

**Hiram I. Bearss Detachment
#089
Marine Corps League**



Bylaws

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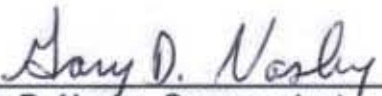
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Certification

The Commandant and the Judge Advocate of the Hiram I. Bearss Detachment, Marine Corps League hereby certify by their signatures that these bylaws were reviewed and approved on this date by a vote of the membership.



Gary D. Nasby, Commandant



Gregory A. Troxell, Judge Advocate

Dated: 10 Feb. 2011

Dated: 10 February 2011

Article I
Authority & Purpose

Section 100. Definitions

As used in these Bylaws, certain terms shall have the meanings set forth below:

- a) "Marine Corps League" or "National" shall mean that organization chartered by the 75th Congress of the United States of America in Public Law No. 243, as the Marine Corps League.
- b) "Department" shall mean the subsidiary organization of National, authorized by the Bylaws, Article Seven, and the Administrative Procedures, Chapters One and Five, of the Marine Corps League. The Department has jurisdiction over this Detachment.
- c) "Detachment" shall mean this organization, Hiram I. Bearss Detachment #089, Marine Corps League, a subsidiary organization authorized by the National Bylaws, Article Seven, and the Administrative Procedures, Chapters One and Six, of the Marine Corps League.
- d) "Commandant" shall mean the duly elected officer bearing that title who shall act as the Detachment leader, performing the duties set forth in these Bylaws.
- e) "Staff" shall mean the collective elected and appointed leadership of the Detachment, excluding the Commandant.
- f) "Trustees" shall have the same meaning as the term "Directors" in the Detachment's Articles of Incorporation, and shall have the same duties and obligations as Directors. Those duly elected officers of the Detachment specific in Article IV shall serve as Trustees during their tenure. There shall at all times be not less than four, nor more than nine, Trustees of the Detachment.
- f) "Controlling Authority" shall mean the duly promulgated and authorized rules, regulations, bylaws and directives of National and the Department which shall control the activities of this Detachment, and which shall supersede any bylaw or decision of this Detachment in conflict therewith.

Section 101. Official Name and Incorporation

- a) The name of this organization for conducting its official business shall be: Hiram I. Bearss Detachment, Marine Corps League. This Detachment is also known as Hiram I. Bearss Detachment #089, Marine Corps League.

- b) This organization has been incorporated as Hiram I. Bearss Detachment, Incorporated, a nonprofit corporation pursuant to the laws of the State of Indiana.

Section 102. Purpose

- a) Mission. This Detachment has been formed to promote the principles and purposes of the Marine Corps League as set forth in Public Law 243 and the Constitution, By-laws, and Administrative Procedures of the Marine Corps League. This Detachment may serve Marine veterans and their families in any and all other capacities not prohibited by the Department or National.
- b) Prohibitions. This Detachment shall never take part in any labor or management dispute or issue, and it shall always be non-sectarian, non-political, and non-partisan. This Detachment shall never be biased on the grounds of race, color, creed, nationality, or sex; nor shall it be used as a medium of political ambition or preferment; nor shall former or present military rank or former or present civilian position be used as the basis for special consideration or preferment.
- c) Political Activities. Nothing in the preceding paragraph shall prohibit The Hiram I. Bearss Detachment from participating in political processes affecting the welfare of the United States Marine Corps, the national security of our Nation, or any veterans' claims for justice arising from service in the Armed Forces of the United States of America.

Section 103. Headquarters

- a) Function. The headquarters function of the Detachment consists of the Commandant and the Staff and resides within the ability of a simple majority of the duly elected officers to conduct official business on behalf of the membership.
- b) Location. The establishment of a permanent physical meeting place shall be determined by a majority vote of the membership present as called by the duly elected leadership and sanctioned by the Department.
- c) Exception. The Commandant may set membership meetings outside the established location for reasons of training and morale.

Section 104. Authority to Act

- a) Authorized actions. This Detachment has only the authority and power to act that is specifically granted to it by its Articles of Incorporation and these Bylaws, and that is not otherwise prohibited by the Department or National.
- b) Precedence.

- 1) All standing bylaws, procedures, ordinances, decrees, and regulations set by the Controlling Authority shall take precedence over any provision of these Bylaws.
 - 2) All standing bylaws, procedures, ordinances, decrees, regulations, and practices of this Detachment not superseded by or in conflict with the Controlling Authority, upon adoption shall remain in effect until amended or until terminated by their own terms.
 - 3) Unless the Bylaws prescribe a different method, all actions taken or motions voted upon shall be determined by a simple majority of those present and voting.
- c) Dissolution. In the event of the dissolution of this Detachment, all property, funds, records and instruments of office become the property of the Department, and must be surrendered to the Judge Advocate of the Department within 30 days.

Section 105. Amendment of Bylaws

a) Proposal.

- 1) Any member in good standing may propose changes to the Bylaws.
- 2) A proposed change may not conflict with any regulation established by the Department or National; may not impede the ability of the Commandant or any of the Staff to perform their functions; and may not impede the ability of any member to participate fully in Detachment activities.
- 3) A proposed change must be announced by the proposing member during the 'new business' section of the regular membership meeting.

b) Examination.

- 1) The Judge Advocate will determine the legality of the proposed change, and report his/her opinion to the Staff.
- 2) The Trustees will consider the proposal and weigh the determination of the Judge Advocate. The Trustees will then issue their report based on a majority vote. The Report of the Trustees shall determine the legality of the proposed change, and may recommend passage or rejection of the proposed change.

c) Report.

- 1) The report of the Trustees will be read into the record by the Adjutant at the next membership meeting.

- 2) If the report of the Trustees determines that the proposed change meets the requirements for amendment of the Bylaws, the Adjutant will notify the membership that a vote will be taken at a designated date.
- d) Vote.
- 1) A vote may be taken for a proposed change to the Bylaws during the membership meeting following the motion to amend, unless that is a meeting at which the election or installation of officers occurs.
 - 2) Only members in attendance, in good standing, may vote on the proposed change.
 - 3) If a two thirds (2/3) majority of the members present and voting approve the proposed change, the change will take effect immediately and the Judge Advocate will modify the Bylaws to reflect the change.
 - 4) The Detachment Adjutant will tally and announce the votes for and against the motion to amend the Bylaws and record the vote in the minutes. Any failed proposal may not be offered again for consideration for one (1) calendar year from the date of the vote rejecting it.

Section 106. Contracting Authority and Procedure

- a) Authority. No Detachment officer, Committee Chairperson or member of the Detachment shall enter into or sign any contract or agreement, for the purpose of binding the Detachment without first submitting such contract to the Detachment Judge Advocate for his/her consideration and other action as may be required.
- b) Trustee Approval. The Judge Advocate shall forward all documents and agreements, with any comments or recommendations he/she may have, to the Detachment Trustees. The Trustees, by majority vote, may accept or reject, in whole or in part, the proposed contract or agreement. All contracts or agreements executed in the name of the Hiram I. Bearss Detachment, Inc. shall require the signature of the Detachment Commandant.
- c) Conflict of Interest. No Trustee or other officer of the Detachment shall participate in the discussion of, or cast a vote regarding, Detachment contracts and agreements in which he/she, or a member of his/her immediate family, has a direct or indirect financial interest.

Section 107. Detachment Special Orders

- a) Purpose. A temporary directive may be used to enhance and serve the goals and purposes of the Detachment where a modification of the Bylaws is not required. Such temporary directives shall be known as "Detachment Special Orders ("DSO").

b) Criteria.

- 1) A proposal to implement a DSO may not conflict with any regulation established by the Department, National, or these Bylaws, nor act as a *de facto* amendment of these Bylaws;
- 2) A DSO may not impede the ability of any of the Staff to perform their functions, and may not impede the ability of any member to participate fully in Detachment activities;
- 2) A proposal to implement a DSO may be offered as a motion during regular membership meetings only by a member in good standing other than the Commandant; and
- 3) The motion must be approved by a majority of the members present and voting

c) Authority.

- 1) If a proposed DSO is approved by majority vote, the Commandant has authority over the implementation of DSOs.
 - i) Any motion made and approved during a regular membership meeting may be designated by the Commandant as a DSO if it meets the criteria set forth in this Section 107.
 - ii) Any DSO may be cancelled by the Trustees for any reason. The reason for, and the effect of, cancelling a DSO shall be reported by the Commandant during the next regular membership meeting.
- 2) While in effect, DSOs will have the same legal authority as Bylaws.
- 3) DSOs automatically terminate and have no force or effect after one (1) calendar year from the date of their adoption, unless renewed by majority vote the membership present and voting on a motion properly presented.
- 4) The Detachment Judge Advocate will report to the Trustees when a DSO is due for expiration within the next 30 days.

d) Promulgation.

- 1) DSOs will be recorded in the minutes and established as a paragraph in Appendix A of the Bylaws identified by the designation: DSO-year-alphabetical character (e.g. DSO-2010-A).

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Article II
Membership

Section 200. Application and Reinstatement

- a) Application. Any person who desires membership in the Hiram I. Bearss Detachment, Marine Corps League must complete the following requirements:
- 1) Submit a completed application to a member-sponsor, or mail a completed and signed standard application form to the Detachment with all required dues and fees.
 - 2) Provide the necessary supporting documents at the time of application.
 - 3) Upon acceptance of his/her application, take the oath of membership in the Marine Corps League.
- b) Processing. The application form received by a member-sponsor shall be submitted to the Adjutant along with all dues and fees as soon as practical, but not later than the next regularly scheduled meeting of the Detachment. The Adjutant shall read and record the application at the proper time stating all pertinent data including name of the sponsor and clearly state that all required dues and fees have been verified and are in the possession of the Detachment. The applicant shall not be present for that portion of the meeting in which the application is being considered. If the application for membership is rejected, the sponsoring member shall return to the applicant all dues and fees submitted with the application.
- c) Delinquency. A member shall be delinquent whenever his/her dues are not paid on or before the membership expiration date as shown on his/her membership card. A member who is delinquent is not a member in good standing.
- 1) Such member shall be retained in the delinquent status for a maximum of one (1) year, during which time the member may remedy this status by making payment of all dues in arrears and all current dues, provided he/she is not otherwise delinquent on any debt owed to the Detachment, Department or to National Headquarters.
 - 2) If the member remains in delinquent status for more than one (1) year he/she 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 initiation fees.
 - 3) A member who is delinquent and wishes to continue membership in the Detachment 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 applicant's delinquent status plus the initiation fees,

unless National has waived or modified this requirement at the time of the member's application for reinstatement.

- 4) No delinquent member shall be transferred to another Detachment.

Section 201. Regular Membership

- a) **Eligibility.** Any person eligible for membership in the Marine Corps League, as set forth in the Bylaws and Administrative Procedures of National, shall be eligible for membership in the Hiram I. Bearss Detachment. The Judge Advocate shall maintain the most current membership requirements as Appendix B to these Bylaws.
 - 1) An applicant that has indicated a felony conviction on his/her application form may be admitted by vote of the membership after full disclosure by the sponsoring member of the circumstances of the applicant's conviction.
 - 2) The Detachment shall be the sole judge of its membership, provided that an applicant meets the eligibility requirements in Appendix B of these Bylaws.
- b) **Documentation.** An applicant must provide a copy of his/her last DD214 or Certificate of Discharge before the Detachment votes to accept or reject the application for membership.
- c) **Rights and Privileges.** A membership card and a lapel pin are issued upon acceptance. The new member is entitled to receive the official publication of the Marine Corps League, and is entitled to wear the Marine Corps League red garrison cover with gold EGA insignia at all meetings and officially sanctioned events.
- d) **Dues.** Annual dues are required, unless the member is a Life Member. The amount of the annual dues is established each year and a bill is sent by the Paymaster, payable upon receipt. The dues established by the Detachment shall include the Department and National per capita dues and fees. All per capita dues and fees which are allocated to the Department and National Headquarters shall be forwarded by the Paymaster without delay.

Section 202. Associate Membership

- a) **Eligibility.** Any person eligible for associate membership in the Marine Corps League, as set forth in the Bylaws and Administrative Procedures of National, shall be eligible for associate membership in the Hiram I. Bearss Detachment. The Judge Advocate shall maintain the most current membership and associate membership requirements as Appendix B to these Bylaws.
 - 1) An applicant for Associate Membership that has indicated a felony conviction on his/her application form may be admitted by vote of the membership after full

disclosure by the sponsoring member of the circumstances of the applicant's conviction.

- 2) The Detachment is the sole judge of its membership, provided that an applicant meets the eligibility requirements in Appendix B of these Bylaws.
- b) Dues. Associate members shall pay dues in the same amounts as prescribed for regular members including initiation fees. A membership pin and membership card, indicating "Associate Member" will be issued by National Headquarters. An Associate Member is entitled to wear the Marine Corps League red garrison cover with Associate Member insignia at all meetings and officially sanctioned events.
- c) Rights and Privileges. An associate member shall be entitled to the rights, privileges, and benefits of a regular member, unless otherwise prohibited. Such member shall not vote on a membership application or the election of officers, nor hold an elective office. Associate Members of the Hiram I. Bearss Detachment may vote on internal affairs provided such vote does not affect a policy of the Marine Corps League.
- d) Change in Membership. An Associate Member in good standing who subsequently qualifies as a Regular Member, upon vote of the Detachment to accept such associate as a regular member, shall be transferred from Associate to Regular Membership. In the event that the Detachment votes not to accept an associate member as a regular member, such associate member may request transfer to any other detachment who agrees to accept him or her as a regular member, or shall be transferred to Member-At-Large.

Section 203. Honorary Membership

- a) Qualification. The Detachment may, at the discretion of the Detachment Commandant, issue honorary membership to those persons who have been of extraordinary service to the Nation, Community, United States Marine Corps, or The Marine Corps League.
- b) Rights and Privileges. An honorary member will not be entitled to the rights, privileges and benefits available to regular or associate members. A suitable certificate will be issued to honor the occasion. Payment of dues or initiation fees is not required; however such member 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. Membership card and certificate will be available from National Headquarters.

Section 204. Life Membership

- a) Qualification. Any regular or associate member in good standing of the Marine Corps League may become a Life Member upon proper payment of the required fee. A Life Member shall not be subject to the payment of further dues of any kind to the Detachment, Department or National and shall have all rights, privileges, and benefits of Regular Membership so long as the member shall live.

Section 205. Ineligible Member

- a) Investigation. If there is reason to believe that a member of the Detachment does not meet the membership qualifications to be a member of the Marine Corps League, the reason must be submitted in writing to the Detachment Commandant who will require the Detachment Judge Advocate to investigate the charge and present his/her report to the Trustees. If, after investigation, it is determined by the Trustees that the member charged does not have the necessary qualifications, said member will be dropped from the rolls immediately. Proper notice of such action and the reasons therefore shall be expedited to the jurisdictional Department and National Headquarters. A copy of this notice will be mailed to the person removed from the rolls by Certified Mail, return receipt requested.
 - 1) If the member is carried on the rolls as a Member-at-Large, the reasons will be submitted, in writing to the National Commandant.
 - 2) If the member believed to be ineligible is the Detachment Commandant, the written reasons will be provided to the Detachment Senior Vice Commandant, who shall then cause an investigation to be made, as set forth in this Section 205.
 - 3) If the person to be investigated is the Detachment Judge Advocate, the Detachment Commandant will appoint a Past Detachment Commandant to conduct the investigation as set forth in this Section 205.
- b) Appeal. A member that has been stricken from the Detachment rolls for ineligibility shall have the right to appeal as set forth in the National Bylaws

Section 206. Membership Transfer

- a) Good Standing. Any member in good standing may transfer from one detachment to another, without payment of additional dues or transfer fees, upon application to and the approval of the detachments involved.
- b) Not in Good Standing. A member that is not in good standing may not transfer his/her membership to another detachment.

Section 207. Dual Membership

- a) Voting Rights. 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 detachments shall be counted for voting strength at Department and National Conventions only as an associate member.
- b) Transfer of Voting Rights. Such member shall be a regular member in the detachment of his/her 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 via the jurisdictional Department Paymaster.

Section 208. Members-at-Large

- a) Resignation from Detachment. A member in good standing of this Detachment may submit a written letter of resignation to the Commandant, to become a Member-at-Large. At the next regular membership meeting, the resignation shall be voted on and the Paymaster shall notify National Headquarters, via the Department Paymaster, of the resignation. Thereafter, the member's name shall be removed from the Detachment membership roster, to be carried on the National roster as a Member-at-Large.
- b) Affiliation with Detachment. A Member-at-Large wishing to affiliate with this Detachment may do so without payment of additional fees or dues. The Paymaster shall remit a standard transmittal form to National Headquarters via the Department Paymaster, and the member's name shall be added to the Detachment membership roster.

Section 209. Good Standing All members shall be in good standing in the Marine Corps League except when:

- a) Required dues are not paid, and transmitted, on or before the membership expiration date as is shown on the member's card;
- b) A member is indebted or in arrears to his/her Detachment, Department or to National Headquarters; or
- c) A member is under suspension as punishment upon the adjudication of guilt as provided in the National Administrative Procedures.

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Article III
Elections

Section 300. Nomination of Officers

- a) Occurrence. Nominations for the annual election of Detachment Officers may be offered during membership meetings beginning in January and concluding at the March membership meeting.
- b) Eligibility. Only regular and life members in good standing may nominate or be nominated. A member of the Detachment holding a salaried position with the Marine Corps League shall not be eligible to hold elected office.
- c) Elected Offices. The officers of the Hiram I. Bearss Detachment who shall be nominated and elected for the coming year, are:
 - 1) Commandant
 - 2) Senior Vice-Commandant
 - 3) Junior Vice-Commandant
 - 4) Adjutant
 - 5) Paymaster
 - 6) Judge Advocate
 - 7) Chaplain
 - 8) Sergeant-at-Arms

Section 301. Elections

- a) Election Board. For the purpose of tallying votes and resolving any disputes, the Commandant shall appoint an Election Board of three members in good standing. One member of the Election Board shall be a past commandant, and no member of the Election Board may be a sitting officer, or a candidate for election.
- b) Occurrence. The election of Detachment officers will be held at the time and date of the regular membership meeting in March.
- c) Participation. Only regular and life members in attendance, and in good standing, may vote for the election of officers.
- d) Resolution. All election issues will be resolved on the date of the election.
 - 1) The votes will be counted by each member of the election board.
 - 2) The member nominated for a specific office who has the larger number of votes will be certified the winner.

- 3) If only one member has been nominated for an office, that member is considered elected by default and shall be automatically certified by the Election Board.
- 4) In the event of a tie, an immediate re-vote for that office will occur. Should the second ballot not resolve the tie, the Election Board will vote for one of the nominees and declare a winner.
- 5) All decisions by the Election Board shall be final and not subject to appeal.

Section 302. Installation.

- a) Occurrence. The installation of the duly elected officers shall occur at the membership meeting held in April and in accordance with the prescribed Marine Corps League ritual. All appointed officers shall continue to serve until they choose to resign, or until they are relieved and their replacement has been appointed.
- b) Property. All instruments of office in the possession of the incumbent officers must be delivered to the newly installed or appointed officers. Failure by a previous office holder to surrender the instruments of office may result in disciplinary charges and the loss of membership.
- c) Transmittal. The Adjutant shall report the election and installation of officers to National, the Division Vice-Commandant, and the Department Adjutant within fifteen (15) days of the installation, *provided* that in all cases the report must be received by National no later than June 30, each year.

Section 303. Vacancy.

- a) Other Than the Commandant. The Commandant, with the advice and consent of the Trustees, shall appoint a qualified member in good standing to any elected office, other than his/her own, to serve for the remainder of the current term.
- b) Commandant. A vacancy in the office of Commandant will be addressed as follows:
 - 1) The Senior Vice-Commandant will succeed to the office of Commandant, assume all duties of the Commandant, and enjoy the privileges of that office for the remainder of the current term.
 - 2) In the event that the Senior Vice-Commandant cannot succeed to the office of Commandant, the Junior Vice-Commandant will assume the Commandant's duties for the remainder of the term.

- 3) If for any reason neither the Senior Vice-Commandant nor the Junior Vice-Commandant can assume the duties as Commandant, then a special election will be called by the Adjutant as set forth in Section 304 of this Article III.
- 4) The new Commandant shall promptly appoint, with the advice and consent of the Trustees, a successor to complete his/her unexpired term as Senior Vice-Commandant, Junior Vice-Commandant, or other vacated office until the next regularly scheduled election of officers.

Section 304. Special Election of Commandant. When a special election is required to fill the unexpired term of the Commandant, the following procedures will be followed:

- a) The Adjutant will invoke the provisions of Article III, Section 301 and appoint a three person Election Board.
- b) The Adjutant will call a Special Meeting as described in Article V.
- c) Only the office of the Commandant will be filled in the Special Election.
- d) All requirements for nominating, being nominated, eligibility to hold office and to vote for elected officers as stated in this Article III shall apply to special elections.
- e) Installation of the newly elected Commandant will immediately follow the special election.
- f) The Adjutant will promptly forward a report of the special election and the Commandant's appointments for the other officer vacancies to the Department and National, as required for regular elections and appointments.

Section 305. Removal from Office

- a) Appointed. All appointed officers serve at the pleasure of the Commandant and may be relieved of their duties for any reason at any time.
- b) Elected. Trustees, upon the request of the Commandant, may remove elected officers.
 - 1) The Commandant shall make his/her request and advise the Trustees of the reason for removal of an elected officer at least five (5) days prior to a meeting of the membership, and shall nominate a replacement officer for consideration.
 - 2) The Commandant shall notify the subject officer of the reason for removal from office, who may request the right to be heard at the meeting of Trustees.

- 3) If the Trustees, by majority vote, agree with the Commandant's reasons for removing the officer, the Commandant shall inform him/her that he/she has been relieved. If the Trustees also agree with the Commandant's nominated replacement officer, the replacement officer shall be so informed and shall immediately accept the office and take the oath.
 - 4) If the Trustees vote to remove an elected officer, the Commandant shall inform the officer that is relieved. The Commandant shall then announce the vacated office at the next membership meeting, and shall announce the replacement officer who has been selected to fill the vacancy.
- c) Duty of Relieved Officer. Any officer relieved of his/her duties must surrender all records and instruments of the former office to the Commandant within three (3) business days of removal. Failure by a previous office holder to surrender the instruments of office may result in disciplinary charges pursuant to the National Administrative Procedures, including the loss of membership.

Article IV

Duties of Officers

Section 400. General

- a) Attendance. All officers, elected and appointed, are expected to attend regularly scheduled meetings unless an excused absence is permitted at the discretion of the Commandant.

- b) Qualifications.
 - 1) All officers, elected and appointed, are expected to maintain their membership in good standing.
 - 2) All officers, elected and appointed, shall serve without compensation.
 - 3) Except as permitted by the Bylaws, no member may hold more than one (1) elected office simultaneously.

- c) Conduct.
 - 1) All officers, elected and appointed, are expected to exhibit behavior that brings credit to the Detachment, Department, and the Marine Corps League.
 - 2) No person may hold an office from which he/she has been previously removed or from which he/she has voluntarily resigned for at least one calendar year.

- d) Performance.
 - 1) All officers, elected and appointed, will perform the duties of their office in a timely, efficient, and effective manner.
 - 2) The duties of the elected officers are set forth in this Article IV.
 - 3) The duties of appointed officers, unless described under this Article IV, will be determined at the time of appointment.

- e) Trustees.
 - 1) The Commandant, Senior Vice-Commandant, Junior Vice-Commandant, Paymaster, Adjutant, Judge Advocate, Sergeant at Arms, and Chaplain shall, upon their installation, constitute the Board of Trustees of this Detachment and shall fulfill their obligations as specified in these Bylaws with a high degree of care for the business of this Detachment and the interests of its membership.

- 2) The immediately preceding Commandant who has left office shall be known as the "Junior Past Commandant" and shall serve as a Trustee until that title passes to the Commandant upon leaving office
- 3) The total number of Trustees constituting the Board shall not exceed nine Trustees.

Section 401. Duties of the Commandant

- a) Type of Office. The Commandant is elected annually as mandated by Department and National.
- b) Authority. The Commandant shall have the following duties, and all necessary authority to perform them:
 - 1) To call Staff meetings and appoint committees. This power is exclusive to the Commandant.
 - 2) To preside over all membership and Staff meetings.
 - 3) To approve or disapprove all orders of the Paymaster for disbursement of Detachment funds.
 - 4) To enforce the observance of all provisions of National, Department and Detachment by-laws.
 - 5) To direct all officers and members with orders not in conflict with the bylaws and administrative procedures of National, the Department, and the Detachment.
 - 6) To act as the sole contracting authority for the Detachment, subject to the approvals required by Section 106 of these Bylaws.
 - 7) Authorize awards in accordance with National Bylaws, and present awards for special events, achievements and occasions which include but are not limited to plaques, trophies, letters and mementos.
 - i) The Detachment may submit nominations for Department level awards. Nominations must be made in accordance with the Department awards manual guidelines.
 - ii) The Detachment may submit nominations for National level awards. Nominations must be made in accordance with the National Bylaws guidelines.
 - 8) To perform other such duties as directed by the Department or National.

c) Representation.

- 1) The Commandant shall represent the Marine Corps League this Detachment at all social functions, ceremonies, and at civilian and community events.
- 2) The Commandant shall represent the Detachment at Department and National conventions and other gatherings and events sanctioned by the Marine Corps League.

Section 402. Duties of the Senior Vice-Commandant

- a) Type of Office. The Senior Vice-Commandant is elected annually as mandated by the Department and National.
- b) Authority. The Senior Vice-Commandant has the following duties and authority to perform them:
 - 1) To aid and assist the Commandant as directed.
 - 2) To perform the duties required by the Ritual at membership meetings.
 - 3) To preside over membership and Staff meetings in the absence of the Commandant.
- c) Representation. The Senior Vice-Commandant shall represent the Detachment in the absence of the Commandant.

Section 403. Duties of the Junior Vice-Commandant

- a) Type of Office. The Junior Vice-Commandant is elected annually as mandated by the Department and National.
- b) Authority. The Junior Vice-Commandant has the following duties and authority to perform them:
 - 1) To aid and assist the Commandant as directed.
 - 2) To oversee membership programs to ensure continued growth of the Detachment.
 - 3) To serve on the awards committee.
- c) Representation. The Junior Vice-Commandant shall represent the Detachment at official functions as requested by the Commandant and in the absence of the Senior Vice-Commandant.

Section 404. Duties of the Adjutant

- a) Type of Office. The Adjutant is elected annually as mandated by the Department and National.
- b) Authority. The Adjutant has the following duties and authority to perform them:
 - 1) To maintain a record of the Detachment proceedings and report the minutes at each membership meeting.
 - 2) To notify the membership of special meetings.
 - 3) To submit annual membership and election reports to National.
 - 4) To prepare for the last regular membership meeting during his/her term of office, a written report showing, at the beginning of his/her term and at the end of his/her term, the numbers initiated, delinquent, reinstated, suspended and expelled, withdrawn, transferred, and deceased, and the total current resulting membership in good standing.
 - 5) To aid and assist the Commandant as directed.
- c) Exception.
 - 1) Upon a majority vote of the members in good standing present and voting on a proper motion, the Office of the Adjutant may be combined with Office of the Paymaster, without the need to amend these Bylaws.

Section 405. Duties of the Paymaster

- a) Type of Office. The Paymaster is Elected annually as mandated by the Department and National.
- b) Authority. The Paymaster has the following duties, and the authority to perform them:
 - 1) To maintain a true accounting of all Detachment funds, accounts, securities, and financial instruments.
 - 2) To collect and record all Detachment membership fees and annual dues, and all income generated by Detachment activities.
 - 3) To establish and maintain deposits in the name of the Detachment for Detachment securities and funds in a financial institution approved by the Trustees.

- 4) To establish and monitor procedures that require signatures of both the Paymaster and the Commandant on all checks.
 - 5) To submit an annual audited financial report regarding the use and disbursement of Detachment funds.
 - 6) To develop and publish a budget at the end of each fiscal year, or as agreed upon by the Trustees.
 - 7) To submit to an inspection and/or audit of the books upon reasonable notice.
 - 8) To deliver a report of Detachment financial activities to be considered at the regular monthly membership meeting.
 - 9) To advise the Commandant and the Trustees on the sound uses of Detachment funds.
- c) Exception.
- 1) Upon a majority vote of the members in good standing present and voting on a proper motion, the Office of the Adjutant may be combined with Office of the Paymaster, without the need to amend these Bylaws.

Section 406. Duties of the Judge Advocate

- a) Type of Office. The Judge Advocate is elected annually as mandated by the Department and National.
- b) Authority. The Judge Advocate has the following duties, and the authority to perform them:
 - 1) To act as arbiter in matters of any point of law and order regarding the Detachment and its meetings.
 - 2) To maintain all charters, articles of incorporation, by-laws, and other legal papers that relate to the Detachment and update the same as required.
 - 3) To be knowledgeable of Detachment, Department, and National bylaws, regulations and provisions, and to research the same as requested by the Commandant.
 - 4) To advise the Commandant and the Detachment regarding legal issues affecting the Detachment.
 - 5) To perform the other duties assigned to the Judge Advocate in these Bylaws, including the review of proposed contracts and proposed amendments to these Bylaws, and the investigation of ineligibility of a member.

Section 407. Duties of the Chaplain

- a) Type of Office. The Chaplain is elected annually as mandated by the Department and National.
- b) Authority. The Chaplain has the following duties, and the authority to perform them:
 - 1) To serve as a spiritual advisor to the membership.
 - 2) To offer prayers at all membership meetings, ceremonies and rituals of the Marine Corps League.
 - 3) To visit the sick and comfort the distressed members and their families and report such visits at the regular membership meeting.
 - 4) To track the death of members and report such to Department and National.

Section 408. Duties of the Sergeant-at-Arms

- a) Type of Office. The Sergeant-at-Arms is elected annually as mandated by the Department and National.
- b) Authority. The Sergeant-at-Arms has the following duties, and the authority to perform them:
 - 1) To prepare the hall for the monthly meeting of the membership.
 - 2) To track and record all attendance at the membership meetings.
 - 3) To determine the eligibility of those present to sit in the meetings and participate as members in good standing.
 - 4) To identify and introduce special guests and visiting Marines at the membership meeting.
 - 5) To be familiar with the ritual and the handling of the Bible and the Colors.
 - 6) To aid and assist the Commandant as directed.

Section 409. Bonding of Officers

- a) The Detachment Commandant, Paymaster, and officers authorized by the Commandant to handle funds of the Detachment are bonded by a commercial crimes policy paid for and administered by National.

- b) The policy limits currently in effect under this arrangement are \$10,000 with a \$1,000 deductible. The Detachment, by a vote of the membership, may procure similar coverage for other Detachment officers or additional coverage for the Commandant, Paymaster and officers authorized by the Commandant to handle funds of the Detachment

Section 410. Duties of the Appointed Officers Except as may be directed otherwise at the discretion of the Commandant, the Detachment's appointed officers shall have the following duties:

- a) Historian. The Historian shall maintain a historical record of the Detachment's activities for presentation at Department and National conventions.
- b) Legislative Officer. The Legislative Officer shall stay abreast of current legislative proposals that concern The United States Marine Corps, The Marine Corps League, national defense, veterans programs and benefits and any other legislation that may be of interest to the Detachment. He shall provide members with information about proposals of interest and encourage them to voice their views to their elected representatives. He shall maintain information concerning elected representatives to include area of representation, office phone number and office address in order to help any member who wishes to contact his/her representative.
- c) Parade Officer. The Parade Officer shall correlate information, times, and places of parades for Detachment participation.
- d) Public Relations Officer. The Public Relations Officer shall issue press releases and increase favorable publicity of the Detachment and its activities, submit articles of interest to the publications of the Detachment and National, and place announcements of meetings and activities in local media.
- e) Quartermaster. The Quartermaster shall maintain the ship's stores of professional merchandise.
- f) Stars and Stripes Officer. The Stars and Stripes Officer shall promote the recognition and sale of the American flag and the Marine Corps Colors.
- g) Young Marines Liaison. The Young Marines Liaison shall serve as liaison with the Young Marines Detachment.
- h) Veterans Services Officer. The Veterans Service Officer shall lend aid and assistance to distressed Marines, veterans, their dependents, widows or widowers upon request in securing the benefits that they are entitled to by law and regulation. He shall become acquainted with the federal laws and with their interpretations and applications, and with the regulations and interpretations of federal regulations within the framework of service to veterans. The Detachment Service Officer must

be properly accredited and certified by the National Service Officer of the Marine Corps League before being installed in office.

Article V
Official Meetings

Section 500. Membership Meetings

- a) Purposes. Members in good standing are authorized to officially meet for the following purposes:
- 1) To conduct any and all Detachment business before the standing membership.
 - 2) To vote on elections and special elections.
 - 3) To participate in the installation of officers and new members.
 - 4) To receive and discuss reports of officers, elected and appointed.
 - 5) To make appropriate motions, and vote on motions, regarding matters affecting the Detachment.
- b) Quorum.
- 1) If a monthly established meeting day has been set, then a quorum is defined by those members in good standing in attendance. If no monthly meeting day has been set, a quorum of ten (10) members in good standing must be present.
 - 2) Either the Commandant or the Senior Vice-Commandant must be present to transact business.
- c) Conduct of Meetings.
- 1) Official meetings shall be held monthly on an established day of the month as determined by the membership, except when a special meeting is called. The membership may vote to change a regularly scheduled meeting date due to scheduling conflicts or other good cause.
 - 2) The official uniform of the membership for all meetings is the Marine Corps League red garrison cover.
 - 3) The currently effective version of the Ritual of the Marine Corps League shall be observed at all meetings, and the order of business shall be as follows:
 - i. Commandants call for order
 - ii. Posting of Colors
 - iii. Pledge to the Flag
 - iv. Opening prayer by Chaplain
 - v. Roll call of officers

- vi. Introduction of guests and visitors
 - vii. Applications for membership and action thereon
 - viii. Reading of previous meetings minutes
 - ix. Paymasters report
 - x. Report of sick and distressed
 - xi. Committee reports
 - xii. Reading of bills and communications
 - xiii. Unfinished business
 - xiv. New business
 - xv. Good of the Detachment
 - xvi. Closing prayer by Chaplain
 - xvii. Retire the Colors
 - xviii. Adjournment
- 4) The order of business may be suspended or altered by the direction of the Commandant for special occasion.
 - 5) The conduct of business at all Detachment meetings shall be governed by these Bylaws, using *Roberts Rules of Order, Newly Revised* as the parliamentary reference.

Section 501. Staff Meetings

a) Purpose.

- 1) Staff meetings shall be informal gathering of the Staff to resolve administrative issues.

b) Requirements.

- 1) Staff meetings shall be called by the Commandant each month.
- 2) Either the Commandant or the Senior Vice-Commandant must be in attendance at Staff meetings.

c) Conduct.

- 1) No binding votes can be cast nor ordinances issued by the Staff as this is a purely administrative function.
- 2) Recommendations regarding issues put before the Staff by the Commandant in the exercise of his/her office may be considered and a Staff report may be issued by the majority for presentation to the membership at the next regular meeting, and shall be recorded in the minutes.

Section 502. Special Meetings

a) Purpose.

- 1) Special meetings may be called to conduct specific business before the standing membership.

b) Requirements.

- 1) A special meeting shall be called by the Adjutant as directed by the Commandant.
- 2) Notice, providing the date, time, and place, and describing the subject matter of the special meeting may be sent by U.S. Mail or by electronic communication including telephone, facsimile, internet posting, internet social networking, and email, if one or more of such methods is best calculated to reach the largest number of the membership. The notice, regardless of the method of sending, shall be sent at least five (5) days before the date the special meeting is to be held.

c) Conduct. No other business may be transacted at a special meeting except that for which the meeting is called.

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Article VI
Grievances

Section 600. Authority

- a) The Department and National are the only jurisdictions authorized to rule on grievances, pursuant to the procedures they have established for that purpose.
- b) The Detachment Commandant and Judge Advocate have no authority to judge or mitigate grievances of the membership.
- c) Grievances should be resolved informally at the personal or Detachment level whenever possible. If they cannot be so resolved the grievance procedures established by National's Administrative Procedures, Chapter Nine, shall be followed.
- d) The initial step for a petitioner initiating a formal grievance procedure is to submit the grievance in writing to the Department Judge Advocate with a copy to the respondent.
- e) Any grievance in which the Detachment is the petitioner shall be initiated only after majority vote of the membership at either a regular meeting, or a special meeting called for that purpose.

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Article VII

Discipline

Section 700. Authority

- a) The Department and National are the only jurisdictions authorized to administer discipline.
- b) The Detachment Commandant and Judge Advocate wield no authority to meet out punishment to any of the membership.
- c) The initial step for a complainant alleging the need for disciplinary action is to serve upon the respondent a written complaint setting forth the charges, with copies to the Department Commandant, the Department Judge Advocate, the National Commandant, and the National Judge Advocate. The complaints shall be served by certified mail, return receipt requested.
- d) Any complaint in which the Detachment is the complainant shall be served only after majority vote of the membership at either a regular meeting, or a special meeting called for that purpose.

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Appendix A
Detachment Special Orders

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Appendix B
Marine Corps League
Membership Criteria

1. General :

Each Detachment shall be the sole judge of its membership, providing said person meets the requirements of Article Six, Section 600. No Detachment, however, may accept as a member, any person who is currently incarcerated or on supervised probation for any felony conviction or any misdemeanor conviction which has resulted in incarceration of more than two years and who is currently incarcerated or serving active probation as a result of a sentence imposed by any court of competent jurisdiction. No Detachment may accept for membership any person who has been convicted of a crime where the victim is a child. No Detachment shall accept for membership any person whose name has been stricken from the rolls of the Marine Corps League. *National Bylaws, Article Five, Section 540 (a).*

2. Regular Membership:

Only persons who are serving or who have served honorably in the United States Marine Corps, “**ON ACTIVE DUTY,**” for not less than ninety (90) days and persons who are serving or who have served in the United States Marine Corps Reserve and have earned no less than ninety (90) Reserve retirement Credit Points and U.S Navy Corpsmen 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 and those who earn the Warfare Device authorized for FMF Corpsmen shall be eligible for regular membership in the Marine Corps League. Additionally, some Korean War Era Marines who were ordered to active duty prior to completion of Recruit Training or Officers Training and subsequently received an Honorable Discharge prior to completion of ninety (90) days active or Reserve duty, shall be deemed eligible for Regular Membership. Nothing in this section shall be deemed to be retroactive prior to August 10, 2002, to affect current Regular Members. “Honorable Service” will be defined by the last DD-214 or Certificate of Discharge that the applicant received. (General Discharge under Honorable Conditions is acceptable). *National Bylaws, Article Six, Section 600 (a).*

3. Associate Membership:

Those individuals not qualified for regular membership in the Marine Corps League who espouse the principals and purposes of the Marine Corps League as contained in its Congressional Charter may, upon application, be accepted for associate membership in the Marine Corps League. Associate members shall pay dues in the same amounts as prescribed for regular members including initiation fees. A membership pin and membership card, indicating “Associate Member” will be issued by National Headquarters. An associate member shall be entitled to the rights, privileges, and benefits of a regular member, unless otherwise prohibited. Such member shall not vote on a membership application, and election of officers, or hold an elective office. Associate Members of the

Hiram I. Bearss Detachment may vote on internal affairs provided such vote does not affect a policy of the Marine Corps League.

(1) Individuals who are serving or have served in other branches of the Armed Forces of the United States must have served honorably.

(2) Individuals, applying for Associate Membership subsequent to August 11, 1995, must have reached the statutory minimum age for enlistment into the United States Marine Corps or United States Marine Corps Reserve prior to being enrolled as an Associate Member.

National Bylaws, Article Six, Section 600 (b).