



# Marine Corps League Department of North Carolina



**William E. “Bill” Brown**

**Judge Advocate**

03-April-2023

From: William E. Brown,  
To: Judge Advocate, Department of North Carolina  
Bylaws Committee Chairperson, Department of North Carolina

Subject: Proposed Bylaw Change Article Two, Section 200 Composition

In accordance with Article Eight, Section 800, of Department Bylaws (DBL) Amendments, I am submitting the following change for consideration at the 2023 Department of North Carolina Convention.

### **CURRENT:**

**SECTION 200 - COMPOSITION** - The Board of Trustees shall consist of the elected Department Officers and either the outgoing Department Junior Past Commandant or any other Past Department Commandant, appointed by the Department Convention to serve a one-year term as a member of the Department Board of Trustees. No member of the Department shall serve in more than one position on the Department Board of Trustees. (CH 6-13) (CH 5-22)

### **PROPOSED (Changes in RED):**

**SECTION 200 - COMPOSITION** - The Board of Trustees shall consist of the elected Department Officers, either the outgoing Department Junior Past Commandant or any other Past Department Commandant, appointed by the Department Convention to serve a one-year term as a member of the Department Board of Trustees **and all Detachment Commandants**. No member of the Department shall serve in more than one position on the Department Board of Trustees. **The Department Board of Trustees shall be further categorized as:**

- A. EXECUTIVE BOARD OF TRUSTEES (EBOT)**– comprised of the Elected Officers and the Junior Past Commandant selected at the Department Convention to rule on all normal day-to-day operations identified within the Department operating budget, and the appointment and approval of staffing assignments and replacements for vacancies of appointed Department Officers. **The Executive Board of Trustees will also have the responsibility for approval of contracts to be executed for Detachments hosting the Department Convention, Spring and Fall Membership meetings.**
- B. CONSOLIDATED BOARD OF TRUSTEES (CBOT)** Comprised of all members of the EBOT and all Detachment Commandants to rule on all financial and budget amendment approvals and approval of nominations for vacancies of Elected Department Officers.
- C. QUOROMS:**
  1. A majority vote will be sufficient for matters brought before the EBOT.
  2. The quorum for the CBOT will be at least two of the five EBOT members and forty percent (40%) of the Department’s active Detachment Commandants (or designated elected officer (typically limited to SVC, JVC or JA) as representative, if the Detachment Commandant is incapacitated or excused by the EBOT) in attendance at the meeting. This is similar to that of the Department Convention, but limited to one vote per Detachment in attendance.



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**RATIONALE:** Prior to revision at the Department Convention in May 2022 “and all Detachment Commandants” appeared in all Department Bylaws as far as can be determined; the practice goes back into the previous century.

- As prescribed in the NBL Article Eight Section 805 – 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.
- Article Six, Section 600 says: The National Board of Trustees shall be composed the following: (a) National Commandant, (b) National Senior Vice Commandant, (c) National Junior Vice Commandant, (d) National Judge Advocate, (e) National Vice Commandants of Divisions, (f) The Assistant National Vice Commandant of the Division in the absence of the National Vice Commandant, and (g) Junior Past National Commandant
- The Department structure is based upon the National Structure; it is only fitting that the Detachment Commandants are included in the decision making of the Department as are the National Division Vice Commandants at the National level.
- Lastly, by inclusion of all Detachment Commandants within the Composition of the Board of Trustees, we are merely ensuring that our Department Bylaws and Administrative Procedures are consistent with the National Charter, the National Bylaws, and National Administrative Procedures,
- The quorum for the Executive BOT is essentially the same as currently provided for the normal Department Board of Trustees meetings and the Consolidated BOT quorum is the same as that at the Department Convention but without delegates, per se, and limited to one vote per Detachment in attendance, be it in-person or via Zoom, FreeConferenceCall or similar media.

Respectfully Submitted,

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