



Department of North Carolina

BYLAWS

May 14, 2022

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DEPARTMENT OF NORTH CAROLINA
MARINE CORPS LEAGUE

PREAMBLE

*In the name of the beneficent God of all,
we who have honorably served,
or are now honorably serving our Country
in the United States Marine Corps,
for the common good of this Nation,
and all the Nations and people of our world,
and in order that the fundamental rights and freedom
of every person may be preserved,
to foster interest in the affairs
of the United States Marine Corps,
to protect and advance the welfare
of wounded and disable Marines
and their dependents,
and for the further purposes set forth hereinafter,
do solemnly and firmly associate ourselves
together in a nonprofit corporation
known as the Marine Corps League
order and establish these Bylaws.*

UNDER SECTION 400 OF THE NATIONAL BYLAWS OF THE MARINE CORPS LEAGUE, THE FOLLOWING BYLAWS FOR THE DEPARTMENT OF NORTH CAROLINA ARE SET FORTH:

NAME: The name of this Corporation shall be the Department of North Carolina, Marine Corps League, Incorporated, and was incorporated in the State Of North Carolina on 9 May 1990 with a Secretary of State ID (SoSID) Number of 0268705. **(CH 5-22)**

PURPOSE: The purpose of the Department shall be:

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

The Department is not formed for profit, but it is formed for promoting the ideals and purposes set forth above. Any net earnings shall be devoted exclusively to operational, charitable, education, and recreational purposes, as defined by State and Local Statutes and as set forth in the National Bylaws of the Marine Corps League. The IRS designated the Department as a 501(c)(4) nonprofit corporation with an Employer Identification Number (EIN) as 23-7118556. **(CH 5-22)**

**MARINE CORPS LEAGUE
DEPARTMENT OF NORTH CAROLINA**

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**BYLAWS
MARINE CORPS LEAGUE
DEPARTMENT OF NORTH CAROLINA**

ARTICLE ONE

DEPARTMENT CONVENTION

SECTION 100 - AUTHORITY - The supreme legislative and policy making of the Department of North Carolina shall be vested in a Department Convention composed of the properly registered, and approved Delegates in good standing. **(CH 5-22)**

SECTION 101 - CREDENTIALS, DELEGATES, ALTERNATES

- A. Delegates and members desiring to attend business sessions of a Convention must be members in good standing and possess properly executed and signed credentials and must be registered with, and approved by, the Convention Credentials Committee. **(CH 5-22)**

- B. Delegates and Alternates to the Convention shall be Detachment regular members in good standing as reported by the National Detachment Roster dated 31 March immediately preceding the Convention. Any revisions to that roster need to be provided to the Department Adjutant 30 days prior to the Convention. The Delegate voting strength of each Detachment shall be as follows: **(CH 5-22)**
 - 1. the first ten (10) Regular members - one Delegate and one (1) Alternate
 - 2. for each additional full block of ten (10) Regular members - one (1) Delegate and one (1) Alternate
 - 3. for any remaining partial number of ten (10) Regular members - one (1) Delegate and one (1) Alternate
 - 4. New Detachments, that have received their charter, that form too late in the year to show up on the 31 March report, shall be represented by one Delegate and one (1) Alternate. Upon review by National Judge Advocate, Russ Miller this was determined to be in violation of NBL Art. V, Sec. 505. – A proposed revision has been drafted and will be presented at the DoNC Convention. **(NRev 1-23)**

However, no Delegate strength of a Detachment shall be computed by including Associate members or Honorary members in such Detachment's total membership strength.

SECTION 102 - VOTING - A majority of those Delegates present, and voting will carry any measure or decide any issue, except as otherwise provided in these Bylaws. There shall be no proxy voting. A roll call vote may be required and recorded upon the request of the Presiding Officer or of any three (3) registered and approved Delegates. For a roll call vote the senior Delegate from each Detachment shall rise when called upon and voice the vote distribution of that Detachment. **(CH 5-22)**

SECTION 103 - CONVENTION REGISTRATION FEE - The registration fee for all members and guests attending the Department Convention shall be \$10. If requested by the hosting Detachment, due to unusual circumstances, this fee may be changed on a one-time basis by majority vote at the Department Staff Meeting prior to the Convention. Delegates and alternate fees and official credentials letters signed by the Detachment Commandant shall be presented to the Department Credentials Committee upon registration. The registration fee will be paid to the host Detachment. **(CH 9-09)**

SECTION 115 - ELECTIVE OFFICERS/APPOINTED OFFICERS

- A. The Department Officers to be elected at each Convention shall be: Commandant, Senior Vice Commandant, Junior Vice Commandant and Judge Advocate.
- B. The Department Commandant shall appoint the following Department Officers: Department Adjutant, Department Paymaster (or Department Adjutant/Paymaster) Department Sergeant at Arms, Department Chaplain and such other Officers as may be deemed necessary to carry out the programs of the Marine Corps League.

SECTION 120 - NOMINATIONS

- A. All nominations for elected Officer positions shall be made from the floor on the day the elections are to be held.
- B. Nominees must be Members in Good Standing of the Department of North Carolina, Marine Corps League, and as each is placed in nomination, must arise and state that if elected, the nominee will accept the office and serve loyally and faithfully during the term to which elected. Absent nominees will be allowed provided a letter of acceptance has been received by the Department Commandant prior to the start of the Convention.
- C. Detachments shall caucus immediately after nominations of officers to select their nominees.

SECTION 125 - ELECTIONS

- A. The election and installation of Department Officers shall be the last order of business at Convention. The election of Commandant, Senior Vice Commandant, Junior Vice Commandant and Judge Advocate shall be conducted in this order by a roll call vote.
- B. The Nominating Committee Chairman having called for "Election of Officers", no other business activities will prevail that are business. Delegates who leave the convention floor will not be permitted to re-enter until elections are concluded. **(CH 5-22)**

SECTION 130 - TERMS OF OFFICE - All Department Officers are elected for the term of one (1) year and may succeed themselves if elected by the Delegates. The Commandant, Sr Vice Commandant, and Jr Vice Commandant shall be eligible to serve a maximum of three (3) consecutive terms in the same office. The Judge Advocate shall not have term limits. All

appointed Officers are appointed for a period of one (1) year and may succeed themselves at the pleasure of the Commandant Elect. **(CH 5-22)**

SECTION 135 - QUORUM - The quorum for the Department Convention shall consist of at least two (2) of the five (5) Department Elected Officer Board of Trustee members and one Delegate from at least 40% of the Department's active Detachments in attendance. **(CH 1-18)**

SECTION 140 - RIGHT TO SPEAK - All registered and approved Delegates shall have the right to speak on the Convention floor on any matter or question before the Convention. After raising their hand (or going to the microphone, if available) and being recognized by the presiding officer, the member will be allowed to address the presiding officer. **(CH 5-22)**

SECTION 145 - DEPARTMENT CONVENTION

A. The Department Convention shall meet once each calendar year between April 1 and June 30. The date and location for the Department Convention will be voted on by the delegates at a Department Convention two (2) years in advance.

B. Should any unforeseen circumstance occur and no host detachment is selected two (2) years prior to a convention, presentations can be made during the Department Convention one year prior to the next convention.

C. Any convention location decision not made one (1) year prior will be selected by a majority vote in a Convention Selection Meeting (in person or a means determined by the Department Commandant) as soon as practical. This Convention Selection Meeting will consist of the Department Executive Board, the detachment(s) making a bid for the Department Convention, and any other parties the Department Commandant deems relevant. The Executive Board members will cast the only votes to decide on the host detachment. **(CH 5-22)**

**BYLAWS
MARINE CORPS LEAGUE
DEPARTMENT OF NORTH CAROLINA**

ARTICLE TWO

BOARD OF TRUSTEES

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)**

SECTION 205 - POWERS - Complying with the provisions of the Congressional Charter, the National Bylaws and Administrative Procedures, the Directives and Mandates of the National Convention, and the Department Bylaws - the powers and authority of the Department Board of Trustees between Conventions shall be:

- A. To suspend or remove from office for cause any Department or Detachment Officer (See Chapter Nine (9) Section 9090 and 9100 of the National Administrative Procedures).**(NRev 1-23)**
- B. To exercise such powers and to do such other actions as are compatible with the National Bylaws and Administrative Procedures which are in the best interest of the Marine Corps League, and to exercise executive power between Department Conventions.

SECTION 210 - DUTIES OF TRUSTEES - In addition to the specific duties of the individual Trustees, as hereinafter stated, it shall be the duty of each member of the Board to acquire a working knowledge of both the Department and National Bylaws and Administrative Procedures of the Marine Corps League. All elected and appointed officers shall be prepared to surrender all photographs, papers, memorabilia, and documents with which the position is charged to the duly elected or appointed successor. The specific duties of members of the Department Board of Trustees shall be:

A. DEPARTMENT COMMANDANT is the Chief Executive Officer of the Department of North Carolina, Marine Corps League, Incorporated, and shall:

1. Preside at all sessions of the Convention and at all meetings of the Department Board of Trustees. The Commandant shall, together with the Board of Trustees, have direction and control of the executive and administrative affairs of the Department of North Carolina, Marine Corps League.

2. Observe and enforce the observance of both the Department Bylaws and the National Bylaws and Administrative Procedures of the Marine Corps League.

3. Advise and direct all Officers and Members on activities and actions which are necessary for the proper conduct of Department business

4. Call such meetings of the Board of Trustees as are required by the Department Bylaws and Administrative Procedures.

5. Seek the advice of the Department Board of Trustees and Staff.

6. With the Department Paymaster has custody of all funds and property of the Department subject to the supervision of the Commandant. Under normal conditions, the Department Commandant or Department Paymaster will affix their signature, with the Department Senior Vice Commandant being called upon in the event of death or incapacitation of either of the aforementioned Officers. Checks and other monetary business of the Department shall be considered legal and binding if any one of these officer's signatures are affixed onto such document. All three (3) of these officers shall have their signatures on file with the financial institution used by the Department. **(CH 5-22)a**

7. With the advice and consent of the Board, appoint as necessary the following Staff Officers:

- a. Chief of Staff
- b. Department Adjutant
- c. Sergeant at Arms
- d. Department Paymaster
- e. Chaplain
- f. District Vice Commandants
- f. Legislative Officer
- g. Americanism Chairman
- h. Director of Young Marines
- i. Service and Rehabilitation Officer
- j. V.A.V.S. Chairman
- k. Historian
- l. Public Relations Officer
- m. Auxiliary Liaison
- n. Women Marine Liaison
- o. Scholarship Chairman
- p. Compliance Officer
- q. Marine For Life Liaison

8. With the advice and consent of the Board, appoint such Standing Committees as are deemed necessary:

- a. Approve or disapprove all disbursement of Department Funds
- b. Represent the Department at all social functions and ceremonies in such a manner as will enhance the dignity, honor and prestige of the Marine Corps League
- c. Represent the Department at the North Carolina Veterans Commission, or designate an alternate representative in writing

9. Perform such other duties as may be required from time to time.

B. DEPARTMENT SENIOR VICE COMMANDANT

1. Shall give every assistance to the Commandant, and during the absence or illness of the Commandant, perform the duties of that Office.
2. Shall preside over all Detachment Commandants' Councils and with their assistance, initiate and implement such programs as will increase the effectiveness of the Department.
3. Shall also perform such other duties as may be assigned by the Commandant.

C. DEPARTMENT JUNIOR VICE COMMANDANT

1. Shall, in the absence or illness of the Commandant and the Senior Vice Commandant, perform the duties of that Office.
2. Shall create and promulgate such membership incentives and programs as will produce enthusiastic response resulting in continuous membership growth.
3. The Department Junior Vice Commandant shall perform such other duties as may be assigned by the Commandant.

D. DEPARTMENT JUDGE ADVOCATE

1. Shall interpret the National Bylaws and Administrative Procedures
2. Shall advise and render opinions on questions of law and procedures to the Department Commandant, Department Board of Trustees, and Detachments when required.
3. Shall resign from the Judge Advocate position held in any other level of the Marine Corps League prior to receiving the oath of office for the Department Judge Advocate and never hold the position of Judge Advocate at any other level while simultaneously holding the office of Department Judge Advocate.

SECTION 215 - VACANCY - The order of succession to the office of Commandant shall be Senior Vice Commandant, Junior Vice Commandant, and Judge Advocate. In the event of other vacancies, the Board shall appoint a successor to serve in the position until the next Convention.

SECTION 225 - QUORUM - The presence of a majority of the Board members shall constitute a quorum for the transaction of Department business.

SECTION 230 - VOTING - Each Board member shall have one (1) vote. There shall be NO proxy voting.

SECTION 235 - CONDUCT OF BUSINESS - The Board of Trustees may conduct business between Conventions at any regular or special meeting, by e-mail, or by first-class mail, as long as the business can be properly certified and documented by the Adjutant.

**BYLAWS
MARINE CORPS LEAGUE
DEPARTMENT OF NORTH CAROLINA**

ARTICLE THREE

STAFF

SECTION 300 - COMPOSITION - The Department Staff will be comprised of the Board of Trustees (see Article Two), Past Department Commandants, Appointed Department Staff Officers, Liaison Officers and Committee Chairman.

SECTION 305 - POWERS - The power and authority of the Staff shall be the same as that of the Board of Trustees, except that Staff Officers and Past Department Commandants shall have no vote and shall not be considered in determining a quorum for Board meetings.

SECTION 310 - DUTIES OF STAFF OFFICERS - The appointed Staff Officers shall acquire a working knowledge of the National Bylaws and Administration Procedures and Department Bylaws and shall act as assistants to the Board of Trustees with their assigned duties. **(CH 5-22)**

- A. **CHIEF OF STAFF** shall perform as a Staff Officer, coordinating staff functions and planning for the Commandant, in concert with all Detachments hosting Department and Higher level meetings and conventions, assuring that quarters, meeting facilities and material are available for performance of the Commandant's activities, and assuming other administrative tasks assigned by the Commandant. **(CH 5-22)**
- B. **DEPARTMENT ADJUTANT** shall:
1. Cause to be kept the accurate minutes of all Conventions, all Board meetings, and perform such other duties as are usually assigned to recording secretaries.
 2. Cause to be transmitted to each Detachment within sixty (60) days following each Convention or Board meeting a brief summary of the minutes showing actions and decisions affecting the Bylaws, Administrative Procedures, policy and administration.
 3. Maintain adequate inventories of supplies and merchandise, order all material to be used by the Headquarters; certify all invoices for services and materials received and forward such invoices to the Department Paymaster for payment.
 4. Publish and distribute to each Detachment Judge Advocate the opinions and ruling of the Department Judge Advocate filed with Department Headquarters.
 5. Serve as direct liaison between the Board and Committees.
 6. Receive and review all Committee reports, prepare them in report form, and forward them to the Board for consideration bringing all recommendations of Committees to the attention of the Board.

7. Keep the Board informed of the progress of Committees.
 8. With the Department Commandant, cause to be prepared and transmitted to the National Commandant, Marine Corps League, on or before the first day of August of each year, a report of the proceedings and activities of the Department.
 9. Provide the Credentials Committee a copy of the 31 March membership roster provided by the National Adjutant's office for the purpose of determining qualified Detachment's Delegate strength at the annual Department Convention.
 10. Perform such other duties as may be assigned by the Commandant.
 11. Surrender all books, records and other property of the Department, with which the office is charged, to your duly appointed and installed successor. **(CH 5-22)**
- C. **SERGEANT AT ARMS** shall preserve order at Conventions and Staff Meetings and perform such other duties as are required by the Commandant. The Sergeant-at-Arms is empowered to deputize such Deputy Sergeants-at-Arms as may be necessary for the proper performance of his duties.
- D. **DEPARTMENT PAYMASTER** shall:
1. Administer the allocation of funds of the Department as authorized in the annual Department approved budget.
 2. Assure that all funds received by the Department are deposited in a bank account approved by the Board of Trustees
 3. Be responsible for disbursing all funds of the Department.
 4. Not make, or permit to be made, any expenditure of the Department funds in excess of those available. Immediately notify the Commandant and the Board of any circumstance not provided for in the annual budget.
 5. Be directly responsible and accountable for all financial transactions necessary for the operation of the Department.
 6. Deposit collected funds in a timely manner in the financial institution designated in accordance with paragraph (2).
 7. Maintain appropriate accounting records with all disbursements supported by appropriate documentation.
 8. Submit the records of the Department for audit, not less than annually, to the Commandant, or his duly appointed Financial Audit Committee.
 9. Chair the Budget and Finance Committee, unless otherwise directed by the Commandant. The Commandant shall appoint no less than three (3) members to serve on

this committee. The Budget and Finance Committee shall prepare a proposed annual budget consisting of appropriated and non-appropriated items for approval at the annual Department Convention. The budget will be prepared utilizing the following criteria:

a. For budgetary purposes the fiscal year of the Department shall run from June 1st to midnight May 31st of the following year.

b. Annual expenditures shall be limited to those funds on deposit on the first day of the fiscal year (June 1st), minus any funds held in trust and any unfulfilled financial obligation from the previous fiscal year, unless supplemented by extraordinary fundraising.

c. No membership fees or Life Membership annuities collected after June 1st may be expended until after 31st May in the following fiscal year. Annual expenditures shall be delineated in a written budget and submitted to the Department Convention for review, amendment and approval.

d. Appropriated budget items shall satisfy the items delineated in these Bylaws before appropriating funds to any item not delineated in the Bylaws. Inability to satisfy this provision shall be rectified by amending the required items delineated in the Bylaws until a balanced budget is achieved.

e. All funds remaining after the appropriated budget is determined shall be referred to as non-appropriated funds and shall be utilized during the fiscal year to satisfy any non- appropriated expenditures.

f. Non-appropriated expenditures may not exceed the remaining funds on deposit after subtracting the appropriated items and any other funds held in trust.

* *NOTE: An example of funds held in trust are the pledges on deposit for the North Carolina Marine Corps League License Plate Program.

10. The non-appropriated budget may be supplemented by extraordinary fundraising. Extraordinary fundraising may not include any funds collected from membership dues or annual life membership annuity payments.

11. Non-appropriated disbursements may never exceed the amount of funds on deposit for that purpose. Disbursements may not be made based on "projected" revenues.

12. Appropriated budget items that do not utilize the full amount of the appropriation, may designate the remaining funds for non-appropriated items during the budget year provided the authorized recipient of the appropriated funds waives claim to, and releases them to such use in writing. Such written release shall include the full amount of the appropriated item, the amount claimed and disbursed, and the remaining amount to be released to the non-appropriated expense account. This procedure may be used to ascertain that no further claim exists prior to releasing appropriated funds and for those who wish to waive and donate their appropriated funds for other non-appropriated purposes.

NOTE: The purpose of these provisions are to limit spending to funds that are on deposit and provide for adequate funding of the next administration.

13. Disburse funds in accordance with the approved annual budget of the Department. Disbursement is authorized under the following circumstances:

a. Any non-appropriated disbursements directed by a majority vote of the Staff Officers present at a Department Staff Meeting or Delegates present at a Department Convention that do not exceed the funds available for such purpose;

b. Procurement of supplies, postal expenses and services necessary for the operation 2 of 4 of the Adjutant/Paymaster office as appropriated in the approved annual budget; (CH 6-14)

c. To reimburse the Detachment hosting Department Staff/Quarterly Meetings, and the annual Convention the amount of \$200.00 for the procurement of food and other items as appropriated in the annual budget. (CH 6-12)

d. The Commandant or his authorized designated representative is authorized reimbursement, as appropriated in the annual budget, for hotel expenses, travel costs and approved air travel to the Annual National Convention, relating to the following functions when satisfactory proof of expense is presented to the Paymaster. Payment shall not exceed amount approved detailed in the Department budget approved by the membership at Annual Convention.

1) Mideast Division Conference National Convention

2) DoNC Fall Quarterly Meeting

3) DoNC Winter Quarterly Meeting

4) National Mid-Winter Conference

5) DoNC Spring Quarterly Meeting

6) DoNC Annual Convention (CH 6-13)

14. When circumstances requiring the disbursement of non-appropriated funds arise, the Paymaster must obtain approval of the Commandant. Non-appropriated funding of the Commandant shall require the approval of the Board of Trustees. All checks for non - appropriated disbursements must have two (2) signatures, the second being the Commandant or an elected officer designated by the Commandant per Department of North Carolina Bylaws

15. The signatures on disbursement checks shall be other than the individual receiving the remuneration.

16. Submit a comprehensive financial report quarterly, at each Department Staff Meeting and the annual Department Convention. The Department Convention report will be a review of all financial transactions of the past year, copies of the tax reports submitted, the annual audit results, as well as the proposed annual budget for the next year.

17. Report to the Commandant and Board of Trustees any Officer or Member making unauthorized expenditures. Such Member shall be subject to disciplinary action in accordance with the provisions of the National Bylaws and Administrative Procedures.

18. Keep all proper and necessary books and ledgers.

19. Submit the appropriate reports and records to the Internal Revenue Service as required by Local, State and National law. Maintain a record of such submission(s) and include them in the annual report submitted at the Department Convention. **(CH 5-22)**

E CHAPLAIN shall:

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

2. Report the names and Detachment of all deceased members, as reported on the Notice of Death, at all Department Staff Meetings and the Department Convention. **(CH 5-22)**

F. DISTRICT VICE COMMANDANTS shall perform as a Staff Officer responsible to the Department Commandant for Detachments within their designated District. Each Detachment will liaison through their respective District Vice Commandant to the Department Commandant/Staff. Expanded duties are defined in the Department Standard Operating Procedures for District Vice Commandant: **(CH 5-22)**

G. LEGISLATIVE OFFICER shall maintain contact with the State Legislature and the National Legislative Officer on all matters affecting the welfare of Marines and Veterans. Keep the Department Staff informed and submit appropriate reports.

H. DEPARTMENT COMPLIANCE OFFICER shall ensure that the Department and all Department Detachments be in compliance with all National, Internal Revenue Service, North Carolina Secretary of State requirements for obtaining a Tax Exempt Status, and that each Detachment has copies of all required documents and reports and those Detachments with Ceremonial Rifles, have copies of all required documents and reports. **(CH 5-22)**

I. AMERICANISM CHAIRMAN shall formulate and execute a program to effectuate the purposes of the Marine Corps League.

J. DEPUTY DIRECTOR YOUNG MARINES shall coordinate and supervise all activities within the Young Marines of the Department and such other duties which may be outlined in the Young Marines directives.

K. SERVICE & REHABILITATION OFFICER shall assist members in matters concerning Veterans Benefits.

L. DEPARTMENT VAVS REPRESENTATIVE shall be governed by the duties outlined in Section 3095, National Administrative Procedures which apply to the Department VAVS Representative.

M. HISTORIAN shall assemble and maintain a record of Department history and achievements.

SECTION 315 - VACANCY - in the event of a vacancy in any appointive Office, any Committee Chairmanship or any Committee Member for any cause, the vacancy shall be filled immediately by the Commandant subject to the subsequent approval by the Board.

SECTION 320 - CONTRACTING AUTHORITY - No department officer, committee chairman, or other member of any 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.

**BYLAWS
MARINE CORPS LEAGUE
DEPARTMENT OF NORTH CAROLINA**

ARTICLE FOUR

DEPARTMENT (CH 5-22)

SECTION 400 - BY-LAWS –The Department Convention will adopt Department Bylaws and Administrative Procedures which are consistent with the National Charter or the National Bylaws and Administrative Procedures, provided they have been approved by the Department Judge Advocate and subsequently by the National Judge Advocate, and provided further, that a copy of such approved Bylaws and Administrative Procedures shall be on file at National Headquarters. **(CH 9-09) (CH 2-18)**

SECTION 405 - OFFICERS –The Department will have such elected and appointed officers as required by the Department Bylaws. The Department, however, will elect a Commandant, Senior Vice Commandant, Junior Vice Commandant and Judge Advocate. The Commandant will appoint a Chaplain, Sergeant-at-Arms, Adjutant, Paymaster or an Adjutant/Paymaster and other such officers as are deemed necessary to conduct the business of the Department. The standard Report of Officer Installation detailing the new Department Officers must be filed with National Headquarters no later than 31 July annually. Failure to comply with NBL Article VIII, Section 855 and NAP Chapter Five, Section 5020 will result with the Department and its officers not being recognized at the National Convention. **(CH 2-18) (NRev 1-23)**

SECTION 410 - MEETINGS - The Department will hold one Convention each year between 1 May and 15 June. A report of Installation of Officers will be forwarded to National no later than July 1 annually. Department Staff meetings will be held as desired. Department meetings will be held during the months of September/October and March/April following adjournment of Department Convention, for transaction of official business of the Staff Officers, Department Committees and the Department for the transaction of such other business as may come before it. The Department Charter or copy, the National Colors, and Bible should be displayed at all business meetings. **(CH 9-09) (CH 6-12) (CH 2 & 3-17) (CH 2-18)**

- A. The hosting Detachment of the meeting may charge a registration fee of \$10.00 **(CH 2-17) (CH 2-18)**

SECTION 415 - FREEDOM OF ACTION - Unless expressly forbidden by any Section of these Bylaws, 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 with Federal, State, County or Municipality Laws and Ordinances. **(CH 2-18)**

SECTION 420 - QUORUM- The quorum for Department Quarterly meetings shall consist of at least two (2) of the five (5) Department Officer Board of Trustee members and at least one Elected Officer from at least 40% of the Department’s active Detachments in attendance on the meeting floor. **(CH 6-12) (CH 2-18)**

SECTION 425 - BONDING - All Department Officers handling Department monies will be bonded. The Department Commandant and the Department Adjutant/Paymaster (or Department Paymaster as applicable) are covered under a blanket bond held and paid for by National Headquarters. The bonding of additional Department Officers, when necessary, in compliance with this section, shall be arranged for by the Department at the expense of the Department. (Article Eight, Section 815 applies). **(CH 2-18)**

**BYLAWS
MARINE CORPS LEAGUE
DEPARTMENT OF NORTH CAROLINA**

ARTICLE FIVE

DETACHMENTS (CH 5-22)

SECTION 500 - NAME - No Detachment shall be named in honor of a living person. No Detachment shall adopt a name previously adopted by any other Detachment unless such other Detachment has surrendered or by revocation lost its charter.

SECTION 505 - BYLAWS - Each Detachment will adopt Bylaws and Administrative Procedures which are not inconsistent with the Department and National Bylaws and Administrative Procedures and shall be subject to approval by the Department Judge Advocate. (CH 4-18)

SECTION 510 - OFFICERS - Each Detachment must elect a Commandant, a Senior Vice - Commandant, a Junior Vice Commandant, and a Judge Advocate. Officers, both elected and appointed, will be selected by the Detachment members as they desire. The Detachment shall elect or appoint a Chaplain, Sergeant-at-Arms, Adjutant, Paymaster or an Adjutant/Paymaster, and such Officers as it deems necessary.

SECTION 515 - MEETINGS - The Detachment Charter or copy, the National Colors, and a Bible shall be displayed at all business meetings

SECTION 520 - QUORUM - Each Detachment may fix the minimum numbers of members required to be present for the transaction of business, such number shall be stated in the Detachment Bylaws. (See Section 225 of Department Bylaws for guidance.)(NRev 1-23)

SECTION 525 - 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.

SECTION 530 - ELECTION - INSTALLATIONS OF OFFICERS - Each Detachment shall hold an annual election of Officers between 1 September and 15 May. (CH 6-14)

- A. Installation must be conducted no later than the last day of the month following the election.
- B. Report of Officers installation will be completed by the Detachment and forwarded to the Department Paymaster within five (5) days after the installation. The Department Paymaster will retain a copy and forward the report to the Department Adjutant, National Adjutant, and the Division National Vice Commandant. (CH 6-14)

- C. Notwithstanding the above, Report of Officers installation must be received at National Headquarters no later than 30 June each year. (National Administrative Procedures, Chapter 6, Section 6015 applies.) **(NRev 1-23)**

SECTION 535 - DEFAULT - A Detachment which is in default of monies from any source due National and such debt has not been satisfied as required by Chapter II, Section 2025(c) of the National Administrative Procedures, or fails to report its Detachment's Report of Officers 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. **(CH 5-22)**

SECTION 540 - MEMBERS

- A. Each Detachment shall be the sole judge of its membership, providing said person meets the requirements of Section 515 and Section 520 National Bylaws. No Detachment, however, may accept as a member any person whose name has been stricken from the rolls of the Marine Corps League. Eligibility shall be verified utilizing the applicant's DD-214. **(CH 5-22)**
- B. Once accepted as a member in good standing by the Detachment membership, that member may not be removed from the Detachment's roll except for cause (Chapter 9, National Administrative Procedures or by that member requesting transfer, (Chapter Seven, Section 7005. National Administrative Procedures). **(CH 5-22)**
- C. An Associate Member in good standing in a Detachment who subsequently qualifies as a Regular Member as set forth in Article V, Section 515(b) of the National Bylaws, upon vote of the Detachment to accept such associate member as a regular member, shall be transferred from Associate membership to Regular membership by forwarding the standard "Request for Transfer" form as set in Chapter Seven, Section 7005 of the National Administrative Procedures clearly indicated on such form that it is a transfer from Associate to Regular membership. In the event that the Detachment voted not to accept an Associate Member as a Regular Member, such Associate Member may transfer to any other Detachment who agrees to accept him as a Regular Member or shall be transferred to Member-At-Large status by completing the standard transfer form as set forth in Enclosure Seven to the National Bylaws and Administrative Procedures. **(CH 5-22)**

SECTION 545 - BONDING - All Detachment Officers handling Detachment funds are bonded by the National Headquarters in the amount of \$10,000.00 with a deductible of \$1,000.00. Any additional bonding coverage desired for Detachment Officers shall be arranged by the Detachment at the expense of the Detachment per NAP Chapter Six, Section 6035. **(NRev 1-23)**

SECTION 550 - ADDITIONAL DETACHMENTS - When a Charter is sought for a Detachment which is to be located within the limits of any municipality within which another Detachment exists 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 refuse 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.

SECTION 555 - 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 violations of National Bylaws and Administrative Procedures;
 - 5. The violation of Federal, State, or Municipal law or ordinances; or
 - 6. Other activities detrimental to the good name of the Marine Corps League.
- B. The suspension or revocation of charter may be consummated by a 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 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 such assets satisfy the liabilities of the Detachment **(CH 4-18)**
- D. The Detachments properties and assets will be held by the Department for a period one 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 one (1) year, the properties and assets will revert to the Department. The charter will be returned to National Headquarters 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, US Code 2572) either physically or through police/fire department reports.

SECTION 560 - VOLUNTARY SURRENDER

The Charter of 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. The Detachment shall then: **(CH 4-18)**

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 afore said 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 of the Detachment's vote to voluntary surrender its Charter. **(CH 4-18)**
 - b. The Detachment shall determine from each member of the Detachment where such member desires to be transferred to upon surrender of the Detachment Charter.
 - c. Prepare for each such member the standard application for the transfer form as set forth in Enclosure Seven of the National Administrative Procedures and pursuant to the provisions of Chapter Six, Section 6050.a (2) (b) of the National Administrative Procedures and shall forward the same to the gaining Detachment for such action as the gaining Detachment shall deem appropriate.**(NRev 1-23)**
 - d. If a member of the Detachment fails to indicate where such member desires to be transferred to, or if a "gaining" Detachment shall not elect to accept a proposed transfer, then and in that event, the member shall be transferred to a "Member-At-Large" upon the surrendering Detachment submitting a standard transmittal form as set forth in Enclosure Six of the National Bylaws and Administrative Procedures.
 - e. The Detachment shall, to the extent assets are available, satisfy all legitimate liabilities of the Detachment prior to voluntary surrender but shall not otherwise dissipate any assets of the Detachment other than the normal course of business of the Detachment.
 - f. 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.

- a. Upon acceptance of the surrender of the Detachment Charter by 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. **(CH 4-18)**
- b. 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 (1) 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 Adjutant/Paymaster, approving the reactivation of the surrendered Charter. After the one (1) 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 Charter to National Headquarters which the Charter shall then be placed in the archives. **(CH 4-18)**
- c. 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, United States Code, Section 2572), either physically or through police/fire reports of any weapon not currently in the Detachment's possession. **(CH 9-09)**

**BYLAWS
MARINE CORPS LEAGUE
DEPARTMENT OF NORTH CAROLINA**

ARTICLE SIX

MEMBERSHIP

SECTION 600 - MEMBERSHIP ELIGIBILITY

A. Regular Membership - (see Section 515, ¶ a. National Bylaws.) (Ch 6-14) (CH 5-22)

B. Member-at-Large (see Section 535 National Bylaws and Section 7045 National Administrative Procedures) (CH 5-22)

C. Life Members (See Section 7050 National Administrative Procedures.) (CH 5-22)

D. Dual Membership (See Section 7060 National Administrative Procedures.) (CH 5-22)

SECTION 601 - ASSOCIATE MEMBER - (See Section 515, ¶ b National Bylaws.) (CH 5-22)

SECTION 602 - HONORARY MEMBER - (See Section 515, ¶ c National Bylaws.) 1 of 2 (CH 5-22)

SECTION 603 - CORPORATE MEMBER - (See Section 7015, ¶ b National Administrative Procedures.) (CH 5-22)

SECTION 604 – MEMBERSHIP APPLICATION - (See Section 7020 National Administrative Procedures.) (CH 5-22)

SECTION 605 - HONORARY ACTIVE DUTY MEMBER - (See Section 7015, ¶ b National Administrative Procedures.) CH 6-14) (CH 5-22)

SECTION 610 - MEMBERSHIP DUES AND FEES - The payment of annual National membership dues entitles all members in good standing an automatic subscription to the Marine Corps League publication and enrollment privileges in any National Group Insurance that may be in effect.

- A. The National annual per capita dues and fees shall be recommended by the National Budget and Finance Committee at the Mid-Winter National Staff Conference and require approval by the delegates at the National Convention, provided that the general membership has been advised, in writing, of the proposed dues amount not less than sixty (60) days prior to the convening of the Convention. An announcement in the Marine Corps League Magazine, Summer issue, will suffice as written notification.

- B. An initiation fee shall be recommended by the National Budget Finance Committee. The initiation fee shall be as is approved by the delegates at the National Convention.
- C. All of the National membership dues and fees which are due National Headquarters are in addition to the dues of the Detachment and a Department which are authorized and under the provisions of the National Administrative Procedures Chapter Five, Section 5010 and Chapter Six Section 6010.(NRev 1-23)
- D. The Membership year and the annual dues expire on the last day of the anniversary month of such member's dues having been received at National Headquarters.

SECTION 615 - 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
 - 2. shown on the member's card.
 - 3. a member is indebted or in arrears to the member's Detachment, Department, or to National Headquarters.
 - 4. under suspension as punishment upon adjudication of guilt as is provided in Chapter Nine (9), Section 9010 of the Administrative Procedures.(NRev 1-23)
- 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.

SECTION 620 - 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.

- A. 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.
- B. Should the affected member remain in the delinquent status in excess of one year, such member shall be dropped from all membership rolls. The good standing status of such member shall be restored only through the processing of a standard application form as a new member, which shall include the current initiation fee and dues as established by the procedures of these Bylaws, Article Six, Section 610; however, a member who is delinquent and wishes to retain the continued membership status shall do so by submitting the standard application form, which shall be accompanied by ALL past dues and assessments which have accumulated during the entire period of the applicant's

delinquent status. NJA review determined that additional language was needed indicating the appropriate process for submission of R/I re-instatement application for the member and that it creates a new start for tenure. This section has been expanded more in line with NAP Section 7035 in a proposed change to be voted on at the Department Convention.(NRev 1-23)

C. No delinquent member may be transferred.

SECTION 625 - INELIGIBLE MEMBER –

a. If there is reason to believe a member of the Marine Corps League does not meet the qualifications to be a member, this (these) reason(s) must be submitted in writing to the Detachment Commandant, who will appoint the Detachment Judge Advocate who will investigate the charge as presented. Unless,

(1) The person to be investigated is the Detachment Commandant, the request will be given to the Detachment Senior Vice Commandant for action, or

(2) The person to be investigated is the Detachment Judge Advocate, the Detachment Commandant will appoint a Past Detachment Commandant to hold the investigation.

b. If the investigation determines that the member does not have the necessary qualifications to be a member, the officer who is investigating will present a written report of the investigation, with a draft of a disciplinary charge to the members of the Detachment Board of Trustees. The Board of Trustees shall file a charge with the Department Judge Advocate in accordance with National Administrative Procedures, Chapter Nine (**CH 5-18**) (**CH 5-22**)

SECTION 630 - 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. (National Administrative Procedures, chapter Nine).

SECTION 635 - RIGHT OF APPEAL - The right of appeal under the provisions of the NBL/NAP shall not be denied. (National Administrative Procedures, Chapter Nine, Section 9080 and Section 9085).(NRev 1-23)

SECTION 640 - CERTIFICATION OF LIFE MEMBER - Each Detachment will annually audit its participating life members as shown on the Quarterly Member Listing of 30 June each year. Following the audit, the Detachment will annotate a copy of the Quarterly Member listing with appropriate remarks to show additions, deletions and other adjustments. Each adjustment will include the reason, and whenever possible, will cite supporting documents (i.e. dues transmittals, transfer forms, etc.) to assist in correcting the records in National Headquarters. The annotated Listing will be certified to be correct as annotated by the Detachment Commandant and the Detachment Adjutant/Paymaster (or Paymaster), and will be returned to the National

Adjutant Paymaster at National Headquarters through the Department no later than 1 September following its receipt. No funds from the interest on the Life Member Fund will be distributed to a Detachment until the certified Listing is received at National Headquarters.

SECTION 645 - DUAL MEMBERSHIP - (Membership in more than one Detachment by the same individual) When a member of the Marine Corps League becomes a 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 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 in triplicate to the receiving Detachment; which upon acceptance shall forward the copies of the transfer of voting rights to National Headquarters via the Department Adjutant/Paymaster. The transfer form, Enclosure Seven, National Administrative Procedures, will be utilized for the purpose of transfer of voting rights to another Detachment. **(CH 5-18)**

SECTION 650 - 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 Circumstance 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 Vice 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 effectively 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/her choice. **(CH 1-15)**

**BYLAWS
MARINE CORPS LEAGUE
DEPARTMENT OF NORTH CAROLINA**

ARTICLE SEVEN

SUBSIDIARIES AND SUBORDINATE GROUPS

SECTION 700 - AUTHORITY - All subsidiary organizations and subordinate groups which, and in the future, shall function and operate directly or indirectly under the Congressional Charter and name of the Marine Corps League are and shall ever be subject to the authority, supervision, control and discipline of the Marine Corps League. Any and all complaints, grievances and/or charges against such subsidiary organizations, including member(s) or subordinate groups, including member(s) shall be referred to the National Headquarters, Marine Corps League for adjudication via the appropriate chain of command. If a subsidiary or subordinate organization should have any complaints, grievances and/or charges against a Marine Corps League member, Detachment or Department, they must follow their appropriate chain of command who will refer it to the Marine Corps League for adjudication. It must be referred in writing via certified mail, return receipt requested to the National Judge Advocate for appropriate action. Chapter nine, Section 9000, 9015, 9020, 9025, 9040, 9045, 9050, 9070, 9075, 9080, and 9085 of the National Administrative Procedures, are applicable in correspondence circumstances. **(NRev 1-23)**

A. Such organizations and groups may:

1. Adopt Bylaws compatible or consistent with the Bylaws and Administrative Procedures of the Marine Corps League.
2. Incorporate, if said incorporation identifies them by name with the Marine Corps League and acknowledges their accountability to the Marine Corps League. Such organizations and groups which are incorporated NOT in this manner, shall immediately implement the amending of their incorporation and submit the proposed amended incorporation to the National Judge Advocate of the Marine Corps League for review, consideration and approval.

B. Such subsidiary organizations and subordinate groups shall conduct their business in such a manner as will demonstrate cheerful cooperation with all units and levels of the Marine Corps League and the general public, and all levels and units of the Marine Corps League shall reciprocate in like manner.

SECTION 705 - INCORPORATIONS - Any Detachment which engages in service or business, either profit or non-profit, or which use the name of the Marine Corps League will be incorporated in accordance with Section 700 of this Article. Effective June 30, 2000, each Detachment, which has not provided National Headquarters, Marine Corps League, Inc., with proof of its incorporation will be billed in the amount of seventy -five (75.00) dollars and a like amount annually until such proof of incorporation is on file with National Headquarters. A Detachment which fails to remit its payment to National Headquarters shall be in default as is provided in National Bylaws, Article Four, Section 420-DEFAULT. A new Detachment will have two (2) years from the issue of their new charter. Article Seven applies to Chapter Eight, Administrative Procedures, Section 8000, 8005 and 8010. (CH 5-18) NJA Review informed that the language above in red was obsolete and should be removed wherever referenced in our Bylaws. Additionally, this section actually makes reference to NBL Article X Section 1005b and NAP Chapter Eight . This has been rewritten as applicable NOT to Detachments but to subsidiary organizations and subordinate groups as written in NBL and NAP for approval at the Department Convention. (NRev 1-23)

SECTION 710 - EMPLOYER IDENTIFICATION NUMBER (EIN) AND TAX FILING REQUIREMENTS - Each subsidiary organization group in addition to their incorporation, must obtain and maintain their own EIN number under the Marine Corps League's Group Exemption Number 0955 " under IRS Code 501c(4), within six months from the charter date.. No subsidiary organization group shall utilize the EIN number of the national organization. Pursuant to the electronic filing requirement of the IRS, each subsidiary organization group which must file a tax return shall do so no later than four (4) months and fifteen (15) days following the close of their fiscal year, which is June 30. If filing is not done for three (3) consecutive years, the subsidiary organization group is subject to losing its non-profit status. NBL Article X, Section 1005a applies. (CH 9- 09) (CH 5-18) (CH 5-22) (NRev 1-23)

**BYLAWS
MARINE CORPS LEAGUE
DEPARTMENT OF NORTH CAROLINA**

ARTICLE EIGHT

MISCELLANEOUS

SECTION 800 - AMENDMENTS

- A. The Department Bylaws may be revised, amended or repealed by a majority vote of the properly registered and approved Delegates in attendance at the annual Department Convention, provided that the proposed revision, amendment or repeal is submitted to the Department Headquarters not less than sixty days prior to the Department Convention at which said proposal is to be considered. Submission of proposed revision, amendments or repeals will be in typewritten form and will be in the exact wording intended. Submission should be sent by U.S. Mail or by E-Mail. All amendments are subject to the approval of National Judge Advocate.

- B. The Departmental Adjutant will distribute copies of each proposal, without personal comments, to each existing Detachment no later than thirty (30) days prior to the Department Convention at which the proposal is to be considered.

SECTION 805 - EFFECTIVE DATE OF BYLAWS- Each revision, amendment, or repeal of a provision of the Department Bylaws that is approved by a majority vote of the Delegates present at an annual Department Convention, shall become effective upon close of the Department Convention at which it is approved.

SECTION 810 - DEPARTMENT BYLAWS DISTRIBUTION The current edition of the Department Bylaws along with any published changes shall be posted to the Department website for access, reference, and review by all members and detachments. The Adjutant shall send an email message to all Detachments and all Elected Department Officers containing a link to the original document on the Department website or a .pdf (portable document file) email attachment containing the approved current Bylaws. **(CH 5-22)**

SECTION 815 - BLANKET BOND - The following Officers are included under a blanket bond paid for by the National Headquarters:

- A. Department Commandant

- B. Department Adjutant/Paymaster (or Paymaster, as applicable)

- C. Detachment Commandant

- D. Detachment Adjutant/Paymaster (or Paymaster, as applicable)

SECTION 820 - DISSOLUTION - Should this Organization be dissolved, all funds, property and assets of the Department of North Carolina, Marine Corps League shall revert to National Headquarters, Marine Corps League.

(CH 9-09)

SECTION 825 - MEMBERSHIP LISTINGS - The membership listing of the Department of North Carolina, Marine Corps League is PROPRIETARY INFORMATION and under the DIRECT CONTROL of the Department of North Carolina Marine Corps League. Applicable portions of the membership listings shall be periodically provided to appropriate Detachment exclusively for internal usage in administrating membership of such applicable Detachments. The membership listing will not be sold, leased, copied, loaned, or assigned without the expressed permission, in writing, from the office of the Department Commandant upon approval of Department Board of Trustees of the Marine Corps League.

SECTION 830 - VIOLATION - Any member who violates the precepts of the National Bylaws and/or the National Administrative Procedures and/or Department Bylaws or Administrative Procedures of the Marine Corps League is subject to the provisions of the Chapter Nine (9) Grievance and Discipline, as stated in the Administrative Procedures of National.

**DEPARTMENT OF NORTH CAROLINA
ADMINISTRATIVE PROCEDURES**

CHAPTER ONE

DEPARTMENT MARINE OF THE YEAR

SECTION 100 - DESCRIPTION - This is an annual award presented to a regular member of the Marine Corps League who has rendered service and/or performed deeds above and beyond the duties and obligations required of a member of the Marine Corps League.

SECTION 110 - FUNDING - Funding for this award shall be as appropriated in the annual budget of the Department of North Carolina.

SECTION 120 - QUALIFICATIONS

- A. Nominee must be a **REGULAR MEMBER IN GOOD STANDING** as defined in the National Bylaws of the Marine Corps League and a member of the Department of North Carolina.

- B. Nominee must be nominated by his/her detachment of the Department of North Carolina.

SECTION 130 - NOMINATION - Each nomination package consists of four parts: (1) cover letter, (2) background information, (3) accomplishments and (4) supporting information. The nomination must be neatly typed. Handwritten nominations shall not be accepted. Normal capitalization must be used - proper nouns are difficult to discern when the nomination is typed in **ALL CAPITALS**.

- A. **COVER LETTER** - The following components of the over letter are mandatory:
 - 1. Date the cover letter.
 - 2. Identify the nominee by name and membership number.
 - 3. State that the nominee is a regular member in good standing of the Marine Corps League as defined in the National Bylaws.
 - 4. State that the nominee was selected in accordance with any applicable Detachment bylaws.
 - 5. Certify all statements in the cover letter with the signature of the Detachment Commandant, or the Senior Vice Commandant if the nominee is the Commandant.
 - 6. Only one copy of this part of the nomination is required.

B. BACKGROUND INFORMATION

1. This information is not used in the selection process. If the nominee is selected, this part shall be used to introduce the MOY at the banquet or subsequent news releases.
2. Submit one copy of this part of the nomination.

C. ACCOMPLISHMENTS

1. A brief, succinct statement of why the nominee should be selected and a summary of accomplishments written in numbered and bulletized form for quick reference.
2. Accomplishments shall not exceed two pages.
3. This is the primary document used by the selection board.
4. Submit three copies of this part of the nomination. The Department MOY Selection Board shall, by majority vote, determine the eligibility of any nomination submitted with insufficient copies.

D. SUPPORTING INFORMATION (optional) - Only one copy of this part of the nomination is required. Supporting information shall be organized to allow quick reference to the numbered and bulletized summary on the Accomplishments page(s).

1. Detailed information regarding accomplishments.
2. Copies of awards.
3. Newspaper articles.

SECTION 140 - NOMINATION PROCEDURES

- A. Only one nomination shall be submitted per detachment.
- B. The nomination shall not be limited to the current year Detachment MOY. The Detachment may choose to submit a nomination that has a strong, on-going commitment to the League, while simultaneously recognizing another Detachment member's achievement at the Detachment level for the current year. However, Detachments retain the right to limit the nomination to the current Detachment MOY.
- C. The Department MOY nomination must be endorsed (signed) and dated by the Detachment Commandant, who must abide by applicable Detachment Bylaws governing this award.

D. The nominee cannot be a former Department of North Carolina MOY - only one award per member.

E. Submission

1. The nomination must be placed in a sealed 8 1/2" x 11" or larger envelope – Folded submissions shall not be accepted.
2. The envelope shall be addressed to: “President, Department Marine of the Year Society” and shall identify the Detachment submitting the nomination.
3. Detachment Commandants are encouraged to hand-deliver the nomination package to the Department Adjutant on the Friday, preceding the Department Convention, no later than 1700. Verification of receipt of nomination packages MAILED to Department Adjutant shall be the responsibility of the sender.
4. The Department Adjutant shall, without opening the envelope, record the name of the Detachment submitting a nomination in the Department Convention business meeting minutes.
5. The Department Adjutant shall hand-deliver the envelope, UNOPENED, to the President of the Department Marine of the Year Board on the day the Board convenes for selection. The nominations shall remain sealed until the Board convenes. The Board shall convene, no earlier than 1700, the Friday night of the Department Convention.

SECTION 150 - DEPARTMENT MARINE OF THE YEAR SOCIETY

- A. Shall be comprised of all past recipients of the Department of North Carolina Marine of the Year Award.
- B. Each member must be a REGULAR MEMBER IN GOOD STANDING as defined in the National Bylaws of the Marine Corps League.

SECTION 160 - SELECTION BOARD

A. Composition

1. The Department Marine of the Year (MOY) Selection Board (the Board) shall be staffed by members of the Department Marine of the Year Society and shall number no less than three, voting members.
2. The Department MOY Society shall be chaired by a President. The President shall be appointed by the Department Commandant. The President must be a member of the

Department Marine of the Year Society is defined in this article, SECTION 150. The President shall chair the Department MOY Selection Board.

3. The President shall not vote on the Board unless he/she is the third (minimal) voting member necessary to form the Board or in the event of a tie vote on an even numbered board.
4. Each detachment is limited to a single voting member on the Board. The most recent selected MOY from the detachment, present and willing to serve on the Board, shall be the voting member.
5. Department MOY Selection Board members may only represent the detachment they had membership in when selected as the Department MOY, however a MOY that transfers within the State/Department may vote from the new Detachment.
6. Any National Marine of the Year may serve as an ex officio member of the Department MOY Selection Board. This ex officio member shall not vote.
7. The National Marine(s) of the Year shall serve as advisor/s to the President of the Department MOY Selection Board.

B. Board Deliberations – Deliberations of the Department MOY Selection Board are confidential and shall not be divulged to non-MOY Society members.

C. Board Procedures

1. The Board must receive a minimum of one (1) nomination before it can convene to select a Marine of the Year. The Board shall not meet during any open session of the Department Convention.
2. All of the nomination packages shall be reviewed before the first vote is taken. Subsequent votes shall be taken to reduce the number of packages under consideration until such time as one nominee gets more than half of all of the votes available on the selection board.
3. Only one MOY shall be selected per year – no ties or co-MOY's will be selected.
4. The nomination cover page shall be signed by the President and every voting member of the Board attesting that the nominee was judged.
5. The Detachment Commandant of any nomination not judged by the board shall be notified in writing by the President of the Department MOY Society as to why the nomination was rejected.

6. All nomination packages shall be hand-delivered to the Department Adjutant for return to the appropriate Detachment Commandant after the board has presented a MOY at the banquet.

SECTION 170 - AWARD PRESENTATION PROCEDURES

- A. The Department Marine of the Year shall be awarded at the annual Department Convention banquet.
- B. The Department Commandant or Banquet Master of Ceremonies shall introduce the President of the Department Marine of the Year Society.
- C. The President shall introduce all members of the Department Marine of the Year Society, in order from least recent to most recent selected MOY, prior to announcing the latest selection. The year and detachment of each recipient shall be included in the introduction.
- D. The President of the Department Marine of the Year Society shall present the award or designate a presenter.
- E. The Marine of the Year shall be presented a Distinguished Citizen Award certificate and Distinguished Citizen Medal Silver with MC device (miniature) denoting his/her selection as the Department Marine of the Year.
 1. The certificate shall be signed by the President of the Department MOY Society and the Department.
 2. The 8.5" x 11" certificate shall be framed in a gold frame of no less than 11" x 14" dimensions. The certificate shall be matted in red (scarlet).
 3. See the following sample certificate for format and required text: NJA Review noted that DoNC Bylaws reflect that we are not showing that the MOY recipient is being given the Marine of the Year Medallion and Ribbon. Our Bylaws still showed that we were awarding a Distinguished Citizen Award – Silver. This section has been rewritten to reflect the correction in a proposed change to be presented at the Department Convention. (NRev 1-23)

Marine Corps League



Distinguished Citizen Award

AWARDED TO

DEPARTMENT OF NORTH CAROLINA
2010 MARINE OF THE YEAR

*In appreciation and gratitude for meritorious service in the interests
Of the United States of America, the United States Marine
Corps and the Marine Corps League*

AWARDED THIS 12TH DAY OF JUNE, 2010

PRESIDENT
DEPARTMENT MDV SOCIETY

COMMANDANT
DEPARTMENT OF NORTH CAROLINA

Authorized to wear
Distinguished Citizen Medal Silver
w/ MC device

**DEPARTMENT OF NORTH CAROLINA
ADMINISTRATIVE PROCEDURES**

CHAPTER TWO

DEPARTMENT WOMAN OF THE YEAR

SECTION 200 - DESCRIPTION - This is an award presented to a spouse of a regular member or an associate member of the Marine Corps League, who has rendered service and or performed deeds above and beyond the duties and obligations required.

SECTION 210 - FUNDING - Funding for this award shall be as appropriated in the Annual Budget of the Department of North Carolina.

SECTION 220 - QUALIFICATIONS

- A. Nominee must be a spouse of a regular member IN GOOD STANDING of a Detachment in the Department of North Carolina.
- B. Nominee can be an associate member IN GOOD STANDING in a Detachment of the Department of North Carolina.
- C. Nominee must be nominated by a Detachment of the Department of North Carolina.

SECTION 230 - NOMINATION - Each nomination package will consist of a cover page and an additional page covering the qualifications and any supporting information. Handwritten nominations are not acceptable, and the nomination shall be neatly typed with normal capitalization as proper nouns are very difficult to comprehend when using ALL CAPITALS.

- A. Cover letter- The following components of the cover letter are mandatory:
 - 1. Date the cover letter.
 - 2. Identify the nominee by name and relationship to the League member.
 - 3. State that the nominee's SPOUSE is a regular member in good standing in the Marine Corps League as defined in the National By-laws.
 - 4. State that the nominee was selected in accordance with any applicable Detachment by-laws.
 - 5. Certify that all statements in the cover letter with the signature of the Detachment Commandant and the Adjutant/Paymaster.
 - 6. Only one copy of the nomination letter is required.

SECTION 240 - NOMINATION PROCEDURES

- A. Only one (1) nomination shall be submitted per Detachment.
- B. The nomination does not have to be the current Detachment Woman of the Year if the Detachment gives such an award.
- C. A brief succinct statement of why the nominee should be selected and a summary of accomplishments written in numbered OR bulletized form for quick reference.
- D. The nominee cannot be a Past Department of North Carolina Woman of the Year.
- E. Submission -
 - 1. The nomination application must be placed in a 8 1/2" x 11" or larger envelope. Folded nominations will not be accepted.
- F. The envelope will be sealed and addressed to: Chairperson, Department of North Carolina Woman of the Year Committee.
- G. Detachment Commandants or their designated representatives are encouraged to hand carry the nomination packet to the Department Adjutant on the day of the Department Convention prior to the noon/lunchtime recess.
- H. The Department Adjutant shall, without opening the envelope, record the name of the Detachment submitting the nomination in the minutes of the Department Convention business meeting.
- I. The Department Adjutant shall hand-deliver all envelopes (UNOPENED) to the Chairperson of the Department Woman of the Year committee on the day the Board convenes for selection. The Nominations packet will remain sealed until the board convenes.

SECTION 250 - DEPARTMENT WOMAN OF THE YEAR COMMITTEE

- A. Shall be composed of all past recipients of the Department of North Carolina Woman of the Year award.
- B. Each MCL member or Associate Member must be members in good standing as defined in the National By-laws.

SECTION 260 - SELECTION BOARD

- A. The Department of North Carolina Woman of the Year board will be comprised of all past Women of the Year.

- B. The Chairperson of the Women of the Year Board will be appointed by the Department Commandant on the morning of the meeting to select a Woman of the Year. Normally the Chairperson will be the most recent awardee.
- C. Each Detachment is limited to a single voting member on the selection board
- D. Deliberations of the WOY selection board are confidential and shall not be divulged to non-WOY board members.
- E. The board shall not meet during any open session of the Department convention.
- F. The Board must receive a minimum of one (1) nomination before it can meet to select a Woman of the Year.
- G. Only one (1) WOY may be awarded. There will be no co-winners of this award.
- H. All nomination packets will be returned to the Department Adjutant after the Convention is closed. (Usually after the banquet)

SECTION 270 - AWARD PRESENTATION PROCEDURES

- A. The Department Woman of the Year shall be presented at the Department Convention banquet.
- B. The Department Commandant or the Master of Ceremonies will introduce the Chairperson of the Department Woman of the Year Board.
- C. The Chairperson will introduce each past awardee of the WOY ranging the least recent to the most recent prior to announcing the latest selection
- D. The Woman of the Year will be awarded a certificate signed by the Department Commandant and the Chairperson of the Woman of the Year board.
 - 1. The certificate sized 8.5" x 11" shall be framed in a frame of no than 11" x 14" in measurements.

NJA Review noted that we are in violation of National directives in awarding the Woman of the Year and not awarding the appropriate Associate Member of the Year Medallion and Ribbon. The WOY award was in violation of NBL Art. II Sec 2120c and NAP Chap One Section 1015b which "shall not be based on race, color, creed, nationality or sex..." The entire award has been rewritten as Associate Member of the Year going forward, and AOY was presented to an Associate member in 2022. It is a proposed change for consideration at the Department Convention. (NRev 1-23)

**DEPARTMENT OF NORTH CAROLINA
ADMINISTRATIVE PROCEDURES**

**CHAPTER THREE
STANDARD OPERATING PROCEDURES
DISTRICT VICE COMMANDANTS**

SECTION 300 DESCRIPTION – A District Vice Commandant is responsible to the Department Commandant for Detachments within their designated District. Each Detachment will liaison through their District Vice Commandant to the Department Commandant. The District Vice Commandant:

- A. Provides a role to link Detachments effectively to the Department
- B. Holds an administrative position. There are no meetings, fundraising, etc., on a District level
- C. Is the only officer within the District
- D. Must be a regular voting member, in good standing, of the Department of North Carolina
- E. Is appointed annually by the Department Commandant at a Department Convention
- F. Reports directly to the Elected Board of Trustees

SECTION 310 EFFECTIVENESS An effective District Vice Commandant has:

- A. . Knowledge in Marine Corps League (MCL) Bylaws and Administrative Procedures
- B. . Knowledge in MCL Programs/Committees at the Department and National levels.
- C. . An ability to communicate via email.
- D. . An ability to travel to local Detachments in your District.

SECTION 320 RESPONSIBILITIES

- A. Attend Detachment meetings in the District at least once per quarter.
- B. Assist the Department Commandant and Department Staff in supporting Detachments with the District.
- C. Ensure that any email messages or mail you receive from the Department have also been received by the Detachment Commandants, especially communications that require their reply
- D. Follow up to make sure correspondence has been distributed to members.
- E. Remain an integral part of the chain of command in all matters regarding the continuance of existing Detachments.
- F. Aid in the establishment and Chartering of new Detachments within the District.
- G. Particularly charged with the responsibility of having knowledge of recruiting programs within the Detachments of the District.
- H. Obligate to provide guidance to local Detachments, while supervising is also implied.
- I. Discreetly provide assistance to the Detachment Commandant, especially when the Detachments are running normally.
- J. Attend Department Meetings (Spring/Fall) and the Department Convention.

- K. Prepare a written report to the Department Commandant at all Department Meetings/Conventions. Report shall include activities attended and highlight any District events
- L. Be prepared to speak at each Department Meeting/Convention if a local Detachment is absent. Shall coordinate with the absent Detachment(s) to get a written report in advance.
- M. Assist Detachment that may have internal problems. It is ideal to mediate at a Detachment level, working with the Detachment Judge Advocate. If resolution at the Detachment level cannot be achieved, guide the parties involved in the appropriate procedures to file a grievance or disciplinary charges with the Department Judge Advocate
- N. Request to be placed on each Detachment's mailing list, email distribution list, newsletter list and phone call out list
- O. Coordinate with Detachments to provide maximum participation at funerals, USMC events and MCL activities within the District.
- P. Charged with carrying out the objectives and programs of – MCL, and to comply fully with the obligations assumed under the Detachment, Department, National Bylaws & Administrative Procedures and the National Charter.
- Q. Assure proper administration of the Business of the Department within the District.
- R. Observe and report on the progress of Detachments in the District.
- S. Assist Detachment Commandants in matters, as requested.
- T. Attend any Special Meetings called by the Department Commandant.
- U. Be familiar with the National Professional Development (PDP) Course that is posted on the National website.

SECTION 330 VACANCIES. In addition to death, resignation, or incapacitation, vacancy will occur through the failure to attend two (2) consecutive Department Meetings (unless excused) or in the case of removal from office for cause.

Note: Appointed Officers serve at the pleasure of the Elected Board of Trustees and can be removed from office for any reason at any time.