

DEPARTMENT OF CALIFORNIA
BY-LAWS
&
ADMINISTRATIVE PROCEDURES



2021 EDITION
AMENDED

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MARINE CORPS LEAGUE



DEPARTMENT OF CALIFORNIA

1 October 2021

DEPARTMENT BYLAWS CHANGE

From: Department Commandant

To: Distribution List

Subj: Department Bylaws and Administrative Procedures Changes

Ref: 2021 Edition of the Department Bylaws and Administrative Procedures.

1. Background. At the 2018 National Convention revisions to the National Bylaws and Administrative Procedures were adopted; additional changes were adopted at the 2019 and 2021 National Conventions.
2. Summary of Changes. Those changes to the National Bylaws and Administrative Procedures, which have local application are incorporated into the Department Bylaws, Edition 2021.
3. Action. Remove from Detachment files all previous editions of the Department Bylaws and Administrative Procedures, and replace with the 2021 Edition. Review the Articles contain in the 2021 Edition and make appropriate changes to the Detachment Bylaws for consistency with the National and Department Bylaws and Administrative Procedures.

A handwritten signature in black ink, appearing to read "Juan Pascacio".

Juan Pascacio
Department Commandant

Distribution: All Detachments
Department Board of Trustees
Regional Coordinators

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CONTENTS

		Section	Page
ARTICLE I	Purpose	100- 105	1-1
	Not For Profit	101	1-1
	Non-Discrimination	102	1-1
	Mission Statement	105	1-2
ARTICLE II	Department Convention	200 – 245	2-1
	Authority	200	2-1
	Committees	201	2-1
	Credentials, Delegates and Alternates	205	2-1
	Voting,	210	2-2
	Elective Officers	215	2-2
	Eligibility	216	2-2
	Nominations	220	2-2
	Elections	225	2-2, 2-3
	Term of Office	230	2-3
	Installation of Officer	231	2-3
	Quorum	235	2-3
	Right to Speak	240	2-3
	Business Sessions	245	2-3
ARTICLE III	Department Board of Trustees	300 - 335	
	Composition	300	3-1
	Powers	305	3-1
	Duties	310	3-1, 3-2, 3-3
	Vacancy	315	3-3, 3-4
	Board of Trustees Meetings,	320	3-4
	Quorum	325	3-4
	Voting	330	3-4
	Conduct of Business	335	3-4, 3-5
ARTICLE IV	Department Staff	400 - 415	
	Composition	400	4-1
	Powers	405	4-1
	Staff Officer’s Duties	410	4-1, 4-2, 4-3
	Vacancy	415	4-3
	Term of Office	420	4-3
ARTICLE V	Department	500 – 550	
	Authority	500	5-1
	Bylaws	501	5-1
	Officers	505	5-1
	Eligibility	507	5-1
	Meetings	510	5-1
	Board of Trustees	515	5-1
	Default	520	5-1
	Freedom of Action	525	5-1
	Charter Suspension, Revocation	530	5-1

Quorum	535	5-2
Bonding	540	5-2
Contracting Authority	545	5-2
Parliamentary Authority	550	5-2
 ARTICLE VI Detachments	 600 - 675	
Name	600	6-1
Authority	601	6-1
Bylaws	605	6-1
Officers Eligibility	610	6-1
Term Limits	612	6-1
Vacancies	613	6-1, 6-2
Meetings	615	6-2
Quorum	620	6-2
Board of Trustees	625	6-2
Election, Installation of Officers	630	6-2, 6-3
Default	635	6-3
Members	640	6-3
Members Transfer	641	6-3
Death of a Member	642	6-3, 6-4
Removal from Detachment Rolls	643	6-4
Bonding	645	6-4
Additional Detachment	650	6-4
Charter Suspension, Revocation	655	6-4, 6-5
Charter Voluntary Surrender	660	6-5, 6-6
Responsibility	665	6-6
Parliamentary Authority	670	6-7
Contracting Authority	675	6-7
 ARTICLE VII Members	 700 - 760	
Membership Eligibility	700	7-1, 7-2
Membership Application	705	7-2
Initiation	709	7-3
Membership Dues and Fees	710	7-3
Good Standing	715	7-3
Delinquent Member	720	7-3, 7-4
Not In Good Standing	721	7-4, 7-5
Ineligible Member	725	7-5
Rights of Members	730	7-5
Rights of Appeal	735	7-5
Members-At-Large	740	7-5, 7-6
Life Members	745	7-6
Dual Membership	750	7-6
Resignation	755	7-6
Membership Numbers	760	7-7
 ARTICLE VIII Committees	 801 - 804	
Budget Committee	801	8-1
Audit Committee	802	8-1
Department Marine of the Year Society	803	8-1
Department Commandant's Council	803	8-1, 8-2
Other Committees	804	8-2

ARTICLE IX	Fiscal and Finance	900 - 903	
	Fiscal Year	900	9-1
	Revenue	901	9-1
	Annual Budget	902	9-1
	Young Marines Program Funding	903	9-2
ARTICLE X	Amendments	1000-1001	
	Amendment of the Bylaws,	1000	10-1
	Department Bylaws Distribution	1001	10-1
ARTICLE XI	Authority	1100-1101	
	Authority	1100	11-1
DEPARTMENT ADMINISTRATION PROCEDURES			
	Department Conventions, Staff Meetings	AP-1- AP-3	
	Section 35, General Rules of the Convention	Enclosure (1)	
	Compliance Requirements for Organizing Officers	Enclosure (2)	

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DEPARTMENT OF CALIFORNIA
MARINE CORPS LEAGUE

BYLAWS
ARTICLE I

PURPOSES

SECTION 100 – PURPOSE. The purposes of the Marine Corps League (MCL) shall be:

- A. To preserve the traditions and to promote the interests of the United States Marine Corps;
- B. To band those who are now serving in the United States Marine Corps and those who have been honorably discharged from that service together in fellowship that they may effectively promote the ideals of American freedom and democracy;
- C. To fit its members for duties of citizenship and to encourage them to serve as ably as citizens as they have served the Nation under arms;
- D. To hold sacred the history and memory of the men who have given their lives to the Nation;
- E. To foster love for the principles which they have supported by blood and valor since the founding of the Republic;
- F. To maintain true allegiance to American Institutions;
- G. To create a bond of comradeship between those in the service and those who have returned to civilian life;
- H. To aid voluntarily and to render assistance to all Marines, FMF Corpsmen and FMF Navy Chaplains as well as to their widows and, orphans; and
- I. To perpetuate the history of the United States Marine Corps, and by fitting acts to observe the anniversaries of historical occasions of particular interest to Marines.

SECTION 101 - NOT FOR PROFIT. The MCL is not organized for and shall not be operated for pecuniary gain or profit. No part of the property of the corporation and no part of its net earnings shall inure to the benefit of or be distributed to any director, member, or other private individual. The MCL shall never be authorized to engage in a regular business of a kind ordinary carried on for profit or in any other activity except in furtherance of the purposes for which the MCL are organized. **Nat’l Chg. 2018**

SECTION 102 NON-DISCRIMINATION. The Marine Corps League:

- A. Shall never take part in any labor or management dispute or issue;
- B. Shall not be sectarian, political, and partisan;
- C. Shall not be based on race, color, creed, nationality or sex;
- D. Shall not be used as a medium of political ambition or preferment’ and
- E. Shall not use former or present military rank or former or present civilian position as the basis for special consideration and preferment. **Nat’l Chg. 2018**

SECTION 105 – MISSION STATEMENT. The Mission of the Marine Corps League is to promote the interest and to preserve traditions of the United States Marine Corps; strengthen the fraternity of the Marines and their families; serve Marines, FMF Corpsmen, and FMF Chaplains who wear or have worn the Eagle, Glove, and Anchor; and foster the ideals of Americanism and patriotic volunteerism. **Nat'l Chg. 2018**

BYLAWS

ARTICLE II DEPARTMENT CONVENTIONS

SECTION 200 – AUTHORITY. The supreme legislative and policy making power of the Department of California, Marine Corps League, shall be vested in a Department Convention conducted annually between 1 April and 30 June and composed of the properly elected, registered delegates in good standing. The Department Charter or a copy, the National Ensign, and a Bible shall be displayed at all business sessions of the Convention. **Nat'l Chg. 2019**

SECTION 201 – DEPARTMENT CONVENTION COMMITTEES. The Department Convention Administrative Committees shall be: Credentials, Bylaws, Resolution, Rules, and Standing Committees

SECTION 205 – CREDENTIALS – DELEGATES, ALTERNATES, and MEMBERS.

- A. Delegates, alternates and members attending business sessions of the Department Convention must be in good standing, registered with the Credentials Committee, and possess approved credentials.
- B. The basis of a Detachment delegates or their alternates to the Department Convention shall be determined by the Detachment's membership on record at Department Headquarters thirty (30) days prior to the convening of the Convention. The delegate voting strength of each Detachment shall be as follows: for each block of five (5) Regular Members, one delegate or alternate. For remaining partial number less than five (5) Regular Members, one (1) delegate or alternate. However, no delegate strength of a Detachment shall be computed by including those members not in good standing, or Associate and Honorary Members.
- C. Should a Detachment be in default of payment of funds from any source due the Department or the National Headquarters as of thirty (30) days immediately prior to the Department Convention, such fact shall be reported by the Department Paymaster to the affected Detachment, and to the Department Convention Credentials Committee. The credentials of that Detachment's delegates or alternates shall not be approved unless settlement is made at the Convention site with the Department Paymaster, in cash, unless previously resolved.
- D. The Department Paymaster will report to the Department Credentials Committee any Detachment that as of thirty (30) days prior to the convening date of a Department Convention has failed to report on a standard Membership Dues Transmittal Form to National Headquarters that it has fifteen (15) or more members; such Detachment's delegates and alternates shall not be approved by the Convention Credentials Committee
- E. Notwithstanding the provisions of Section 205 C and D above, no member in good standing may be deprived of his individual vote at a Department Convention.
- F. The Delegate/Alternate credentials of a Detachment may only be claimed by a registered member of that Detachment.
- G. Each Detachment shall be provided written notification of the date and location of a pending Department Convention at least sixty (60) days prior to the opening date of the Convention; such notification to include the Delegate Registration Form.
- H. The Delegate Registration Form and associated fees must be submitted by the Detachment to be received by the Department Paymaster at least fifteen (15) days prior to the convening of the Department Convention. Those delegates names not received within the required time frame will not be credentialed as a delegate authorized to cast votes for his Detachment. (Section 4, Administrative Procedures for fee amount.)

SECTION 210 – VOTING.

- A. Except as otherwise provided in these Bylaws and Robert’s Rules of Order, a majority vote by the delegates and members shall carry any measure and decide any issue.
- B. Each delegate complying with Section 205 is entitled to cast one (1) vote for five (5) members, provided that the total vote of the Detachment delegates does not exceed the Detachment membership strength. A delegate, or alternate in the absence of a delegate present at the time of voting may, on behalf of registered and approved absent delegates, cast the vote of the Detachment’s full voting strength.
- C. A roll call vote may be required and recorded upon the request of any ten registered and approved delegates, except as provided for in Section 210 E.
- D. A Detachment Commandant, being a registered and approved delegate, or his registered and approved designee, in the Detachment Commandant’s absence, may cast the full voting strength of the Detachment, subject to the will of and in the manner specified by the registered and approved delegates present from the Detachment.
- E. If a registered delegate should doubt the vote of his Detachment, a roll call vote of that Detachment shall be called. Each registered delegate or designated alternate of that Detachment, when called, will rise and announce his vote.

SECTION 215 – ELECTIVE OFFICERS. The Department Officers to be elected by a Department Convention shall be: Commandant, Senior Vice Commandant, Junior Vice-Commandant, and Judge Advocate.

SECTION 216 - ELIGIBILITY. Each nominee shall be a Regular Member in good standing in the Department of California at the time of nomination. Verification of such standing shall be made by the Department Paymaster.

A. All elected Department Officers shall submit to the Department Judge Advocate, within sixty days of election, proof of Honorable Service in the United States Marine Corps. Failure to submit proof of Honorable Service within sixty days shall invalidate the election, and the office declared vacant.

SECTION 220 – NOMINATIONS. Nominations for elective Department Office shall be made from the floor no later than the day preceding the day on which the elections are to be held. Each nominee, when called upon, if not restricted by a physical impairment, and state to the Chair that if elected he will accept the office and serve loyally, faithfully and to the best of his ability.

SECTION 225 – ELECTIONS.

- A. The election of Department Officers shall be the last order of business on the floor of the Department Convention. The election of the Department Commandant, Department Senior Vice Commandant, Department Junior Vice Commandant, and Department Judge Advocate shall be conducted by a ballot vote.
- B. The Chair shall not accept or entertain any issue, question or subject, which is not strictly related to the ballot vote once the balloting has begun. Without explicit permission of the Chair, a voting member shall not be allowed to enter or leave the Convention floor until the balloting vote in progress is concluded.
- C. Voting for all officers shall be conducted by a single ballot.
1. A nominee must receive a majority vote to be elected.
 2. Votes may be cast for any member eligible for election.

3. If a nominee for an office fails to receive a majority of the votes cast, balloting shall be repeated for that office until a majority vote is achieved.
4. The Department Commandant will appoint tellers to collect and count the ballots.

D. As an exception, if there is only one candidate for an office a ballot vote will be dispensed with and the Chair will declare the candidate elected.

SECTION 230 – TERM OF OFFICE. All Department elected Officers shall be elected for a term of one (1) year and may stand for re-election.

SECTION 231 - INSTALLATION OF OFFICERS. The Installing Officer must be the National Commandant, a Past National Commandant, an elected National Officer, the Department Commandant, or a Past Department Commandant. The Installing Officer shall select the necessary aides.

A. The installation of Department Officers will be conducted immediately subsequent to their election or their appointment.

B. The “Report of Installation” form must be received by National Headquarter by July 31st each year. Any time throughout the year there is a change in any Officer’s position, the new Officer must be sworn in in accordance with the National Administrative Procedures and a new “Report of Installation” submitted. **Nat’l. Chg. 2018**

C. It shall be the responsibility of the Installing Officer to sign, date, and forward the installation report, within the time frame as specified in Section 855, Article VIII of the National Bylaws. (See Enclosure (5) of the National Administrative Procedures for instructions on completing the Report of the Officers and Installation.) **Nat’l Chg. 2018**

SECTION 235 – QUORUM. The quorum for a Department Convention will be a majority of the registered delegates, alternates and members attending.

SECTION 240 – RIGHT TO SPEAK. All registered delegates, when recognized by the Chair and not expressly prohibited by the National or Department Bylaws, shall have the right to speak on any subject and all issues brought to the Convention for its consideration. Each registered National Officer, Past National Commandant, Department Officer, Past Department Commandant and member may be granted the floor by the Chair.

SECTION 245 – BUSINESS SESSIONS. Business sessions of the Department Convention shall start Friday a.m. and conclude Saturday p.m. with the installation of Department Officers.

BYLAWS

ARTICLE III DEPARTMENT BOARD OF TRUSTEES

SECTION 300 – COMPOSITION. The elected Officers of the Department shall be the Department Board of Trustees and shall be composed of the following officers. No member of the Department shall serve in more than one position on the Board of Trustees.

- A. Department Commandant
- B. Department Senior Vice Commandant
- C. Department Junior Vice Commandant
- D. Department Judge Advocate
- E. The outgoing Department Commandant, or a Past Department Commandant (Appointed)

SECTION 305 – POWERS. Whatever power is vested in the National Organization, shall in corresponding circumstances, be vested in the Department.

- A. To authorized the employment of personnel and approve their compensation.
- B. To initiate and consummate the suspension or revocation for cause of a Detachment Charter. (Chapter Six, Section 6045 b of the National Administrative Procedures.)
- C. To exercise such other powers and to do such other actions as are compatible with the National and Department Bylaws and Administrative Procedures that are in the best interest of the Marine Corps League, and to exercise executive power between Department Conventions.
- D. To approve or disapprove the minutes of the Department Convention at the next regularly scheduled Staff Meeting of the Department of California, Marine Corps League, following the Convention, only to the degree of correcting errors and omissions

SECTION 310 – DUTIES- BOARD OF TRUSTEES. In addition to the specific duties of the individual Board members, as here-in stated, it shall be the duty of each member of the Board of Trustees to acquire a working knowledge of the National and Department Bylaws and Administrative Procedures of the Marine Corps League. The specific duties of the members of the Board of Trustees shall be:

A. **DEPARTMENT COMMANDANT** - shall preside at all sessions of the Department Convention, and at all meetings of the Department Board of Trustees. The Department Commandant together with the Department Board of Trustees shall have direction and control of the executive and administrative affairs of the Department of California, Marine Corps League, between Department Conventions. In addition, the Department Commandant shall:

1. Observe and enforce the observance of the Congressional Charter, and the National Bylaws and Administrative Procedures of the Marine Corps League, and the Department Bylaws.
2. Direct to all officers and members such orders as are not in conflict with the National and Department Bylaws and Administrative Procedures, which are necessary for the proper conduct of business.
3. Call such meetings of the Department Board of Trustees as are required by the Department Bylaws and Administrative Procedures.

4. Seek the advice of the Department Board of Trustees and Staff.
 5. With the Department Paymaster have custody of all funds and property of the Department, subject to the supervision of the Department Board of Trustees.
 6. With the advice and consent of the Department Board of Trustees, appoint the following Department Staff Officers:
 - a. Department Adjutant
 - b. Department Paymaster
 - c. Department Chaplain
 - d. Department Junior Past Commandant
 - e. Department Sergeant-At-Arms
 - f. Department VAVS Representative
 - g. Department Director of Veterans Services
 - h. Department Historian
 - i. Department Convention Counselor
 - j. Liaison Officer to California Young Marines
 - k. Department Region Coordinators
 - l. Department Legislative Officer
 7. With the advice and consent of the Department board of Trustees appoint the following standing committees:
 - a. Department Auditing Committee
 - b. Department Budget Committee
 - c. Department Awards Committee
 - d. Department Bylaws Committee
 8. With the advice and consent of the Department Board of Trustees, approve or disapprove all proposed expenditures of funds by the Department Paymaster that are in excess of the approved Department budget.
 9. Represent the Marine Corps League at all social functions and ceremonies in such a manner as will enhance the dignity, honor and prestige of this organization.
 10. Perform such other duties as are directed.
- B. DEPARTMENT SENIOR VICE COMMANDANT** – shall give every assistance to the Department Commandant, and in the absence of the Commandant, shall perform the duties of that Office. He shall preside over all Detachment Commandants’ Council Conferences; with their assistance, initiate and implement such programs as will increase the effectiveness of the Department of California.
- C. DEPARTMENT JUNIOR VICE COMMANDANT** – shall create and promulgate such membership incentives and programs as will produce enthusiastic response resulting in continue membership growth. In the event of the absence of both the Department Commandant and Department Senior Vice Commandant, he shall perform the duties of the Office of Department Commandant.
- D. DEPARTMENT JUDGE ADVOCATE** – shall interpret the National and Department Bylaws and Administrative Procedures, and Robert’s Rules of Order (Revised). He shall advise, construe, and render opinions on questions of bylaws and procedure to the Department Commandant, Department Board of Trustees, Staff and Detachments, when so requested in the manner outlined hereinafter.
1. On all questions of bylaws and procedure pertaining to the Department of California, Marine Corps League referred to this officer through channels, the Department Judge Advocate shall rule in writing, mailing copies of the ruling to the parties concerned and to the Department Commandant, and such ruling shall be binding unless and until reversed by the Department Board of Trustees or the Department Convention.

2. The Department Judge Advocate may not hold the office of Commandant or Judge Advocate in his Detachment. If this is the case, then the resignation from the Detachment office shall be required upon being sworn into the Department Office.

3. The Department Judge Advocate will review each Detachment's Bylaws for consistency with the National and Department Bylaws and Administrative Procedures. An approved copy of the bylaws will be maintained in the files of the Department Judge Advocate, and a copy returned to the Detachment.

4. The Department Judge Advocate will review and file for record the following submitted documents: Articles of Incorporation, IRS letter of assignment of the EIN, and California Franchise Tax Board tax-exempt letter, and the registry confirmation letter from the Registry of Charitable Trusts.

E. JUNIOR PAST DEPARTMENT COMMANDANT. Appointed to the Department Board of Trustees as authorized by Article VIII, Section 840 of the National Bylaws to serve a term of one year. The Junior Past Commandant shall be a full voting member of the Department Board of Trustees, contributing generously and impartially from past experience to the best interest of the Department.

SECTION 315 - VACANCY. - DEPARTMENT ELECTED OFFICERS Nat'l Chg. 2021

A. Order of Succession. The order of succession to the office of the Department Commandant shall be: first, Department Senior Vice Commandant and second, Department Junior Vice Commandant.

1. **Department Commandant.** Should the Commandant's position become vacant, the Senior Vice Commandant, if agreeable, will serve as the new Commandant for the remainder of the term. If not agreeable, the Junior Vice Commandant, if agreeable, will serve as the new Commandant for the remainder of the term. If neither one is agreeable, the Division Vice Commandant will be responsible for finding a replacement Department Commandant with the assistance from the rest of the Department Staff. If either the Senior Vice Commandant or the Junior Vice Commandant serve as the replacement Commandant, they will be responsible for finding a replacement for their previous position with assistance and approval of the Department Board of Trustees.

2. **Department Senior Vice Commandant.** Should the Senior Vice Commandant position become vacant the Junior Vice Commandant, if agreeable, will serve as the new Senior Vice Commandant for the remainder of the term. If not agreeable, the Commandant will be responsible for finding and appointing a replacement for the vacancy, with assistance and approval of the Department Board of Trustees.

3. **Department Junior Vice Commandant or Judge Advocate.** Should the Junior Vice Commandant or Judge Advocate position become vacant, the Commandant will be responsible for finding and appointing a replacement for the vacancy, with the assistance and approval of the Department Board of Trustees.

4. **Any Other Department Officer.** Should any other elected or appointed position become vacant, the Commandant will be responsible for finding and appointing a replacement for the vacancy, with assistance and approval of the Department Board of Trustees.

B. Causes for Vacancy. In addition to death, resignation, or incapacity a vacancy shall occur through:

1. An elected officer vacancy should occur through the failure to attend two consecutive, officially called meetings of the Department Board of Trustees.

2. An elected or appointed officer vacancy shall occur through removal from office by disciplinary action in accordance with the National Administrative Procedure.

3. An elected or appointed officer vacancy shall occur when the offending officer is no longer in good standing.
Nat'l Chg. 2021

C. Installation and Report of Installation Submission. Upon appointing a member to any new position of the Department staff, the Commandant, or Division Vice Commandant in the case of a newly appointed Commandant, will swear in the officer to the new position and submit the completed “Report of Installation” as specified in the National Administrative Procedures. **Nat’l Chg. 2018**

SECTION 320 – BOARD OF TRUSTEES MEETINGS.

A. The Department Board of Trustees shall meet:

1. Annually, immediately prior to each Department Convention to close out the executive administration of the Department Board of Trustees for the fiscal year; to finalize preparation for the ensuing Convention and to identify pending and unaccomplished executive actions warranting further action by the Convention, or by the Department Board of Trustees during the ensuing fiscal year.
2. Annually, immediately after adjournment of each Department Convention for the purpose of selecting appointive Department Officers and standing committees and for the transaction of such other business as may properly come before it.
3. Annually, during the months of October and March, at a location chosen by the Department Board of Trustees.
4. At the call of the Department Commandant for special emergency reasons, providing that a quorum of the Board of Trustees is assured by the Department Adjutant polling the Department Board of Trustees prior to the issuance of the call for a special Board of Trustees meeting.

B. The conduct of business at all Department Board of Trustees meetings shall be Robert’s Rules of Order, Revised when not in conflict with the Department Bylaws.

SECTION 325 – QUORUM. The presence of a majority of the Department Board of Trustees shall constitute a quorum for the transaction of business.

SECTION 330 – VOTING. Each Department Board of Trustees member shall have one (1) vote. There shall be no proxy voting. The Department Judge Advocate shall abstain from voting on all matters wherein the Department Judge Advocate has rendered an official opinion.

SECTION 335 – CONDUCT OF BUSINESS.

A. Between Department Conventions the Department Board of Trustees is empowered to conduct business at any Regular or Special meeting, or by mail, electronic means or telephone.

B. All business by mail requiring a Yes or No vote shall be handled routinely by the Department Adjutant who shall mail to every Board of Trustees member an identical copy of the question on a printed ballot containing spaces for the Yes or No vote, a space for the voters’ signature, and a space for entry of the date.

C. Upon receipt of a mail ballot, each member of the Board of Trustees shall cast a vote and complete as indicated. The ballot shall be returned to the Department Adjutant as soon as practical. A Board of Trustees member failing to return their ballot within a reasonable period, as determined by the Department Adjutant, will be recorded as not voting. A reasonable period in this case shall be determined by the mail delivery time required between the mailing address of the member of the Department Board of Trustees and the Department Headquarters

D. The Department Adjutant shall keep a record of all ballots mailed with the date of mailing, a record of the date of return of the ballot, and shall mail to each Board of Trustees member identical tallies reflecting results of the balloting by showing the vote of each member of the Board of Trustees and the total Yes and No votes.

E. All business by telephone requiring a Yes or No vote shall be handled routinely by the Department Adjutant, calling each member of the Board of Trustees and identically stating the question to be considered, and asking for a Yes and No vote. The Department Adjutant may tape record each call and vote. Failure to respond with a vote upon telephone request shall be recorded as not voting.

F. Upon the request by a member of the Board of Trustees, a specific time extension may be granted within which the member must call back to cast the telephone vote, such time extension not to exceed twenty-four (24) hours.

G. The Department Adjutant shall make tallies of the telephone balloting reflecting the results as prescribed for those used in reporting results of mail balloting, and shall mail identical copies of the tallies to each member of the Board of Trustees.

H. The results of each mail and telephone balloting shall be made available to the Department Board of Trustees within five (5) business days after compiling the vote.

BYLAWS

ARTICLE IV DEPARTMENT STAFF

SECTION 400 – COMPOSITION. The Department Staff shall be comprised of the Department Board of Trustees, the appointed Department Officers, Department Committees Chairmen, Past Department Commandants Council, Detachment Commandants Council, and Regional Coordinators; being identified collectively as Department Staff Officers and individually as a Department Staff Officer.

SECTION 405 – POWERS. The Department Staff, Staff Officer's, Committee Chairperson, Liaison Officers, the Department Commandants Council, Detachment Commandants Council, shall have no vote and shall not be considered in determining a quorum for Department Board of Trustees meetings.

SECTION 410 – STAFF OFFICERS DUTIES. The Department Staff Officers shall acquire a working knowledge of the National and Department Bylaw and Administrative Procedures of the Marine Corps League. They shall act to assist the Department Board of Trustees in individual specific duties.

A. DEPARTMENT ADJUTANT.

1. Keep the minutes of the Department Convention and all Department Staff Meetings. Furnish copies of these minutes to each Department Officer and to each Detachment as soon as reasonably possible.
2. Submit an annual report to the Department Convention and a report to each Department Staff Meeting of the activities.
3. Serve as the secretary of the corporation hereafter known as, "The Department of California Inc., Marine Corps League".
4. The Adjutant shall surrender all books, records and properties of the Department to the duly appointed successor.
5. Be responsible for notifying the following government agencies of changes of addresses of responsible reporting officer: Internal Revenue Service, California Franchise Tax Board, California Secretary of State, California Attorney General's Office, and California State Board of Equalization.
6. Perform such other duties as may be assigned by the Commandant or Board of Trustees.
7. Upon receipt of a Report of Officer Installation, verify through the Department Paymaster that the listed officers are members in good standing.
8. The Adjutant will forward the appropriate copies of the Report of Officer Installation to National Headquarters within fifteen (15) days of installation. Notification of the officers installed will also be made to the Department Commandant, Paymaster, Judge Advocate, Web Master, the effected Regional Coordinator.

B. DEPARTMENT PAYMASTER – shall keep proper and necessary books for recording all the business of the Department.

1. This includes: correct records of all membership accounts, hold all monies of the Department; maintain equipment and custody records of all Department property, pay out money only within the limits of the approved budget of the Department; keep a record of all financial transactions and notify all Detachments of any indebtedness to the Department. The Paymaster shall sign and make all expenditures by check. In the absence of the Paymaster, the

Department Commandant or the Department Senior Vice Commandant are authorized to sign checks. The Paymaster shall submit an annual report to the Department Convention and a report at each regular authorized Department Staff Meeting. The Paymaster shall inform the Department Credentials Committee and those Detachments concerned, of their indebtedness to the Department at least thirty (30) days prior to the convening of the Department Convention. The Paymaster shall surrender all books, records, and properties of the Department to the duly elected successor and perform such other duties as related to this office or as instructed by the Department Board of Trustees.

2. The only circumstances under which expenditures of Department funds may be made which are in excess of those specifically provided by the annual Department budget adapted at the Department Convention, shall be by submission of such proposed excessive expenditure to the Department Commandant for submission to the Department Board of Trustees for consideration. If such proposed expenditure of Department funds is approved by two-thirds (2/3) vote of the Board of Trustees, such expenditure may be made.

3. The Department Paymaster shall ensure Detachments filing of their 990N, and 199N e-Postcards or 990 or 990EZ by viewing a copy of the receipts for filing of the 990N, 199N or page 1 of the 990 or 990EZ as appropriate. If not in receipt of proof of filings of those documents by 15 October annually, contact the delinquent Detachment and secure compliance.

C. DEPARTMENT CHAPLAIN – shall:

1. Perform such duties of a spiritual nature as are customarily performed by members of the clergy and required by the National and Department Bylaws and Administrative Procedures of the Marine Corps League.

2. Be responsible for and have jurisdiction over arranging and conducting an impressive, dignified and inspiring non-denominational memorial service at each Department Convention, including in such ceremony representatives of those subsidiaries that are appropriate, and including the reading of the names of those Marine Corps League Members deceased during the past year.

3. Forward to the National Chaplain, and the Division Chaplain, in a timely manner, a copy of the Notices of Death received from Detachments.

D. DEPARTMENT SERGEANT-AT-ARMS. Shall:

1. On the floor of the meeting hall, assist in preserving order as the Commandant may direct; check the credentials or eligibility of those arriving, and deny entrance to unauthorized persons.

2. Maintain custody of the Department Charter and of the Department property, ensuring it is present at all Department meetings and Convention. He shall relinquish custody of the Department Charter and property to his appointed successor.

E. DEPARTMENT LEGISLATIVE OFFICER. Shall insure that all resolutions adopted at a Department Convention or a Department Staff Meeting be properly presented to the governing authority of the group within whose jurisdiction the resolutions fall, and shall keep the Department Staff informed of recent and current actions related to veterans' affairs with the Federal and California State Legislatures.

F. DEPARTMENT V.A.V.S REPRESENTATIVE. Shall maintain close contact with the National Veterans Administration Volunteer Service Representative for the purpose of keeping abreast of the V.A.V.S program in order to properly advise Detachment V.A.V.S personnel in the proper performance of their duties.

G. DEPARTMENT HISTORIAN. Shall maintain a record of the achievement of the Department of California, a record of the Department Commandants, a record of the Boards of Trustees, a copy of each Department Convention Program, a record of Department Awards presented to individuals and Detachments.

H. DEPARTMENT CONVENTION COUNSELOR. Shall represent the Department Commandant on the Department Committee and shall assist and advise the Committee Chairman to assure the Convention will meet standards consistent with the policies and programs of the Department; shall meet with the Committee and Detachment Officers as often as required to be assured the preparation and financing for the next Department Convention is progressing satisfactorily. Timely progress reports shall be submitted directly to the Department Commandant on all phases of the Convention program being developed by the local Convention Committee.

I. DEPARTMENT LIAISON OFFICER TO CALIFORNIA YOUNG MARINES. Shall maintain communication between the Department of California, Marine Corps League and the Department of California Young Marines and assure that each is aware of the activities of the other so that cooperation and mutual assistance may be rendered whenever possible.

J. REGIONAL COORDINATOR - The Regional Coordinator shall function as a field liaison between the Department Commandant, Board of Trustees and the Detachments within the Coordinator's assigned region. They shall comply with stated responsibilities contained in the Regional Coordinator Program directive.

K. DIRECTOR OF VETERANS SERVICES - shall maintain close contact with the State and local Veterans Services for the purpose of keeping abreast of programs and benefits available and provide that information in a timely manner to the membership.

SECTION 415 – VACANCY. Should a vacancy occur in an appointed office, a committee chairman or a committee member, the Department Commandant shall fill such vacancy as soon as practicable. All such appointments are subject to the subsequent approval by the Department Board of Trustees.

SECTION 420 – TERM OF OFFICE. Appointed officers shall serve a term that expires when the next election occurs and may be appointed to additional terms.

BYLAWS

ARTICLE V DEPARTMENT

SECTION 500 – AUTHORITY. Each Department shall be governed by a Department Convention subordinate to the National Convention. Whatever power is invested in the National Organization shall, in corresponding circumstances, be vested in the Department.

SECTION 501 – BYLAWS. The Department Convention shall adopt Department Bylaws and Administrative Procedures which are consistent with the National Charter, the National Bylaws, and National Administrative Procedures, provided they have been approved by the National Judge Advocate and are on file at National Headquarters.

SECTION 505 – OFFICERS. The Department may have such elected and appointed officers as required by the Department Bylaws or in the absence of Department Bylaws as its Department Convention desires. The Department however, must elect a Department Commandant, Department Senior Vice Commandant, Department Junior Vice Commandant, and Department Judge Advocate. The Department will appoint an Adjutant, Paymaster, or an Adjutant /Paymaster, Chaplain, Sergeant-At Arms.

SECTION 507 – ELIGIBILITY. All officers serving in elective offices shall be Regular Members in good standing of the Department of California.

A. Officers serving in appointive office may be a Regular or Associate member, in good standing, of the Department of California.

SECTION 510 – MEETINGS. The Department shall hold one Convention each year between April 1 and July 31. Department Staff Meetings may be held as desired. The Department Charter or copy, the National Colors and a Bible should be opened and displayed at all business meetings.

SECTION 515 – BOARD OF TRUSTEES. The elected officers of the Department shall be the Department Board of Trustees; however, the Department Convention is authorized to appoint the outgoing Department Commandant or a Past Department Commandant to serve a one-year term as a member of the Board of Trustees. No member of the Department shall serve in more than one position on the Department Board of Trustees.

SECTION 520 – DEFAULT. When a Department is in default of payment of monies from any source due National Headquarters or fails to submit its Department Officers Installation Report as of July 31, prior to the ensuing National Convention, such fact shall be reported by the National Comptroller to the National Convention Credentials Committee. The Department and its officers who do not comply with National Administrative Procedures Chapter Two, Section 2025c will not be recognized at the National Convention.

SECTION 525 – FREEDOM OF ACTION. Unless expressly forbidden by a section of the National Bylaws and Administrative Procedures, a Department Convention and/or a Department Staff Meeting shall be free to take such action and engage in such activities as are not in violation of federal, state, county, or municipal laws or ordinances. (Article VIII, Section 845, National Bylaws)

SECTION 530 – CHARTER SUSPENSION, REVOCATION. When the Department Charter is suspended or revoked, the National Board of Trustees upon written authorization by the National Commandant, certified by the National Chief Operating Officer, shall have the authority to assume the custody of all the affected Department assets, both real and personal. These properties and assets shall be turned over to the National Chief Operating Officer. The affected properties and assets will devolve to the control of the National Board of Trustees until a new Department is formed at which time the affected properties and assets revert to the newly formed Department. (Chapter Five, Section 5025 National Administrative Procedures.)

SECTION 535 – QUORUM. The quorum for a Department Convention will be a majority of the registered delegates, alternates and members in good standing attending. The quorum for a Department Staff Meeting will be a majority of the registered members in good standing.

SECTION 540 – BONDING Department Commandants, Department Adjutant/Paymasters or Paymasters, as applicable and Officers authorized by the Department Commandants to handle Department Funds will be Bonded by a commercial crime policy paid for and administered by the National Organization. The bond limit will be in the amount of \$10,000.00 with a deductible \$1,000.00. The Department at the expense of the Department shall arrange any additional bonding coverage desired for Department Officers. (Chapter Five, Section 5030 National Administrative Procedures.)

SECTION 545 – CONTRACTING AUTHORITY. No Department officer, committee chairman, or other member of the Department shall enter into or sign any contract or agreement for the purpose of binding the Department without first submitting such contract or agreement to the Department Board of Trustees. All documents shall be forwarded to the entire Department Board of Trustees for approval, amendments, or rejections. **Nat’l Chg. 2021**

SECTION 550 – PARLIAMENTARY AUTHORITY. The Department shall use the current edition of *Roberts Rule of Order Newly Revised* which shall govern in all cases to which they are applicable and in which they are not in conflict with the National bylaws and Administrative Procedures and any special rules of order National may adopt. In the event of a conflict, the ruling authority is the National Bylaws, then the National Administrative Procedures, then *Roberts Rule of Order Newly Revised*. **Nat’l Chg. 2021**

BYLAWS

ARTICLE VI DETACHMENTS

SECTION 600 – NAME. No Detachment shall be named in honor of a living person. No Detachment shall adopt the name previously adopted by another Detachment unless the charter of the other Detachment has been surrendered or revoked. If the Detachment is being named in honor of a deceased Marine, a signed, permission letter is required from the deceased Marine's most immediate family. (Article. IX, Section 900 National Bylaws)

SECTION 601 -AUTHORITY. Each Detachment shall be governed by its elected officers (Board of Trustees) subordinate to the Department and National Convention, the Charter and the Bylaws and Administrative Procedures of such bodies including such bylaws and procedures as it may itself promulgate which are not in conflict with either National and/or Department Bylaws and Administrative Procedures.

SECTION 605 – BYLAWS. Each Detachment shall adopt bylaws and may adopt administrative procedures that are consistent with the Department and National Bylaws and Administrative Procedures. The Bylaws and Administrative Procedures shall be approved by the Department Judge Advocate. (Article IX, Section 905 National Bylaws)

SECTION 610 – OFFICERS. Each Detachment shall:

- A. Elect a Commandant, a Senior Vice Commandant, a Junior Vice Commandant, and a Judge Advocate each year.
- B. Elect or appoint an Adjutant, Paymaster or Adjutant/Paymaster, Chaplain, and a Sergeant-at-Arms.
- C. A Detachment may have such additional elected and appointed officers as required by the Detachment Bylaws.
- D. All elected officers shall be Regular members in good standing, of the Detachment in which they are elected.
- E. At the will of the Detachment, Associate Members may serve in appointed offices only.

SECTION 612 - TERM LIMITS. Each elected officer shall be elected for a term of one year and may be reelected for additional terms as provided in the Detachment Bylaws. Appointed officers shall serve a term that expires when the installation after the annual election occurs and may be appointed to additional terms. (Art. IX, Section 920 National Bylaws)

SECTION 613 – VACANCIES.

A. **Detachment Elected Officers order of succession.** The order of succession to the office of the Detachment Commandant shall be; first, Detachment Senior Vice Commandant and second, Detachment Junior Vice Commandant.

1. **Detachment Commandant.** Should the Commandant's position become vacant, the Senior Vice Commandant, if agreeable, will serve as the new Commandant for the remainder of the term. If not agreeable, the Junior Vice Commandant, if agreeable, will serve as the new Commandant for the remainder of the term. If neither one is agreeable, the Department Commandant will be responsible for finding a replacement Detachment Commandant with assistance from the rest of the Detachment Staff. If either the Senior Vice Commandant or Junior Vice Commandant serve as the replacement Commandant, they will be responsible for finding a replacement for their previous position with assistance and approval of the Detachment Board of Trustees.

2. **Detachment Senior Vice Commandant.** Should the Senior Vice Commandant position become vacant, the Junior Vice Commandant, if agreeable, will serve as the new Senior Vice Commandant for the remainder of the term. If not agreeable, the Commandant will be responsible for finding and appointing a replacement for the vacancy, with assistance and approval of the Detachment Board of Trustees.

3. **Detachment Junior Vice Commandant or Judge Advocate.** Should the Junior Vice Commandant or Judge Advocate position become vacant, the Commandant will be responsible for finding and appointing a replacement for the vacancy, with assistance and approval of the Detachment Board of Trustees.

4. **Any Other Detachment Officer.** Should any other elected or appointed position become vacant, the Commandant will be responsible for finding and appointing a replacement for the vacancy, with the assistance and approval of the Detachment Board of Trustees.

B. Causes for Vacancy. In addition to death, resignation, or incapacity a vacancy shall occur through:

1. An elected officer vacancy should occur through the failure to attend two consecutives, officially called meetings of the Detachment Board of Trustees.

2. An elected or appointed officer vacancy shall occur through removal from office by disciplinary action in accordance with the National Administrative Procedure.

3. An elected or appointed officer vacancy shall occur when the offending officer is no longer in good standing.
Nat'l Chg. 2021

C. Installation and Report of Installation Submissions. Upon appointing a member to any new position on the Detachment Staff. The Department Commandant, Detachment Commandant, or any Past Commandant, in the case of a newly appointed Commandant, will swear in the officer to the new position and submit the revised Report of Installation form as specified in the National Administrative Procedures.

D. Detachment Staff Officers. A vacancy in an appointed office, a committee chairman. Or a committee member shall be filled as soon as practical by the Detachment Commandant. All such appointments shall be approved by the Detachment Board of Trustees.

SECTION 615 – MEETINGS. A Detachment shall meet at a date, time and frequency of its choosing. Once a month is recommended. The Detachment Charter or a copy, the National Colors, and Bible shall be displayed at all business meetings. (Article IX, Section 930 National Bylaws)

SECTION 620 – QUORUM. Each Detachment may fix the minimum number of members required to be present for the transaction of business, such number shall be stated in the Detachment Bylaws. (Chapter Six, Section 620 National Administrative Procedures.)

SECTION 625 – DETACHMENT BOARD OF TRUSTEES. The elected officers of a Detachment shall be its Detachment Board of Trustees. However, a Detachment is authorized to appoint the outgoing Detachment Commandant or a Past Detachment Commandant to serve a one-year term as a member of the Board of Trustees. (Article IX Section 935, National Bylaws.)

SECTION 630 – ELECTION, INSTALLATION OF OFFICERS.

A. Each Detachment must hold an Annual election of Officers between September 1 and May 15. Installation must be conducted no later than the last day of the month subsequent to the election. The “Report of Installation” form must be received by the National Headquarters by June 30 of each year to establish credentials for the National Convention. A Detachment is NOT in good standing if this report is not received.

B. Any time throughout the year, were there a change in any Officers(s) position, the new officer(s) must be sworn in accordance with Administrative Procedures and a new “Report of Installation” form must be submitted for those positions that changed. (Article IX, Section 940 National Bylaws) **Nat'l Chg. 2018**

C. The Detachment Commandant elect shall select an Installing Officer of his choice who must be, a serving or past National, Department, or Detachment Commandant or a serving *elected* National or Department officer.

D. Installation of officers must be conducted no later than the last day of the month subsequent to the election.

E. The Report of Officers Installation (ROI) form must be forwarded to the Department Adjutant within five (5) days of installation.

SECTION 635 –DEFAULT. A Detachment which is in default of monies from any source due National and such debt has not been satisfied as required by National Administrative Procedures, Chapter II, Section 2025 (c) or fails to report its Detachment's Report of Officers and Installation as of June 30 prior to the National Convention such fact shall be reported to the National Convention Credentials Committee, such Detachment and its officers will not be recognized on the floor of the National Convention. (National Administrative Procedures Chapter 6, Section 6025.)

SECTION 640 – MEMBERS. Each Detachment shall be the sole judge of its membership, providing said person meets the requirements of Article V, Section 515 & 520 of the National Bylaws.

A. No Detachment, however, may accept as a Regular, Associate, or Honorary member any person:

1. Whose is currently incarcerated or on supervised probation for any felony conviction or any misdemeanor conviction; or

2. Who has been convicted of a crime where the victim is a child; or

3. Whose name has been stricken from the roll of the Marine Corps League.

SECTION 641 –MEMBERSHIP TRANSFER. Any member in good standing may transfer from one Detachment to another, without payment of additional dues or transfer fees, upon application to and approval of the gaining Detachment and of the losing Detachment. See National Administrative Procedures, Chapter Seven, Section 7005 for details.

SECTION 642 – DEATH OF A MEMBER. Upon notification of the demise of any member, the Detachment Chaplain shall:

A. Immediately contact the family of the deceased member for the purpose of offering any assistance and presenting expressions of condolence.

B. Without delay, report the death of the member directly to both the National Chaplain, Division Chaplain and Department Chaplain. The report will cite the full name of the deceased, name, address, and phone number of next of kin (if applicable), and any known funeral arrangements.

C. Utilize the "Notice of Death" form. See AP Enclosure (8) as an example. The form is available from the Members Library in the MCL National website. This form will be filled out and the Detachment Chaplain shall print out four copies. The Detachment should retain a copy. If mailed, the Detachment Chaplain should send three copies to the Department Chaplain. If e-mailed, the Detachment Chaplain should e-mail the Notice of Death form to the Department Chaplain, the Division Chaplain, and the National Chaplain. One copy of the Notice of Death should be e-mailed as an attachment to each Chaplain as listed. (REV 2021)

D. The Chaplain will provide a copy of the Death Notice to the Detachment Paymaster. The Detachment Paymaster will make an entry on the next transmittal indicating the name and information of the deceased member. A copy of the Death Notice will be attached to the transmittal as a source document for proof of death to the National Membership manager. The National Membership staff will ensure the deceased person is removed from the Detachment Roster. **Nat'l Chg. 2021**

E. It shall be the duty of all members of the Marine Corps League who are not prevented by distance or unavoidable cause to attend the funeral services of a deceased member. To this end, the Detachment Commandant with assistance of the Detachment Chaplain and Adjutant/ Paymaster shall develop a plan to notify Detachment members in a timely manner.

SECTION 643 – REMOVAL FROM DETACHMENT ROLL Once accepted as a member in good standing by the Detachment membership, that member may not be removed from the Detachment roll except:

- A. By disciplinary action in accordance with National Administrative Procedures;
- B. By that member requesting transfer;
- C. By resignation in writing; or
- D. If member become delinquent as defined in the National Administrative;
- E. Upon the Death Notice being processed by National Headquarters.

SECTION 645 – BONDING. Detachment Commandants, Detachment Adjutant/Paymaster or Paymasters, as applicable and Officers authorized by the Detachment Commandant to handle Detachment funds will be bonded by a commercial crime policy paid for and administered by the National Organization. The Bond limit will be in the amount of \$10,000.00 with a deductible of \$1,000.00. The Detachment at the expense of the Detachment shall arrange any additional bonding coverage desired for Detachment Officers.

SECTION 650 – ADDITIONAL DETACHMENT. When a Charter is sought for a Detachment which is to be located within the same State and 25 straight-miles from another Detachment’s original Charter location, the written consent of the existing Detachment shall accompany the application. Should such existing Detachment disregard a request for consent, or refuse consent, the Department Commandant, employing discretion, may approve and recommend the granting of such Charter. In the event the Department Commandant fails to act or refuses approval of the proposed new Detachment, an appeal may be made to the National Board of Trustees for its consideration and action. The action of the National Board of Trustees shall be conclusive. (Chapter Six, Section 6040 National Administrative Procedures.) **Nat’l Chg. 2021**

SECTION 655 – CHARTER SUSPENSION, REVOCATION.

- A. The Charter of a Detachment may be suspended or revoked for:
 - 1. The persistent failure to maintain a minimum of fifteen (15) members in good standing.
 - 2. The persistent failure to promptly forward funds due to the National body.
 - 3. Acts and conduct bringing the Marine Corps League into public disrespect.
 - 4. Willful violation of National Bylaws and Administrative Procedures.
 - 5. The violation of federal, state, or municipal laws or ordinances.

(a) Failure to obtain an EIN from the IRS within six (6) months of Charting and maintaining an active status under IRS Code 501(c) (4).

(b) Failure to incorporate within one (1) year of chartering.

6. Other activities detrimental to the good name of the MCL.

B. The suspension or revocation of Charters may be directed by the Department Board of Trustees and/or the National Board of Trustees, and shall be implemented in accordance with the provisions of the National Bylaws and Administrative Procedures in a manner considerate of the well-being and good name of all concerned.

C. When a Detachment Charter is suspended or revoked, the Board of Trustees of the jurisdictional Department shall upon authorization from the National Commandant, certified by the National Chief Operating Officer, assume custody of such Detachment's assets and liabilities. The Board of Trustees of the jurisdictional Department shall within the limits of such assets, satisfy the liabilities of the Detachment in question.

D. The Detachment properties and assets will be held by the Department for a period of one (1) year or until a new Detachment is formed. Should a new Detachment be formed during that period, and the new Detachment retains the old Detachment name, all properties and assets will be returned. After the one (1) year, the properties and assets will revert to the Department. The Charter will be returned to National Headquarter and placed in the archives. All assets will then become the property of the Department. All ceremonial rifles must be accounted for per issuing regulations (Title 10, U.S. Code 2572), either physically or through police/fire reports. (National Administrative Procedures Chapter Six, Section 6040)

E. The Department would ensure the current membership of the Detachment would be distributed to the closest Detachment pending the approval of the accepting Detachment. The accepting Detachment would have 30 calendar days to approve member(s). Once approved the members in question will have 30 days to decline the transfer at which point the transfer will be approved or, if declined by either party, the member (s) will then be moved to the National Members-At-Large roster.

SECTION 660 – CHARTER VOLUNTARY SURRENDER. Nat'l Chg. 2018

A. The charter of a Detachment may be voluntarily surrendered for such reasons as may be determined by the Detachment. Upon a determination that it is no longer practical to maintain said Detachment, the Detachment Board of Trustees shall immediately notify the Department Commandant in writing of its intent to dissolve and surrender its charter. The Detachment shall then:

1. Call a special meeting of the Detachment by giving written notice of such special meeting to all members of the Detachment at least fourteen (14) days prior to such special meeting. If the regular meeting date of the Detachment is to be used for the special meeting, the aforesaid written notice must still be given to all Detachment members at least fourteen (14) days before the regular meeting date.

2. Upon consideration of the voluntary surrender of the Detachment Charter by the Detachment, if it shall be determined that the Detachment Charter shall be voluntarily surrendered and there is not a minimum of fifteen (15) members of the Detachment who remain ready, willing, and able to carry on the Detachment, then:

a. The Detachment shall immediately notify, in writing, the Department Commandant of the Detachment's vote to voluntarily surrender its Charter.

b. The Department would ensure the current membership of the Detachment would be distributed to the closest Detachments pending the approval of the accepting Detachment. The accepting Detachment would have 30 calendar days to approve the member(s). Once approved the members in question will then have 30 calendar days to decline the transfer at which point the transfer will be approved or, if declined by either party, the member(s) will then be moved to the National Members-at-Large roster.

c. The Detachment shall, to the extent assets are available, satisfy all legitimate liabilities of the Detachment prior to surrendering the Charter, but shall not otherwise dissipate any assets of the Detachment other than the normal course of business of the Detachment.

d. Upon acceptance of the surrender of its Charter, if the Detachment is incorporated, the Detachment shall take such action as is deemed appropriate to properly dissolve the corporation in accordance with applicable state law.

3. No surrender of a Detachment Charter shall be deemed effective, or accepted until all members of the Detachment have been appropriately transferred.

B. Upon acceptance of the surrender of the Detachment Charter by the Department, the Department shall, upon written authorization of the National Commandant, certified by the National Adjutant /Paymaster, assume custody of such Detachment's assets and liabilities. The Board of Trustees of the Department shall, within the limits of any assets of the Detachment, satisfy any remaining liabilities.

C. After satisfying the legitimate liabilities of the surrendering Detachment, any Detachment properties and assets will be held by the Department for a period of one year or until a new Detachment is formed during that period. Should a new Detachment be formed during that period, and the new Detachment retains the old Detachment's name, all properties and assets will be returned to the Detachment upon the written authorization of the National Commandant, certified by the National Chief Operating Officer, approving the reactivation of the surrendered Charter. After the one-year period, the properties and assets will revert to the Department and will then become the property of the Department. The Department shall return the surrendered Detachment's Charter to National Headquarters, which charter shall then be placed in the archives.

D. All ceremonial rifles must be accounted for and disposed of by the surrendering Detachment as set forth in the issuing agreement and regulations (Title 10, U. S. Code, Section 2572), either physically or through police/fire reports of any weapon not currently in the Detachment's possession. (National Administrative Procedures Chapter Six, Section 6050.)

SECTION 665- RESPONSIBILITY. Each Detachment shall be responsible for the following:

A. Notifying the following government agencies of changes names and of address of responsible officers: Internal Revenue Service, California Franchise Tax Board, California Secretary of State, California Attorney General's Office and California State Board of Equalization.

B. Detachments which engage in services or business, either profit or non-profit, or which use the name of the Marine Corps League will be incorporated in accordance with Article IX, Section 955 of the National Bylaws; new Detachments will have one year from the Charter date unless the State requires incorporation to be completed within a shorter period of time. **Nat'l Chg. 2021**

C. Detachments must obtain and maintain their own Employer Identification Number (EIN) under the Marine Corps League's Group Exemption Number 0955 under IRS Code 501(c)(4) within sixty (60) days from the Charter date. No Detachment will utilize the EIN of the National Headquarters. If for any reason the Detachment does not maintain good standing with the Fed IRS as determined by the Fed IRS Database (EOBMF) and receives a letter of Revocation, the Detachment shall cease to be in Good Standing effective as of that date on the letter. **Nat'l Chg. 2021**

D. Detachments will send one file copy of the following required documents to the Department Judge Advocate: Letter of assignment of the Employer Identification Number, Articles of Incorporation with the assigned Corporation number, State Franchise Tax Board letter of exemption from State franchise tax, letter of registration from the Registry of Charitable Trusts, and the Detachment Bylaws.

E. Detachments will submit to the Department Paymaster by 15 October annually, a copy of page 1 of the 990 or 990EZ or a copy of the confirmation of filing of the 990N, as appropriate, and a copy of the 199N.

SECTION 670. - PARLIAMENTARY AUTHORITY. Each Detachment shall use the current edition of *Roberts Rule of Order Newly Revised* which shall govern in all cases to which they are applicable and in which they are not in conflict with the National Bylaws and Administrative Procedures, Department Bylaws, and any special rules of order National may adopt. In the event of a conflict, the ruling authority is the National Bylaws, then the National Administrative Procedures, then *Roberts Rule of Order Newly Revised*. **Nat'l Chg. 2021**

SECTION 675. – CONTRACTING AUTHORITY. No Detachment Officer, committee chairperson, or other member of any Detachment shall enter into or sign any contract or agreement for the purpose of binding the Detachment without first submitting such contract or agreement to the Detachment Board of Trustees. All documents shall be forwarded to the entire Detachment Board of Trustees for approval, amendments, or rejections. **Nat'l Chg. 2021**

BYLAWS

ARTICLE VII MEMBERS

SECTION 700 – MEMBERSHIP ELIGIBILITY.:

A. **REGULAR MEMBERSHIP.** Only the following may be Regular Members of the Marine Corps League:

1. **Marines** who are serving or have served honorably* in the United States Marine Corps or United States Marine Corps Reserves: **Nat’l Chg. 2018**

2. **U.S. Navy Personnel** (i) who are serving or have served honorably* in the United States Navy who have trained with Marine FMF units in excess of ninety (90) days and earned the Marine Corps device (clasp) worn on the Service Ribbon, (i.e.: Southwest Asia Service Medal, Vietnam Service Medal, Armed Forces Expeditionary Medal, etc.) or (ii) earn the Fleet Marine Force Enlisted Warfare Specialist Device (FMFEWS) (1 Oct 2006 to Present) or the Fleet Marine Force Qualified Officer (FMFQO) Insignia (1 Jan 2006-Present) which must be noted on the DD Form 214. An Award of the Fleet Marine Force Ribbon (FMF Ribbon) (1 Sept 1984-30 Sep 2006), the FMFEWS or FMFQO may serve as prima facie evidence of eligibility. **Nat’l Chg. 2021**

Note* **“Served Honorably”** is determined by the DD Form 214 or certificate of discharge that the applicant received. A General Discharge under Honorable Conditions is acceptable.

B. **Associate Member.** Those individuals not qualified for Regular membership in the Marine Corps League who espouse the principles and purposes of the Marine Corps League as contained in its Congressional Charter and meet the criteria in Section 515 (b) (1) of the National Bylaws may upon application to a Detachment be accepted for Associate membership in the Marine Corps League. Upon acceptance Associate members will pay dues in the same amount as prescribed for Regular member, including initiation fees. **Nat’l Chg. 2018**

1. **Enrollment Criteria.** Individuals applying for Associate Membership must join through a Marine Corps League Detachment only. Associate members can not directly join the Marine Corps League as a “Member at Large.” **Nat’l Chg. 2018**

a. Individuals must have reached the statutory minimum age for enlistment into the Armed Forces of the United States;

b. Individual may join who have never served in a branch of the Armed Forces of the United States.

c. Individuals who are serving or have served honorably in other branches of the Armed Forces of the United States.

2. **Join Detachment.** Individuals applying for Associate membership must join through a Marine Corps League Detachment only. Associate members can not directly join the Marine Corps League as a “Member at Large”.

3. **Rights.** Associate Members shall be entitled to the rights, privileges, and benefits of a regular member unless otherwise prohibited as listed below:

a. Associate Members shall not vote on a Regular or Associate membership application.

b. Associate Members shall not participate in the nomination process and/or voting for elected officers; and

c. A Department or Detachment, by provisions in the bylaws and/or administrative procedures, may allow an Associate Member to vote on its internal affairs if such vote does not affect a policy of the Marine Corps League, such as Bylaws or Bylaw changes.

4. **Elected Office.** Associate members shall not hold an elective office.

C. **HONORARY MEMBER.** The Detachment may, at the discretion of its Commandant, issue Honorary Membership to those persons who have been of extraordinary service to the Nation, to the community, to the United States Marine Corps, or to the Marine Corps League. The Honorary Member will not be entitled to the rights, privileges and benefits available to a Regular or Associate Member. A suitable certificate will be issued to honor the occasion by the organization making the award. Payment of dues or initiation fees is not required; however, such membership will not be entitled to the official publication of the Marine Corps League, except as may be directed by the National Board of Trustees, or by paid subscription. **All Honorary Memberships are for a one-year period only** and must be renewed each year by the Detachment. **Nat'l Chg. 2018**

D. **HONORARY ACTIVE DUTY MEMBER.** Detachments may, at the discretion of the respective Commandant, issue Honorary Membership to Active Duty Marines, FMF qualified Navy personnel, free of charge, for the entire tour of their active military duty. These Honorary Active Duty Members will be entitled to the rights, privileges and benefits available to a Regular Member, except for receipt of the official printed publication but will be eligible to obtain a copy of the official publication on line at no charge. These members will not be listed in the database and will not show up on the Detachment Roster. In addition, members in this category will not be counted as an eligible voting delegate member in accordance with these Administrative Procedures, Chapter Two, Section 2025, nor will this category of membership be eligible to hold an elected office in the Marine Corps League. **Nat'l Chg. 2021**

SECTION 705 – MEMBERSHIP APPLICATION. Any person eligible for membership in the Marine Corps League under provisions of the National Bylaws and Administration Procedures for the Marine Corps League may initiate application for membership by completing a standard application form to include the signature, and presenting the application to a sponsoring member of the League with all the required dues and fees. As an alternative, the applicant may mail a completed and signed standard application form to the National Headquarters with all required due and fees.

A. The standard application form received by a member-sponsor shall be turned in to the Detachment official designated to receive such applications, along with all dues and fees as soon as practicable, but not later than the next regularly scheduled meeting of the sponsor's Detachment.

1. Prior to a vote of acceptance into the Detachment the applicant, if discharged, shall present for viewing and verification of honorable service, a DD-214 or Certificate of Discharge. Honorable service will be defined by the last DD-214 or Certificate of Discharge that the applicant received. A General Discharge under honorable conditions is acceptable.

B. The Detachment Adjutant shall read and record the application at the proper time, stating all pertinent data including name of sponsor, and clearly state that the required dues and fees have been received and proof of honorable service has been verified and are in the possession of the Detachment Staff. The Detachment Adjutant/Paymaster must include the original signed application form with the Membership Transmittal Form when forwarding the Transmittal to National headquarters. (If deemed necessary, a COPY of the application may be kept on file at the Detachment level. (No applicant shall be present for that portion of the meeting in which the application is being considered.)

C. The acceptance of applicants to membership in a Detachment is the sole province of the Detachment as set forth in Article 5, Section 540 of the National Bylaws, except as therein provided.

D. In cases where an applicant is rejected for membership, all monies received from the affected applicant shall be return to such applicant by the sponsoring member.

SECTION 709 – INITIATION. All applicants acceptable for membership in the Marine Corps League shall be properly be obligated in accordance with the Ritual and be presented the official membership card and lapel pin of the Marine Corps League. In a case where the applicant is unable to attend an obligation ceremony, said applicant shall be required by signature on a membership application, assume the obligation of membership.

SECTION 710 – MEMBERSHIP DUES AND FEES. Each Detachment shall fix the amount of its annual membership dues. Annual dues shall include the Department and National per capita dues and fees. All per capita dues and fees which are due the Department and/or National Headquarters shall be forwarded with a standard transmittal form immediately to the Department Paymaster for processing (see National Administrative Procedures, Enclosure Six).

A. The Membership year and the annual dues shall expire on the 31st day of August of each year. New members joining the MCL between August 31st and the last day of February will pay the current National \$20.00 + \$5.00 Initiation Fee; new members joining between 1March and August 30th, will pay \$10.00 +\$5 Initiation Fee. The Annual renewal rate of \$20.00 will be due on the 31st day of August of each year. (National Administrative Procedures Chapter 7, Section 7025.)

SECTION 715 – GOOD STANDING. All members shall be considered in good standing in the Marine Corps League,

A. Except when:

1. Required dues are not paid, and transmitted, on or before membership expiration date as is shown on the member's card.
2. A member is indebted or in arrears to the member's Detachment, Department, or to National Headquarters.
3. Under suspension as punishment upon the adjudication of guilt as is provided in Chapter Seven, Section 7030 of the National Administrative Procedures.

B. In all cases involving the transfer of a member of a Detachment, the losing Detachment approving of the transfer shall certify in writing if the transferring member is in good standing. (See Enclosure 7 of the National Administrative Procedures.)

SECTION 720 – DELINQUENT MEMBER. A member shall be identified as delinquent whenever the member's dues are not paid and transmitted on or before membership expiration date as shown on member's card. Such member shall be retained in the delinquent status for a maximum one year, during which time the member may erase this status by making payment of all dues in arrears and all dues current and provided that the member is not indebted to the member's Detachment, Department, or to National Headquarters.

A. Should the affected member remain in the delinquent status in excess of one year, such member shall be dropped from all membership rolls. The member may be restored to "good standing" status by:

1. Submitting a transmittal accompanied by ALL past dues which have accumulated during the entire period of the applicant's delinquent status, or
2. Submitting a standard application and standard transmittal form with a code of R/I and the applicable renewal fee as currently established, or
3. Submitting the following:
 - (a) A statement from the Detachment Commandant verifying the member has been informed and understands that their original enrollment date will be deleted, and all past dues removed. This effectively creates a new join date for Marine Corps League tenure, and

(b) A statement from the Detachment Commandant that the Member has not committed a felony during the delinquency period. If a felony was committed, a signed statement from the delinquent member that he/she agrees to waive their rights under the Privacy Act and disclose the nature of the felony conviction for consideration of reinstatement in the Marine Corps League, and

(c) A statement from the Detachment Commandant that the Member does not have a pending Chapter 9 case or is currently suspended by the Maine Corps League or has been expelled by the Marine Corps League, and

(d) A standard transmittal form with a code of R/I, and

(e) The applicable renewal fee as currently established. (REV 2021)

(f). No delinquent member may be transferred.

SECTION 721 – NOT IN GOOD STANDING. Remaining as a member in good standing is what all activities of the League rely upon and paramount to the success of a Detachment. All members shall be considered not in good standing if they meet any of the criteria set forth in Section 715 above. It is the members’ responsibility to pay their dues in a timely manner in order to remain as a member in good standing. It is the responsibility of the Commandant to inform the members that this procedure is in place and do everything to have all members remain in good standing. It is desirable that any responsible elected or appointed officer submit their resignation to that office if they do not intend to remain a member in good standing. **Nat’l Chg. 2021**

A. Members not in good standing are subject to the restrictions defined in the Detachment’s and Department’s Bylaws, and unless stated therein otherwise:

1. No longer have the right to participate in any Detachment meeting of any Marine Corps League organization. At the discretion of the Commandant they could be allowed to attend as a guest and thus be “authorized to attend” as stated by the Sergeant-at-Arms at the opening of every meeting.

2. The Paymaster will provide a list of the members not in good standing to the Sergeant-at-Arms.

3. The Sergeant-at-Arms will make note of members who attend the meeting who are named on the list provided by the Paymaster.

4. At the discretion of the Commandant or Presiding Officer of the meeting, when the member provides full dues payment to the Paymaster prior to the meeting’s opening, they become a member in good standing.

B. Elected or appointed officers not in good standing shall relinquish their title. At the opening of the meeting, the Commandant or Presiding Officer **shall** announce after Chaplain’s prayer before any other business transpires, that the elected or appointed office is now vacant. Furthermore, the Commandant or Presiding Officer:

1. **Shall** announce that during this meeting a member in good standing shall be appointed to fill that vacated office as prescribed in the Detachment’s Bylaws and or Administrative Procedures.

2. Shall authorize the Sergeant-at-Arms or Adjutant to acquire within three (3) days any and all books, records, and other property of the Detachment for which the office of being vacated. These items shall then be delivered to the newly appointed member to that vacated office. At the successful completion of the transfer of items, the Sergeant-at-Arms or Adjutant shall report to the Commandant at the next meeting of the organization when these actions took place.

3. The Sgt. at Arms, when reporting that all present are qualified to remain will add the **number of** members who cannot participate in any Detachment deliberations.

C. If the member subsequently regains their membership in good standing before being taken off the National rolls, they will have all their member rights reinstated. The vacated elected or appointed office position will not be automatically reinstated. Detachment procedures for electing or appointing officers are then to be followed.

SECTION 725 – INELIGIBLE MEMBER. Any member may be required to prove membership eligibility qualifications at any time.

A. If there is reason to believe a member of the Marine Corps League does not meet the qualifications to be a Regular Member of the Marine Corps League, this (these) reason(s) must be submitted in writing to the Detachment Commandant, who will require the Detachment Judge Advocate to make a careful investigation into the charge as presented. If the Detachment Judge Advocate determines that the member does not have the necessary qualifications to be a member, the Detachment Judge Advocate will present a written report of his/her investigation with a draft of a disciplinary charge to the members of the Detachment. Any member of the Detachment may make a motion for disposition of the proposed disciplinary charge. If a motion to file a charge with the Department Judge Advocate is adopted, the Detachment Judge Advocate will file the charge in accordance with Chapter Nine Administrative Procedures. Section 7040 National Administrative Procedure.

B. If the person to be investigated is the Detachment Commandant, the request will be given to the Detachment Senior Vice Commandant.

C. If the person to be investigated is the Detachment Judge Advocate, the Detachment Commandant will appoint a Past Detachment Commandant to hold the investigation.

SECTION 730 – RIGHTS OF MEMBERS. No member shall be deprived of any rights and privileges in the Marine Corps League except for non-payment of dues or other indebtedness, unless the member shall first be charged, tried, and found guilty in accordance with the provisions of the National Bylaws and Administrative Procedures dealing with offenses and penalties. Exception, a member that has been officially charged and is pending a “Hearing” Board in accordance with the National Administrative Procedures, Chapter Nine, may be “temporarily suspended” by the Jurisdictional Judge Advocate pending the results of the Chapter Nine Hearing. (National Bylaws, Article V, Section 505.) **Nat’l Chg. 2018**

SECTION 735 – RIGHTS OF APPEAL. The right of appeal under the provisions of the National Bylaws and Administrative Procedures shall not be denied.

SECTION 740 – MEMBERS-AT-LARGE A member who is in good standing in a Detachment may become a Member-At-Large (M-A-L) in the following manner. For the purpose of his subsection, a “member in good standing” shall mean a member as describe in the Administrative Procedures, Article Six, Section 6030.

A. The member submits a Request for Transfer Form with Section 1 completed, and instead of a desired Detachment, the “or to M-A-L statues” will be checked.

B. The Detachment Paymaster or Adjutant/Paymaster submits the Request for Transfer with Section 2 completed by the Detachment Commandant, on a Dues Transmittal via the Department Paymaster, who forwards the request to National Headquarters.

C. Upon approval at National Headquarters of the Request for Transfer to M-A-L status, the Department and National Headquarters shall remove the name of the member from the Detachment Membership roster. National Headquarters shall carry the member on its Membership Roster as a Member-At-Large.

D. A Detachment from which a Paid Life Member resigns shall no longer be eligible to participate in the life interest distribution on behalf of said Paid Life Member; however, should the Paid Life Member thereafter become affiliated with a Detachment, such Detachment shall be eligible to participate in the life interest distribution of said Life Member.

E. A Member-At-Large is eligible to affiliate with a Detachment or sign the application for a Charter without further payment of a fee or dues; provided said member is in good standing at the time of affiliation or the Charter is issued. A Detachment which accepts a Member-At-Large shall submit a Request for Transfer attached to a Dues Transmittal via the Department Paymaster to National Headquarters requesting that said member be transferred from a Member-At-Large status to member status of the Detachment.

SECTION 745 – LIFE MEMBERS. See Chapter Seven, Section 7050 of the National Administrative Procedures for Life Membership provisions and fees schedule.

SECTION 750 – DUAL MEMBERSHIP. (Membership in more than one Detachment by the same individual). When a member of the Marine Corps League becomes a Regular Member in good standing in more than one Detachment, such membership in the subsequent Detachment shall be counted for voting strength at Department and National Conventions only as an Associate Member. Such Regular Member shall be a regular voting member in the Detachment of such member's greatest tenure unless he/she makes a signed written request for transfer of voting rights to the receiving Detachment, which upon acceptance shall forward the copies of the transfer of voting rights to National Headquarters via the Department Paymaster or Adjutant/Paymaster. The Transfer Form, Enclosure 7, of the National Bylaws and Administrative Procedures will be utilized for the purpose of transfer of voting rights to another Detachment. (National Administrative Procedures, Section 7060)

SECTION 755 – RESIGNATION.

A. The member will submit his/her resignation from the Marine Corps League to the National Commandant via the Department Commandant and the Division National vice Commandant with a copy to the Detachment Commandant. In the event that the member has pending Chapter Nine charges against him/her, the member must resign "with prejudice".

B. After consultation with the Detachment Commandant, the Department Commandant will forward the resignation to the National Commandant via the Division National Vice Commandant within fourteen (14) calendar days, stating:

1. The circumstances of the resignation, and
2. His/her recommendations, if any

C. The Division National Vice Commandant will forward the resignation to the National Commandant within fourteen (14) calendar days with comments, if any.

D. The National Commandant will:

1. Accept the resignation and direct the National Adjutant/Paymaster to remove the member from the rolls. He/she will then forward the original resignation to the National Executive Director. -OR-
2. Determine alternate administrative action.

E. If directed by the National Commandant, the National Adjutant/Paymaster will remove the member from the rolls and notify the member by USPS mail that his/her name has been removed from the rolls effective retroactively to the date of the resignation letter, with an email copy to the Division National Vice Commandant and the Department Commandant who will inform the Detachment Commandant.

F. The member forfeits his/her life membership by resigning. The money paid for the life membership and any remaining "Regular Membership" dues is not refundable.

G. Unless the resignation was "with prejudice", to rejoin the Marine Corps League the member must apply as a new member to a Detachment of his his/her choice. (Chapter Seven, Section 7065 National Administrative Procedures.)

SECTION 760. MEMBERSHIP NUMBERS. When a new member is joined into the Marine Corps League, they shall be assigned a new sequential Membership Number immediately following the Membership Number assigned to the Member immediately preceding them. Once assigned, the Membership Number will be maintained for that particular Member. Membership Numbers once assigned will not be reassigned to another Member ever though the original Member may have died, become delinquent and dropped off the Membership Rolls, have Resigned or been expelled from the Marine Corps League. The same stipulation applies to the paid Life Membership Number. (National Administrative Procedures, Section 7070.)

BYLAWS

ARTICLE VIII COMMITTEES

SECTION 800 - BUDGET COMMITTEE. The Budget Committee will be composed of the Department Paymaster and a Chairman appointed by the Commandant promptly after each Convention, and two additional members appointed by the Committee Chairman, with approval of the Board of Trustees.

A. The committee shall meet prior to each Department Convention to develop a proposed Department budget for the Fiscal year beginning the first day of July, and to submit it to the Convention. The committee will utilize a report of Department expenses and income from the preceding year as well as projected income and expenses, which shall be provided by the Department Paymaster, to formulate a budget.

B. The Budget Committee may from time to time submit amendment to the budget for the current Fiscal year, which may be adopted by a majority vote at a Department Conference.

SECTION 801 - AUDIT COMMITTEE. An Audit Committee of three members shall be appointed by the Commandant at the Department Convention, whose duty it shall be to audit the Paymaster's accounts and to report at the Convention.

A. No member of the Audit Committee is to be appointed who in any manner handles Department funds.

B. The Chairman of the committee shall prepare a written report of the findings of the committee to be presented at the Convention and to be entered into the minutes.

SECTION 802 - DEPARTMENT MARINE OF THE YEAR SOCIETY COMMITTEE.

The Department Marine of the Year Society shall be composed of all past recipients of the Department Marine of the Year award, but shall have no less than three members.

A. The Society Committee will meet during the Department Convention to conduct a meeting for the purpose of reviewing nomination and selection of the Department Marine of the Year.

B. The Department Marine of the Year Award will be presented by the Department Junior Marine of the Year during the Department Convention Banquet. If the recipient of the award is not present to accept, it will be the responsibility of the Department Junior Marine of the Year to arrange the presentation of the award at the subsequent Department Conference. If the presentation of the award cannot be conducted at the Department Conference, the Junior Marine of the Year will mail the certificate and medallion to the recipient's Detachment for presentation.

SECTION 803- DEPARTMENT COMMANDANTS COUNCIL. The Department Commandant's Council shall be an integral part of the Department Staff, composed of all Detachment Commandants and chaired by the Department Senior Vice Commandant, as a collective advisory body charged with the responsibility of aiding the Board of Trustees. It shall be the general duty of this Council to:

A. Study methods and resources toward stimulating growth, both in membership and stature of the Department of California and enhancement of administrative and command relationship between Department Staff, Board of Trustees and Detachments.

B. Receive and evaluate suggestions and relationships, which are oriented to the improvement of the Department of California, its growth, and the enhancement of Detachments and the Department Board of Trustees.

C. As called upon, execute in-depth study tasks as assigned by the Department Commandant or the Board of Trustees through the Council Chairman.

E. Meet during the Department Convention and the Department Conferences, at the call of the Department Senior Vice Commandant, following which a Council Report will be submitted.

SECTION 804 - OTHER COMMITTEES. The Commandant shall appoint such other committees, standing or special, as the Department membership or the Board of Trustees deem necessary to carry on the work of the Department. The Commandant shall be ex officio a member of all committees except a Nominating Committee, if such committee should be appointed.

BYLAWS

ARTICLE IX FISCAL AND FINANCE

SECTION 900 – FISCAL YEAR. The fiscal year of the Department shall coincide to the fiscal year of National Headquarters, which is July 1 through June 30.

SECTION 901 – REVENUE. The revenue of the Department is derived from the collection of membership dues, interest or dividends from bank accounts and such other sources as approved by the Department Board of Trustees.

A. Limitations. The Department shall be limited to spending not more than seventy-five (75) percent of all monies received during the year of its administration and including monies received from the previous administration. At least twenty-five (25) percent of such gross receipts shall be turned over to the new administration each year.

B. Expenses of Department Officers. Expenses of the Department elected officers shall be limited to: transportation to and from the Department Convention, Staff Meetings and other official Marine Corps League functions where their attendance is in conjunction with their official duties. The mileage rate shall be determined by the Department Budget Committee for auto or commercial transportation whichever is less, and lodging at the approved Convention, Staff Meeting or other official function site.

1. Expenses of the Department Commandant when representing the Department at a National Convention, or the Mid-Winter National Staff Meeting shall be reimbursed but not to exceed the amount budgeted.

2. In the event the Department Commandant is unable to attend the National Convention, an officer of the Department, in order of succession, will be appointed by the Department Staff to represent the Department. The attending officer will be reimbursed as stated in Section 901 B 5.

3. The Commandant or replacement is expected to attend the entire National Convention. Failure to do so will cause the reimbursed expenses to be prorated in proportion to the time spent at convention.

4. The Commandant or his replacement will be expected to give a full written report of the Convention at the next Staff Meeting on returning from Convention.

5. All expenses must be submitted to the Department Paymaster with receipts and supporting documents attached and cannot exceed the amount budgeted by the Department Convention.

C. Administrative Expenses. The elected and appointed officers of the Department shall be reimbursed for normal administrative expenses incurred in the performance of their duties.

1. The expenses to be covered will be for telephone, postage, copying and supplies. All expenses must be submitted to the Department Paymaster with receipts and supporting documents attached to the expense voucher within 45 days of the expense.

2. In addition to the administrative expenses, the appointed Regional Coordinators will be paid mileage to the Department Convention, Staff Meetings and other Marine Corps League functions at the mileage rate established by the Budget Committee, but not to exceed the amount budgeted by the Department Convention.

SECTION 902 - ANNUAL BUDGETS. The annual budget shall include any excess income funds accumulated from prior administrations.

SECTION 903 – YOUNG MARINES PROGRAM FUNDING. Annually, at the Department Convention, the amount of funding for support of the Young Marines Program for the fiscal year will be established.

A. Department funds allocated in the budget for distribution to the Young Marines Regiments of California shall be disbursed to the Regiments in equal amounts.

B. Funds shall be disbursed only to the Regimental Commanders and only upon their written request, processed through the Department Commandant.

C. The Department Young Marines Liaison shall notify the Regimental Commanders of the availability of funds and the amounts available immediately subsequent to the adoptions of the Department budget each June.

BYLAWS

ARTICLE X
AMENDMENTS

SECTION 1000 – AMENDMENT OF THE BYLAWS. The registered delegates or alternates and members present during a Department Convention can amend these bylaws providing that previous notice of proposed amendments was given to all Detachments at least forty-five days prior to the Convention. Previous notice can be sent by postal mail, or e-mail.

A. A two-thirds vote will adopt an amendment, or revision.

B. A member in good standing may submit proposed amendments of the Department Bylaws through the following procedures:

1. The proposed amendment must be typewritten with an original and one copy and must be received by the Department Judge Advocate at least sixty (60) days prior to the Department Convention.

2. The proposed amendment must be typed in the exact wording intended and if that amendment will interact with any other Section(s), the corrected wording of those Sections will be included.

C. The Department Judge Advocate will distribute copies of the proposed amendments to each Detachment and each member of the Board of Trustees no later than forty-five (45) days prior to the Department Convention.

SECTION 1001 - DEPARTMENT BYLAWS DISTRIBUTION.

A. Each Detachment and member of the Department Board of Trustees shall be mailed a copy of the Department Bylaws and Administrative Procedures, or changes each time they are published.

B. The Department Bylaws shall be made available for viewing and downloading from the Department Web Site.

BYLAWS

ARTICLE XI
AUTHORITY

SECTION 1100. – AUTHORITY. The Department of California and its Detachments operating and functioning under the Congressional Charter and the name of the Marine Corps League is and shall ever be subject to the authority, supervision, direction, control, and discipline of the Marine Corps League.

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ADMINISTRATIVE PROCEDURES

DEPARTMENT CONVENTION & DEPARTMENT STAFF MEETINGS

SECTION 1 - The Department Bylaws, Department Administrative Procedures, and the latest edition of Robert's Rules of Order shall govern the Department Convention and Staff Meetings.

SECTION 2 – MEETINGS.

A. The Department Convention shall be convened once each calendar year, at a time that is at least three (3) weeks prior to the National Convention.

B. Department Staff Meetings: The Department Commandant shall call the Board of Trustees into meeting following the Department Convention and seek their advice and counsel concerning his policy and programs for the ensuing year. The Department Staff shall decide the location of the March and October Staff Meetings, setting a time as soon as possible so that all members can be advised. He may also call special meetings of the staff at his discretion.

SECTION 3 – TIME AND PLACE.

A. The time and place of each Department Convention may be decided by the delegates present and voting at a Department Convention two (2) years in advance.

B. Selection of time and place may be assigned to the Department Board of Trustees, in an emergency, or in case of failure to determine a place.

C. Convention Bid: Any Detachment desiring to host the Department Convention, shall at some time during the Convention, file with the Department Adjutant an application, including letters from the Chamber of Commerce and Chief Executive Officer (City) inviting the Convention to meeting in that city, with verification of adequate hotel rooms and facilities for the Department delegates, and a letter from the host Detachment.

D. Department Staff Meetings shall be called in accordance with provisions of Section 2 B above, and Section 3 E below.

E. The Detachments placing a bid for a Staff Meeting shall place their bid at the meeting preceding that which they are requesting.

F. Host Detachment shall arrange for complimentary rooms for the Department Commandant and spouse.

G. Complimentary meals. Dinner at Staff Meetings and Conventions Banquet shall also be arranged for the Department Commandant and spouse.

H. Checkout times should be extended to 3:00 p.m. for Staff Meetings.

I. A sufficient number of rooms should be set aside and should be as close to one another as is possible.

SECTION 4 – REGISTRATION FEES.

A. A registration fee of \$5.00 shall be assessed each delegate and member up to fifteen (15) days prior to the convening of the Department Convention. After that date a registration fee of \$6.00 will be assessed each delegate and member.

SECTION 5 – GENERAL RULES OF CONVENTION.

A. Section 35, Department of California Bylaws, is herewith incorporated into these Administrative Procedures, and nothing contained herein shall take precedence over the provisions of Section 35.

SECTION 6 – CONVENTION PROGRAM.

A. The Convention Committee shall provide for an opening ceremony; Memorial Service; Past Commandants Luncheon; registration area for Department Members attending the Convention; and an Installation Ceremony. **CHG 12**

B. Registration shall continue through a.m. of the final day of the Convention.

C. Ideally, during the evening prior to opening day of the Convention, an Early Bird reception is hosted by the Past Commandants Club. **CHG 12**

D. A head table shall be provided at the banquet with special attention to proper protocol as to who should be seated there at and in what order.

1. Suggestions as to those to be seated at the head table are: Retiring Commandant and spouse; speaker of the evening and spouse (if present); Convention Chairman; ranking National Officers. **CHG 12**

2. Head table seating should be as limited as possible and proper protocol shall be carefully carried out.

SECTION 7 – RULES OF ORDER.

A. Robert's Rules of Order, Revised will apply in situations not covered by National and or Department Bylaws.

SECTION 8 – IRS REPORTS Nat'l CHG 18

A. IRS Forms 990 and 990-EZ. Each Detachment and Department or other entity, including National subordinate and subsidiary organizations, which directly or indirectly operates under the Congressional Charter and name of the Marine Corps League must annually file with National Headquarters, via the Department a true and complete copy of the front page of its IRS Form 990 or 990-EZ (whichever is required to be file with the IRS) no later than the due date of filing by IRS rules and regulations, normally by November 15 following the end of the fiscal year of June 30, unless an extension has been requested.

B. IRS Form 990-N. Those Detachments, Departments or other entities, which qualify under the IRS regulations, may elect to file an IRS Form 990-N, an e-postcard on line filing. Since there is no printed copy of this filing, these entities will file a copy of the E-Mail Acceptance Receipt that is returned from the IRS. The submission will be via the Department Paymaster. The Department Paymaster will forward the Acceptance Receipts to National Headquarters, or may consolidate these receipts into a single document showing the name of the organization, the EIN, the Submission ID number, and the date the submission was accepted by the IRS. If a consolidated single report is submitted, the document will be certified by the Department Commandant and the Department Paymaster as true and correct and then submitted to National headquarters.

C. The IRS Form 990 reports will be utilized by National Headquarters to update the annual report required by their Group Exemption filing requirements to the IRS. Failure to file the appropriate 990 reports to the IRS and updating of National Headquarters annual filing will subject the subordinate or subsidiary entity to the loss of its exempt non-profit status.

SECTION 9 – GRIEVANCE AND DISCIPLINE.

- A. Provisions contained in the current National Bylaws and Administrative Procedures shall be followed in handling any complaint or grievance.

SECTION 10 – CONFLICT OF AUTHORITY.

- A. In the event of conflicting provisions between those herein and those contained in the Department or National Bylaws, those of the highest entity shall take precedence.

Administrative Procedures
Section 35 General Rules of the Convention

- A. Business sessions shall be conducted according to the Charter and Bylaws of the Marine Corps League, otherwise according to Robert's Rules of Order.
- B. No person or persons shall be permitted to attend the business sessions, unless they are members in good standing and registered.
- C. Should the Commandant desire to admit any nonmember to the business sessions for any purpose, he shall recess the meeting, admit the visitor and after the purpose has been completed, shall dismiss the visitor and declare the meeting reopened under the business as prior to the recess.
- D. As prescribed under the National and California Department Bylaws, any member in good standing may be granted the privilege of the floor upon being recognized, and given permission by the presiding officer.
- E. No delegate shall speak more than five minutes on any question or motion, and may not speak again until all others have had their chance to speak, after which, a delegate shall be limited to three minutes the second time he speaks.
- F. In nominating of officers, the delegate making the nomination shall be allotted no more than three minutes to make his nomination; seconds, though not required, may be allowed no more than two minutes.
- G. The Chairman of the Credentials Committee shall announce the attending Detachments, and their voting strength before the election.
- H. The Chairman of the Credentials Committee shall call the name of each Detachment and its voting strength on all roll Call votes, and for the election of officers. If a Detachment shall pass a vote, it shall be polled after the other Detachment has been called.
- I. If a Detachment is called and no delegate replies at the time of polling, the Detachment concerned shall not have the right of vote on the immediate question.
- J. The Commandant shall call a five-minute recess prior to the calling of the roll on a roll call vote, to permit the Detachment Chairmen to check with their delegates and be ready to cast their vote when called.
- K. During the business sessions, the Commandant shall not permit and deliberate filibustering or speeches not pertinent to the motion or question on the floor.
- L. The Chairman of the Credentials Committee shall post in a conspicuous place and maintain a current listing of the Detachments present and to their voting strength.
- M. The right of the Detachment to instruct their delegation in voting shall be respected at all times.
- N. Any person wishing to address the Chair shall precede his remarks with his name, the name of his detachment, stating whether a delegate, alternate or member.
- O. The Commandant shall preside at and conduct the Department Convention. The Commandant will prepare and publish an agenda to be followed as closely as possible. The registered and approved delegates attending the Convention may change the agenda upon a motion from the floor.
- P. Immediately preceding the convening of each Department Convention, the Department Commandant shall meet with the Department Board of Trustees and review the proposed agenda and establish the sequence and procedure with which the business of the Convention shall be conducted. Special attention should be paid to abbreviating reports and making committee reports as short as possible.

ENCLOSURE (1)

COMPLIANCE REQUIREMENTS FOR ORGANIZING OFFICERS

1. A potential organizing officer who desires to develop a Marine Corps League Detachment must comply with the following:

Shall submit a letter of intent to start a detachment to the Department Commandant and indicate the reason(s) for wanting to start a detachment.

If a detachment currently exists within 25 miles state the reason for not joining that detachment as a member.

Will provide to the Department Commandant proof of Honorable Service in the form of a (DD-214), or a Retired ID Card. In the absence of the afore mentioned documents, he will be provided a Standard Form- 180, which will be completed and mail to the National Personnel Records Center. The form will have the Department Commandant's mailing address as the return address.

Is not authorized to recruit members until proof of honorable service as a Marine, a qualified FMF Corpsman or qualified FMF Navy Chaplain is established.

2. Once verification of honorable service has been accomplished, the Department Commandant will provide a Start Up Kit, which contains information on procedures to be followed in starting a Detachment. In administering the organizing of a new Detachment, the Organizing Officer shall:

- Follow the procedures outlined in the Marine Corps League National Bylaws and Administrative Procedures, Chapter Six, Section 600 in administrating the recruitment of members.
- Be identified as an Organizing Officer, and shall not assume the title of Commandant, acting Commandant, Commandant pro-tem, nor any other such title.
- Not make a personal determination of a Detachment name. A vote of the charter membership, after a discussion, shall determine the name of the Detachment.
- Not set the amount of the Detachment per capita dues. A vote of the charter membership, after a discussion shall determine the Detachment per capita dues.
- Not collect any dues or fees until having recruited a minimum of 20 applicants for membership, and prepared to submit the Charter application.
- Ensure, through the viewing of an applicant's DD-214, that each applicant has the required honorable service prior to acceptance for membership, and make appropriate entries in the Proof of Honorable Service Log. (Encl. 1) **No exceptions to viewing an applicant's DD-214 shall be made for current or former members of the Marine Corps League.**
- Require those applicants who are unable to provide a DD-214 or Discharge Certificate to submit an SF-180 to the Military Personnel Records Center to acquire a copy of a DD-214.
- Contact the Department Commandant at least twice a month providing the status of recruitment.

