted to the Treasurer for payment.
  - B. The ALA Unit 160 Executive Board has the authority to approve up to \$150 in expenses for the purposes of conducting ALA business (emergency or otherwise) when the timeline to execute a full vote of the general membership is not possible. The Executive Board will present this action at the next General Membership Meeting.
  - C. Furnish decorations and decorate for the installation as agreed upon by incoming Auxiliary President, Legion Commander, and S.A.L. Commander.
  - D. Registration fee for any member attending the District meetings will be paid by the Unit.
  - E. Ten (10) percent of net proceeds of ALL FUND RAISERS are to be placed in the VA fund, with the **exception of designated fund raisers such as the Special Olympics.**
  - F. Furnish \$10.00 spending money for girls attending Girls State.
  - G. In the event of the death of a child of an Auxiliary member, send floral arrangement or donation to the family's choice of charitable organization up to \$75.00. Brick pavers are to be purchased in lieu of flowers for deceased members.
  - H. Continuous years of membership pins are to be presented to members **in attendance** at the Awards Banquet. Pins are to be mailed to members with twenty five (25) years

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or more for continuous membership. All other requests for membership pins must be made to the Membership Chairman.

- I. The raffle license is to be renewed each year before 12/31 to avoid paying a fee.
- J. Entertainment costs for Auxiliary functions will be paid by the Auxiliary. Entertainment costs for joint sponsored functions with the Legion and/or SAL will be shared.
- K. Annual Corporation Registration is to be paid from General Funds.

Standing Rules are adopted by a majority vote and may be amended by two-thirds (2/3) vote at any meeting, or if notice has been given, by a majority vote.

**2019-2020 Committee:**

Barbara McGee, Chairman  
Ramona McCary  
Marilyn Roy  
Cheryl Waybright

Date Adopted January 21, 2020

Constitution & Bylaws Chair Barbara McGee  
President Kari Marschark  
Secretary Susan Frott

**Amendment History:**

2019-2020: one change, the addition of a new 19 B and subsequent renumbering of C-K.

# AMERICAN LEGION AUXILIARY

## **Mission:**

*In the spirit of service, not self, the mission of the American Legion Auxiliary is to support The American Legion and to honor the sacrifice of those who serve by enhancing the lives of our veterans, military, and their families, both at home and abroad. For God and Country, we advocate for veterans, educate our citizens, mentor youth, and promote patriotism, good citizenship, peace and security.*



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<https://www.alpost160.com/american-legion-auxiliary.html>