

DEPARTMENT OF TENNESSEE

MARINE CORPS LEAGUE



BYLAWS

2019

(Revised 2022)

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CERTIFICATE

2019

DEPARTMENT OF TENNESSEE BYLAWS

This is to certify that this is the new and correct Edition of the Bylaws of the Department of Tennessee, Marine Corps League, as adopted at the Annual Department Convention, convened in Murfreesboro, Tennessee, on the First day of June, in the year of our Lord, Two Thousand and Nineteen. All previous Bylaws enacted by the Department of Tennessee are hereby superseded and replaced by this Edition.

Kenneth L. Kotchevar
Department Commandant

Glen Barry Evans, PDC
Department Judge Advocate

ATTESTED:

Gerald W. Jesch
Department Adjutant



UPDATE CERTIFICATE

2019

DEPARTMENT OF TENNESSEE BYLAWS


At the National Convention, several changes were adopted to the National Bylaws and the National Administrative Procedures. Most of these changes were covered in the Department of Tennessee Bylaws and Administrative Procedures due to our referencing the National Documents.

However there were five (5) changes that required changes in our Bylaws to remain consistent with the National documents. The Department of Tennessee of Bylaws, Article XII, Section 1240 allows the Department Board of Trustees to update the Department Bylaws to remain consistent with the National documents.

The Sections that required an update are:

ARTICLE I, SECTION 105	MISSION STATEMENT
ARTICLE IV, SECTION 445	TERM OF OFFICE
ARTICLE V, SECTION 505	RIGHTS OF MEMBERS
ARTICLE X, SECTION 1055	EMPLOYER IDENTIFICATION NUMBER (EIN)
ARTICLE X, SECTION 1060	INCORPORATION

A notification was placed next to each Section to identify the update.


Glen Barry Evans, PDC
Department Judge Advocate



CERTIFICATE

DEPARTMENT OF TENNESSEE BYLAWS

**2019
Updated 2022**

This is to certify that this is the new and correct Edition of the Bylaws of the Department of Tennessee, Marine Corps League. This edition is updated with all changes adopted at the Annual Department Convention, convened in Murfreesboro, Tennessee, on the Twenty-Fifth day of June, in the year of our Lord, Two Thousand and Twenty-Two. All previous editions of the Bylaws enacted by the Department of Tennessee are hereby superseded and replaced by this Edition.

Bryce West
Commandant

Glen Barry Evans, PDC
Judge Advocate


Attested:


Gerald W. Jesch
Adjutant



CERTIFICATE

Having reviewed the new Administrative Procedures of the Department of Tennessee, Marine Corps League, enacted in their Annual Department Convention on 1 June 2019, and finding them neither in conflict nor inconsistent with the National Bylaws and Administrative Procedures, I do hereby approve of said Administrative Procedures in accordance with Article VIII, Section 810 of the National Bylaws effective this date.


WARREN C. GRIFFIN
NATIONAL JUDGE ADVOCATE
MARINE CORPS LEAGUE


19 June 2019
(Date)

Seventy-Fifth Congress of the United States of America

At the First Session

Begun and held at the City of Washington on Tuesday, the fifth day of January, one thousand nine hundred and thirty-seven

AN ACT

To incorporate the Marine Corps League

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. That major General John A. Lejeune, United States Marine Corps, retired, honorary national commandant; Maurice A. Ilch, national commandant; Roy S. Taylor, senior national vice commandant; Kenneth B. Collings, junior vice commandant; Alexander F. Ormsby, national judge advocate; Reverend John H. Clifford, national chaplain; Edward A. Walker, national sergeant at arms; John B. Hinckley, Junior, national adjutant and paymaster; John E. Brock, national chief of staff, are hereby created a body corporate of the name "Marine Corps League."

SEC. 2. That the purposes of this corporation shall be: (a) to preserve the traditions and to promote the interests of the United States Marine Corps; (b) to band those who are now serving in the United States Marine Corps and those who have been honorably discharged from that service together in fellowship that they may effectively promote the ideals of American freedom and democracy; (c) to fit its members for the duties of citizenship and to encourage them to serve as ably as citizens as they have served the Nation under arms; (d) to hold sacred the history and memory of the men who have given their lives to the Nation; (e) to foster love for the principles which they have supported by blood and valor since the founding of the Republic; (f) to maintain true allegiance to American institutions; (g) to create a bond of comradeship between those in the service and those who have returned to civil life; (h) to aid voluntarily and to render assistance to all Marines and former Marines as well as to their widows and orphans; (i) to perpetuate the history of the United States Marine Corps and by fitting acts to observe the anniversaries of historical occasions of peculiar interest to Marines.

SEC. 3. That the corporation: (a) shall have perpetual succession; (b) may charge and collect membership dues and receive contributions of money or property to be devoted to carrying out the purposes of the organization; (c) may sue or may be sued; (d) may adopt a corporate seal and alter it at pleasure; (e) may adopt and alter by-laws not inconsistent with the Constitution and laws of the United States or of any State; (f) may establish and maintain offices for the conduct of its business; (g) may appoint or elect officers and agents; (h) may choose a board of trustees, consisting of not more than fifteen persons nor less than five persons, to conduct the business and exercise the powers of the corporation; (i) may acquire, by purchase, devise, bequest, gift or otherwise, and hold, encumber, convey, or otherwise dispose of such real and personal property as may be necessary or appropriate for its corporate purposes; and (j) generally may do any and all lawful acts necessary or appropriate to carry out the purposes for which the corporation is created.

SEC. 4. That the corporation shall, on or before the 1st day of December in each year, transmit to Congress a report of its proceedings and activities for the preceding calendar year, including the full and complete statement of its receipts and expenditures. Such report shall not be printed as public documents.

SEC. 5. That the right to alter, amend, or repeal this Act at any time is hereby expressly reserved.

Approved, August 4, 1937.

Approved
Aug 4

1937
Franklin D. Roosevelt

Wm. B. Bankhead
Speaker of the House of Representatives

Robert M. La Follette
President of the Senate pro tempore

DEPARTMENT OF TENNESSEE

BYLAWS

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ARTICLE I
NAME AND MISSION

SECTION 100. NAME. The name of the corporation shall be the Department of Tennessee, Marine Corps League. (MCL). The Department of Tennessee is organized and incorporated as a non-profit corporation subordinate to the Marine Corps League, which is a non-profit corporation incorporated by an Act of the Seventy-Fifth Congress of the United States of America at the First Session, begun and held at the City of Washington on Tuesday, the fifth day of January 1937, and approved August 4, 1937.

SECTION 105. MISSION STATEMENT. The mission of the Marine Corps League is to preserve and to promote the traditions of the United States Marine Corps; strengthen the fraternity of Marines and their families; serve Marines, FMF Corpsmen, and FMF Chaplains who wear or have worn the Eagle, Globe, and Anchor; and foster the ideals of Americanism and patriotic volunteerism.

<i>Updated</i> 1 Dec 2019

END OF ARTICLE I



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ARTICLE II

PURPOSE OF THE MARINE CORP LEAGUE

SECTION 200. PURPOSE. The purpose of the Marine Corps League (MCL) shall be:

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

SECTION 205. NOT-FOR-PROFIT. The Department of Tennessee is organized and incorporated as a not-for-profit organization and shall not be operated for pecuniary gain or profit. No part of the property of the corporation and no part of its net earnings shall inure to the benefit of or be distributed to any director, member, or other private individual. The Department of Tennessee shall never be authorized to engage in a regular business of a kind ordinarily carried on for profit or in any other activity except in furtherance of the purposes for which the MCL are organized.

SECTION 210. NON-DISCRIMINATION. The Department of Tennessee, Marine Corps League;

- A. Shall not be based on race color, creed, nationality, or sex;
- B. Shall not use former or present military rank or former or present civilian position as the basis for special consideration and preferment.

SECTION 215. POLITICAL AND PARTISAN ACTIVITY. Every individual has their own right to participate in political and partisan activity as an individual as they see fit, and Members may be involved in issues that affect Veterans and their Community; however, no Member of the Department of Tennessee may involve the Department or the Marine Corps League in:

- A. Any labor or management dispute or issue;
- B. Any sectarian or partisan activity;
- C. Any activity used as a medium of political ambition or preferment; and
- D. Any direct endorsement of a specific political candidate

END OF ARTICLE II

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ARTICLE III

ORGANIZATION

SECTION 300. ORGANIZATION. The constituted bodies of the Department of Tennessee shall be the Department Convention, the Department consisting the Department Board of Trustees, the Department Staff and the Detachments (see Articles VI, VII and VIII of these Bylaws, respectively).

SECTION 305. DEPARTMENT CONVENTION. A statewide Organization to be known as the Department of Tennessee Convention, Marine Corps League.

SECTION 310. DETACHMENTS. Subordinate local organizations located anywhere within the boundaries of the state of Tennessee, to be known as Detachments.

SECTION 315. SUBSIDIARY ORGANIZATIONS. Although not a part of the Department of Tennessee or the Detachments therein, any subsidiary organizations established by the Marine Corps League may have subordinate organizations existing within the boundaries of the Department. The Department and the Detachments will work to create an atmosphere of harmony between themselves and any MCL subsidiary entities located within the Department to be able to work more effectively to accomplish our mutual goals.

END OF ARTICLE III

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ARTICLE IV

DEPARTMENT CONVENTION

SECTION 400. AUTHORITY: The supreme legislative and policy making power of the Department of Tennessee, Marine Corps League shall be vested in a Department Convention composed of properly elected, registered, and approved delegates in good standing. Between, Department Conventions, only executive and administrative powers will be delegated to its Department Board of Trustees or to individual members of the Department of Tennessee.

SECTION 405 – DEPARTMENT CONVENTION: The Department Convention shall meet once each calendar year, between 1 April and 30 June, unless prevented by National Emergency or other unpreventable cause. All Members in good standing are encouraged to attend the Department Conventions and may attend any and all Business Meetings and Conferences. All members who are in good standing may, within the provisions of these Bylaws, be recognized to speak and debate on issues before that Meeting. Specific details concerning the Department Convention are found in Chapter Two of the Department Administrative Procedures.

Amended
2022

SECTION 410. CONVENTION RULES: Standing Rules for the conduct of the Convention are contained in Appendix 4 to these Bylaws and Administrative Procedures and should be reviewed for applicability by the Rules Committee prior to each Convention.

SECTION 415. COMMITTEES: The Department of Tennessee shall have Department Convention Administrative Committees in addition to Department Standing Committees. The composition and purpose of the Committees is contained in Article VIII of these Bylaws.

SECTION 420: ADMINISTRATIVE COMPOSITION: The Department Convention Committees shall consist of those committees listed in Article VIII of these Bylaws, and other committees or boards as may be determined necessary. Standing Committees will also function as a part of the Department Convention. All Committees are defined, and functions described in Article VII herein.

A. DELEGATES AND ALTERNATES: Each Detachment shall be entitled to one (1) Delegate and one (1) Alternate for each block of fifteen (15) Regular Members in good standing, or any fraction thereof. Detachment strength for this calculation shall be the total of all Regular Members in good standing as of 31 March immediately prior to the Department Convention. No Associate Memberships, Multiple Memberships or Honorary Memberships will be considered in the computation. (See Appendix 9)

See Department Administrative Procedures, Chapter Two, Section 2020.

B. DELEGATES-AT-LARGE: Past Department Commandants of the Department of Tennessee may choose to serve as Delegates-at-Large to the Department Convention. Delegates-at-Large will have a single vote and will otherwise have the same rights and privileges of the regular Delegates.

C. CREDENTIALS: Only Delegates and Alternates who have registered, had their Credentials authenticated in writing by their Detachment, had the Delegate Fee paid, and been approved by the Credentials Committee may vote in the Department Convention. Past Department Commandants wishing to serve as Delegates-at-Large may be certified by their respective Detachment, or by the Department Adjutant.

D. CERTIFICATION OF DELEGATES: A report certifying the approved voting strength by the Credentials Committee shall be the first item of business of the Department Convention to confirm the Body Assembled has a Quorum so that all subsequent measures are passed by the properly certified and approved voting strength of each Detachment. This Report will be re-certified prior to the Election of Officers.

- E. **DETACHMENT STANDING:** A Detachment that is not in Good Standing as stipulated on Article X, Section 1030, of these Bylaws will not be allowed to register Delegates and the Department Convention or at the National Convention, in accordance with Chapter Two, Section 2025 of the National Administrative Procedures or Article IV, Section 420 of these Bylaws.
- F. **MEMBER STANDING:** Notwithstanding the provisions of SECTION 420-E, above, if a Detachment cannot or does not file to certify Delegates, no individual Member of that Detachment who is in Good Standing and who is attending a Department Convention shall be deprived of their individual vote as a result of their Detachment's inaction.

SECTION 425. VOTING

- A. **Quorum:** The minimum number required to transact the regular and legal business of a Department Convention shall be the registered and approved delegates in good standing from a majority of all Chartered Detachments in good standing that are subordinate to the Department of Tennessee. *(Refer to Robert's Rules of Order Newly Revised for critical information concerning Quorum.)*
- B. **RESOLUTION OF VOTING:** Except as may be noted elsewhere in these Bylaws, a majority of the votes cast by the registered and accredited Delegates present on the floor and voting shall resolve all issues and carry any measure, except that any motion that will extend, limit or cut off debate shall require a two-thirds (2/3) majority of votes cast to carry the motion.
- C. **ROLL-CALL-VOTE:** A Roll Call Vote may be called on any issue by any five (5) registered and accredited Delegates, each requesting a Roll Call Vote on the Floor of the Convention.
 - 1. **Call for Roll Call Vote:** No more than two (2) of the Delegates making such a request may be from the same Detachment. Upon receipt of a valid call for a Roll Call Vote, the Chair will declare a five (5) minute recess to allow the Detachments to caucus their Delegates. Upon resumption of business, the Credentials Committee will verify the Voting Strength of each Detachment prior to the Chair conducting the vote.
 - 2. **Individual Members:** For a Roll Call Vote, Individual Members in Good Standing from Detachments who were not properly certified in accordance with SECTION 410:C of this Article and are themselves individually registered and accredited will be identified by name by the Credentials Committee, and their individual votes will be taken following the Roll Call of the Detachments.
 - 3. Election of Officers will be by Roll-Call-Vote.
- D. **DELEGATE VOTING:** Most Delegate Voting shall be in accordance with Paragraph B of this Section. However, for a Roll Call Vote, each Delegate properly accredited may vote for up to fifteen (15) members of that Detachment.
 - 1. The total votes of a Detachment Delegation may not exceed the total of that Detachment's voting strength as certified by the Credentials Committee. Delegates present may vote the strength of absent Delegates.
 - 2. Normally, the Detachment Commandant or their designated representative will announce the vote(s) of their Detachment when they are called for by the Chair.
 - 3. In the event of a challenge of the Detachment's vote by a registered and accredited Delegate of that Detachment, the Detachment will pass and confirm their vote by a caucus of their Delegates. Following a resolution, the challenged Detachment vote will then be given at the end of the Roll Call.

SECTION 430 – ELECTIVE AND APPOINTED OFFICERS: –

- A.** The Department Officers to be elected at each Department Convention are the Department Commandant, Department Senior Vice Commandant, Department Junior Vice Commandant and Department Judge Advocate. No individual member shall hold more than one Department Elective Office at any one time, nor shall the designated Junior Past Department Commandant hold a Department Elective Office.
- B.** The Department will also elect or appoint an Adjutant-Paymaster (or an Adjutant, and a Paymaster), a Chaplain and a Sergeant-at-Arms, and other such officers as may be deemed necessary to conduct Department business.
- C.** Appointed Officers will be named by the Incoming Department Commandant, with the concurrence of the Incoming Department Board of Trustees.
- D.** Associate Members may not hold Elective Offices but may hold Appointed Offices.

SECTION 435 - NOMINATIONS:

- A.** When the Nominating Committee is utilized, the Committee will proceed in accordance with Article VIII, Section 855 of these Bylaws, wherein a slate of one candidate for each Department Elective Office, previously stated as specified in Section 425, will be presented immediately prior to the Election of Officers.
- B.** The Chair will announce each Elective Office individually; starting with the Commandant and then working down in the order given in Section 425 A, giving the name of the candidate selected by the Nominating Committee, if any, and will solicit nominations from the floor for each office individually.
- C.** Each Nominee will be required to state or respond that they are ready and willing to accept the responsibilities of the Office

SECTION 440 - ELECTIONS:

- A,** The election of Department Officers shall be the last order of business of the Department Convention. The election of the Department Commandant, the Department Senior Vice Commandant, the Department Junior Vice Commandant, and the Department Judge Advocate shall be conducted by a roll call vote in the order listed. The Installation of Officers shall be at the call of the current Department Commandant.
- B.** The Department will also elect or appoint an Adjutant-Paymaster (or an Adjutant and a Paymaster), a Chaplain, a Sergeant-at-Arms, and other such Officers as are deemed necessary to conduct the Department Business.
- C.** A majority of the delegate votes cast at the Department Convention is required to elect the Department Commandant, Department Senior Vice Commandant, Department Junior Vice Commandant, and Department Judge Advocate.
- D.** When a simple majority is not obtained on the first ballot, a second ballot will immediately commence after a caucus (not to exceed ten minutes). If a simple majority is not obtained on the second ballot, the candidate with the least number of votes shall be dropped as a contender after this and each succeeding ballot until a simple majority is achieved.
- E.** The Installation of the Elected and Appointed Officers will occur following the close of business, usually on the same day. The Department Commandant for the Convention is responsible to ensure that the Installing Officials and the requirements of the ceremony are met.

SECTION 445—TERM OF OFFICE:

Updated
1 Dec 2019

- A. ELECTIVE OFFICERS** are elected annually, and each shall serve a term of one (1) year, to expire at the next Department Convention upon the Election and Installation of Officers and at the end of each term, may stand for reelection to an additional term.
- 1. APPOINTED OFFICERS** With the exception of the Department Adjutant and the Department Paymaster (or Department Adjutant-Paymaster), all Department Appointed Officers, Department Committee Chairmen and Department Committee Members shall be appointed for a term of one year to expire at the next Department Convention upon the Election and Installation of Officers, and may be reappointed to that or another Appointed Office without restrictions.
 - 2.** Due to the nature of the Offices, which require continuity in the Department Records, the Department Adjutant and the Department Paymaster (or Department Adjutant-Paymaster) shall be semi-permanent positions, subject to the annual approval of the Department Board of Trustees
 - 3.** Appointed Officers may be removed from office by the Department Commandant, but only with the concurrence of the Department Board of Trustees.
- B. VACANCY:** When an Office becomes Vacant, a successor will be appropriately named to serve for the remainder of the Term of Office, and may stand for election to an Elective Office, or be reappointed to an Appointed Office.
- C. SUCCESSION:** When a Member leaves office, regardless of circumstances, all Elective Officers, Appointed Officers and Committee Chairs shall surrender to the duly Elected or Appointed Successor to that Office all Marine Corps League books, records and other property with which the office or person is charged.

Section 450 - INSTRUCTIONS: Specific instructions concerning the Date(s), Location and the Requirements of the Department Convention are contained in Chapter Two of the Department Administrative Procedures.

SECTION 455 – RIGHT TO SPEAK: All registered and approved Delegates and all Department Officers, when recognized by the Chair and not expressly prohibited by Bylaws, shall have the right to speak in any discussion or debate of the Department Convention. The Chair may extend the privilege of the floor to any member in good standing on the same terms.

SECTION 460 – BIDS FOR DEPARTMENT CONVENTION: Any Detachment may bid for the right to host the Department Convention by submitting a written bid to the Department Convention Committee in accordance with Article Four of these Bylaws. Specific details concerning the content of the Bid are found in Chapter Two of the Department Administrative Procedures.

SECTION 465 - PARLIAMENTARY AUTHORITY AND PROCEDURES: The current edition of *Robert's Rules of Order Newly Revised* shall be the Parliamentary Authority and will govern Parliamentary Procedures in all cases to which they are applicable and in which they are not in conflict with the National and Department Bylaws and Administrative Procedures, and any Special Rules of Order the Department may adopt. In the event of a conflict, the ruling authority shall be, first, the National Bylaws, and the National Administrative Procedures, followed by the Department Bylaws and the Department Administrative Procedures, and then *Robert's Rules of Order Newly Revised*

END OF ARTICLE IV

ARTICLE V

MEMBERSHIP

SECTION 500. MEMBERSHIP. Each Detachment shall be the sole judge of its membership, providing the individual meets the requirements of Section 515 and Section 520 below.

SECTION 505. RIGHTS OF MEMBERS.

- A.** No Member listed on the National Roster shall be deprived of any rights and privileges in the Marine Corps League except that they will not have the right to vote if they are in arrears for non-payment of dues or for an indebtedness. All rights and privileges are forfeit if the member has been charged, tried, and found guilty in accordance with the provisions of Chapter Nine of the National Administrative Procedures dealing with Grievances and Discipline.
- B. Exception:** A member that has been officially charged and is pending a "Hearing Board" in accordance with Section 9090, Chapter Nine of the National Administrative Procedures, may be "temporarily suspended" by the Jurisdictional Judge Advocate pending the results of the Chapter Nine Hearing. (*Also see Attachment 6 to Chapter Nine for proper Protocol.*)

Updated
1 Dec 2019

SECTION 510. RIGHTS OF APPEAL. The right of appeal under the provisions of the National Bylaws and Administrative Procedures shall not be denied.

SECTION 515. CATEGORIES OF MEMBERSHIP

Amended
2022

A. REGULAR MEMBERSHIP: Only the following may be regular members of the MCL:

1. **U. S. Marines** who are serving or have served honorably* in the United States Marine Corps on Active Duty for not less than ninety (90) and earned the Eagle, Globe and Anchor or the United States Marine Corps Reserve and have earned no less than ninety (90) Reserve Retirement Credit Points.
2. **U. S. Navy Personnel**
 - (a) Who are serving or have served "honorably* in the United States Navy and who have trained with Marine FMF units in excess of ninety (90) days and earned the Marine Corps device (clasp) worn on the Service Ribbon, (i.e.; Southwest Asia Service Medal, Vietnam Service Medal, Armed Forces Expeditionary Medal, etc.) or
 - (b) Who earn the Warfare Device authorized for FMF Corpsmen. U. S. Navy Hospital Corpsman must have satisfactorily completed the Field Medical Service School (FMSS), have been permanently assigned to an FMF Command and have completed the appreciate sections of the Personnel Qualification Standard, both of which must be noted on the DD Form 214. An award of the Fleet Marine Force Ribbon (FMF Ribbon) (1 Sep 1984-30 Sep 2006) or the Enlisted Fleet Marine Force Warfare Specialist Qualification (EFMFWS) Badge (1 Oct 2006-present) may serve as prima facie evidence of eligibility.
 - (c) U. S. Navy Personnel who served with Marine Corps FMF Units prior to 1 September 1984 or have not served in an area that qualified for overseas service ribbon(s) could still be qualified for Regular Membership. In these cases, the Detachment is required to determine the eligibility of the individual using whatever records and assistance are available.

B. ASSOCIATE MEMBERSHIP. Those individuals not qualified for Regular Membership in the Marine Corps League who espouse the principles and purposes of the Marine Corps League as contained in its Congressional charter and meet the criteria in established in this Section may, upon application to a Detachment be accepted for Associate Membership in the Marine Corps League. Upon acceptance Associate Members will pay dues in the same amount as prescribed for Regular Members, including initiation fees for new members.

1. Enrollment Criteria

- (a) Individuals applying for Associate Membership must have reached the statutory minimum age for enlistment into the United States Marine Corps or the United States Marine Corp Reserve, and;
- (b) Individuals who are serving or have served honorably in other branches of the Armed Forces of the United States; and
- (c) Individuals applying for Associate Membership must join through a Marine Corps League Detachment. Associate Members can not directly join the Marine Corps League as a "Member at Large."

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

3. Voting.

- (a) Associate Members shall not vote on a Regular or Associate Membership application;
- (b) Associate Members shall not participate in the nomination process or voting for elected officers; and
- (c) The Department will permit an Associate Member to vote on its internal affairs if such vote does not affect a policy of the Marine Corps League, such as Bylaws or Bylaw changes.
- (d) A Detachment, by provisions in the Bylaws and/or Administrative Procedures, may allow an Associate Member to vote on its internal affairs if such vote does not affect a policy of the Marine Corps League, such as Bylaws or Bylaw changes.

4. Elective and Appointive Office: Associate Members shall not hold an Elective Office. However, they may hold an Appointive Office. Detachments who wish to allow this provision must ensure that it is written into their Bylaws.

C. HONORARY ACTIVE DUTY MEMBERSHIP:

- 1. Detachments, Departments and the National Headquarters may, at the discretion of the respective Commandant, issue Honorary Membership to Active Duty Marines, FMF Hospital Corpsmen and FMF Navy Chaplains, free of charge, for the entire period of their active military service.
- 2. Honorary Active Duty Members will be entitled to the rights, privileges and benefits available to a Regular Member, except for receipt of the official printed publication but will be eligible to obtain a copy of the official publication on line at no charge..

3. Members in this category will not be counted as an eligible voting Delegate or Alternate Member in accordance with the Department Administrative Procedures, Chapter Two, Section 2020, nor will this category of membership be eligible to hold an Elective Office in the Marine Corps League.

4. Members of this Category will not be listed in the MCL Database and will not show up on the Detachment Roster, and will have the same voting restrictions as listed for Associate Members in this Article.0

D. HONORARY MEMBERSHIP: Detachments and the Department, may, at the discretion of the respective Commandant, issue Honorary Membership to those persons who have been of extraordinary service to the Nation, the United States Marine Corps, or the Marine Corps League. The honorary member will not be entitled to the rights, privileges, and benefits available to a Regular or Associate Member. A suitable certificate will be issued to honor the occasion by the organization making the award. Payment of dues or initiation fees is not required; however, an Honorary Member will not be entitled to the official publication of the Marine Corps League except as directed by the National Board of Trustees or paid subscription. All "Honorary Memberships" are for a one-year period only and must be renewed each year by the Detachment, Department, or National.

E. CORPORATE MEMBERSHIP:

1. The corporate membership program will be operated in full compliance with the Internal Revenue Service (IRS) regulations in regard to the Marine Corps League non-profit status and rules governing fund raising. Corporate Membership will be restricted in states where such transactions/solicitations are inconsistent with local statutes.

2. Details concerning the Corporate Membership Program are found in the National Administrative Procedures, Chapter Seven, section 5015.B.

F. "SERVED HONORABLY" is determined by the last DD Form 214 or Certificate of Discharge that the applicant received. A General Discharge under Honorable Conditions is acceptable.

SECTION 520. INELIGIBLE FOR MEMBERSHIP

A. No Detachment, may accept as a regular, associate or any honorary member any person:

1. Who is currently incarcerated or on supervised probation for any felony conviction or any misdemeanor conviction; or
- 2, Who has been convicted of a crime where the victim is a child; or
3. Whose name has been stricken from the rolls of the Marine Corps League.

B If after a Member has been accepted, and the fact that the Member has misrepresented their eligibility for Membership is discovered, then any member may file a Disciplinary Charge in accordance with Chapter Nine of the National Administrative Procedures. In the case of a conviction of a crime where the victim is a child, the age/date of the conviction is irrelevant.

SECTION 525. REMOVAL FROM DETACHMENT ROLL: Once accepted as a member in good standing by the Detachment Membership, that member may not be removed from the Detachment roll except:

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

SECTION 530. MEMBERSHIP LISTING: The Membership Listing of the Marine Corps League is proprietary information and under the direct control of the National Headquarters of the Marine Corps League. Applicable portions of the Membership Listing shall be periodically provided to appropriate Departments and Detachments exclusively for internal usage in administrating Membership of such Departments and Detachments. The Membership Listing will not be sold, leased, copied, loaned or assigned without the expressed permission in writing from the office of the Chief Operating Officer (COO) of the Marine Corps League upon approval of the National Board of Trustees of the Marine Corps League.

SECTION 535. MEMBER-AT-LARGE:

- A.** The term “Member-at-Large” describes a Regular or Associate Member in Good Standing who is not associated with or a Member of any Detachment.
- B.** Any person desirous of joining the Marine Corps League as a Regular Member, may make application on a standard application form accompanied by the application fees as established by the Delegates at the National Convention, direct to National Headquarters or by presenting the application to a Regular Member of the Marine Corps League. See National Administrative Procedures, Section 7045 for details.
- C.** Any Regular or Associate Member of a Detachment who desires to change their status to “Member-at-Large” may do so by submitting a *Request for Transfer* to the National Headquarters via their Detachment and Department. See Chapter Six, Section 6035 or the Department Administrative Procedures

END OF ARTICLE V

ARTICLE VI

DEPARTMENT BOARD OF TRUSTEES

SECTION 600. COMPOSITION. The Department Board of Trustees shall be composed the Elected Officers listed in Article IV, Section 430 of these Bylaws. The Junior Past Department Commandant will also be appointed as a Voting member of the Board of Trustees as authorized in Section 610, Paragraph E, of this Article. The Voting Members of the Board of Trustees are listed in paragraph A, below. Additional Officers are authorized as Non-Voting Members of the Board, as listed in paragraph B. below.

A. VOTING MEMBERS

1. Department Commandant,
2. Department Senior Vice Commandant.
3. Department Junior Vice Commandant,
4. Department Judge Advocate,
5. Junior Past Department Commandant.

B. NON-VOTING MEMBERS

1. Department Chief of Staff, when utilized, shall be a *de facto* member without a vote.
2. Department Adjutant-Paymaster (or Adjutant and Paymaster) shall be a *de facto* member(s) without a vote.
3. Department Vice Commandants of the Grand Divisions of the State shall be *de facto* members without a vote for matters in their Grand Division.

C. Restriction: No Elected Officer of the Department may hold more than one Elected Office in the Department and the Department Junior Past Commandant may not hold an Elective Office in the Department.

Amended
2022

SECTION 605. POWERS. Between Conventions the powers and authority of the Department Board of Trustees *shall be*:

- A.** To authorize the employment of personnel, if any, and approve their compensation within the budget allowances,
- B.** If a Formal Audit is required, the Department Board of Trustees must approve the contract with the Auditor, who is then directly responsible to the Department Board of Trustees. (See Chapter Three, Section 3025 of the Department Administrative Procedures.);
- C.** Issue a charter to a Detachment when such is approved by the National Headquarters;
- D.** To suspend or revoke a charter granted to a Detachment for any of the following:
 1. Failure to obtain and maintain its own EIN under the MCL's Group Exemption Number "0955" in order to maintain its non-profit status under IRS Code 501(c)4 within six months from the charter date.
 2. Failure to have an official "Articles of Incorporation" filed at the state level within one year from the charter date;
 3. Failure to submit its annual "Report of Officer Installation" form.
- E.** To promulgate appropriate documents and guides for the proper conduct of official meetings and ceremonies and such other information as is deemed advisable for the establishment of uniform procedures throughout the organization;
- F.** To determine which Department officers shall be bonded and enter this into the Department Bylaws.

- G. To establish, publish and be responsible for any official League publications;
- H. To exercise such powers and do such other actions as are compatible with the National and Department Bylaws and Administrative Procedures which are in the best interest of the Marine Corps League;
- I. To exercise executive power between Department Conventions,
- J. To approve or disapprove the minutes of the Department Convention at the next regularly scheduled Department Conference following the Convention, only to the degree of correcting errors or omissions,
- K. To approve all contracts, which shall then be signed by the Department Commandant and the Department Paymaster; and
- L. To adopt Administrative Procedures to implement the Department Bylaws and to conduct the business of the Department of Tennessee.

SECTION 610. DUTIES OF DEPARTMENT BOARD OF TRUSTEE MEMBERS. Each member of the Department Board of Trustees shall acquire a working knowledge of the National Bylaws and Administrative Procedures of the Marine Corps League as well as the Department Bylaws and Administrative Procedures of the Department of Tennessee. The specific duties of the Department Board of Trustees are:

- A, **ADDITIONAL REQUIRED TITLES:** In addition to the traditional titles held by Officers, a requirement to have generic corporate titles as required identifiers for the Commandant, the Senior Vice Commandant and the Junior Vice Commandant. The additional titles are shown below in the respective sub-paragraphs. These titles are not required at any subordinate organizations in the Department of Tennessee.
- B. **DEPARTMENT COMMANDANT** shall be the **Chief Executive Officer (CEO)** of the Department of Tennessee and shall preside at all sessions of the Department Convention and all meetings of the Department Board of Trustees. The Department Commandant, together with the Department Board of Trustees, shall have direction and control of the executive and administrative affairs of the MCL between Department Conventions. In addition, the Commandant shall:
 1. Observe and enforce the observance of the Congressional Charter, the National Bylaws and Administrative Procedures and the Department Bylaws and Administrative Procedures;
 2. Propagate to all officers and members orders not in conflict with the National and the Department Bylaws and Administrative Procedures;
 3. Call such meetings of the Department Board of Trustees as are required by the Department Bylaws and Administrative Procedures;
 - 4, Seek the advice of the Department Board of Trustees and Staff;
 5. With the Department Corporate Treasurer and the Department Paymaster, have custody of all funds and property of the Department of Tennessee, subject to the supervision of the Department Board of Trustees;
 6. With the advice and majority vote of the Department Board of Trustees, hire and appoint the Department Staff Officers enumerated in Article Seven, Section 705;

7. With the advice and consent of the National Board of Trustees, appoint the necessary standing committees. However, the Committee of "Marine of the Year" shall be constituted as is provided in the Department Administrative Procedures;
 8. Review and Approve or Disapprove all requisitions of the Budgeted Items which are in excess of \$200.00 (Two Hundred dollars);
 9. Represent the Department at all social functions and ceremonies in a manner that will enhance the dignity, honor, and prestige of the Department of Tennessee; and
 10. Invite the speaker to Department Convention Banquet. The Department Commandant will discuss the invitation with the host Detachment and his/her Staff to obtain the best qualified speaker available. The final choice is the prerogative of the Department Commandant.
- C. **DEPARTMENT SENIOR VICE COMMANDANT** shall be the **Department Corporate Secretary** of the Department of Tennessee and shall assist the Department Commandant, and during the absence or illness of the Department Commandant shall perform the duties of that office. He shall preside over all Department Commandants' Council Conferences and with their assistance initiate and implement dynamic programs that will increase the effectiveness of the Department of Tennessee. As Department Corporate Secretary, he will have General Oversight over the Department's Administrative Programs.
- D. **DEPARTMENT JUNIOR VICE COMMANDANT** shall be **Department Corporate Treasurer** of the Department of Tennessee and also shall create and promulgate membership incentives and programs that will produce an enthusiastic response resulting in continuous membership growth. In the absence of the Department Commandant and the Department Senior Vice Commandant, he shall perform the duties of the Department Commandant. As Department Corporate Treasurer, he will have General Oversight of the Department's Financial Program.
- E. **DEPARTMENT JUDGE ADVOCATE** shall interpret the National and the Department Bylaws and Administrative Procedures. He shall advise, construe, counsel and render opinions on questions of law and procedure to the Department Convention, Department Commandant, Department Board of Trustees, Department Staff, and Detachments when so required in the manner outlined hereafter. A copy of all rulings and opinions must be immediately submitted to the Department Adjutant for official filing and timely distribution.
1. **At the Department Convention**, upon the request of an approved delegate, through the Chair, the Department Judge Advocate shall render an opinion on law and procedure to the Chair whereupon the Chair will rule upon the opinion and question, which ruling shall be final unless appealed by an appropriate number of approved delegates as specified for a Roll-Call Vote in Article IV, Section 420, whereupon the Department Judge Advocate will put the question "Shall the ruling of the Chair be sustained?" A standing vote of approved delegates will be called and two thirds (2/3) majority of the total vote of the Delegates present and voting will be required to reverse the ruling of the Chair.
 2. **At Department Board of Trustees Meetings**, the procedure in Section 625d(l) above shall apply and two thirds (2/3) of the Department Board of Trustees present and voting will be required to reverse the ruling of the Chair.

3. **Questions Though Channels.** On all questions of law and procedure pertaining to the Marine Corps League or any of its subsidiaries referred to this office through channels, the Department Judge Advocate shall render an opinion in writing and returned it to the parties concerned and to the Department Commandant. Such rulings shall be binding unless and until Appealed to the National Judge Advocate on a timely basis in accordance with Chapter Nine of the National Administrative Procedures.
 4. **Review and approve** all Detachment Bylaws and Administrative Procedures in accordance with the provisions contained in the National Bylaws..
- F. **JUNIOR PAST DEPARTMENT COMMANDANT** shall be Appointed as a Voting Member of the Department Board of Trustees for a term of one year. The Junior Past Department Commandant shall normally be the last outgoing Department Commandant. If that individual is unable to serve for any reason, another Past Department Commandant will be designated for that post, with the consent of the remaining members of the Board of Trustees. If there is not Past Department Commandant willing or able to serve, that post will remain vacant. The Junior Past Department Commandant will shall preside over meetings of the Past Department Commandant Council.
- G. **DE FACTO MEMBERS** listed in Section 600 of this Article are included in Meetings and Discussions of the Department Board of Trustees to provide information and recommendations to the Voting Members concerning matters that are included in their specific areas of responsibility.
- H. **ATTENDANCE:** With the exception of Executive Sessions, all Members of the Department in Good Standing may attend Meetings of the Department Board of Trustees as Guest Members, without a vote.

SECTION 615. VACANCIES OF DEPARTMENT ELECTED OFFICERS:

- A. **DEPARTMENT COMMANDANT.** Should the Department Commandant's position become vacant, the Department Senior Vice Commandant will normally serve as the new Commandant for the remainder of the term. If unable to serve, the Department Junior Vice Commandant will normally serve as the new Commandant for the remainder of the term. The new Commandant will be responsible for finding a replacement for their previous position with assistance and approval of the Department Board of Trustees.
- B. **DEPARTMENT SENIOR VICE COMMANDANT.** Should the Department Senior Vice Commandant position become vacant, the Junior Vice Commandant will normally serve as the new Senior Vice Commandant for the remainder of the term. If unable to serve, the Commandant will be responsible for finding and appointing a replacement for the vacancy, with assistance and approval of the Department Board of Trustees.
- C. **DEPARTMENT JUNIOR VICE COMMANDANT OR JUDGE ADVOCATE.** Should the National Junior Vice Commandant or National Judge Advocate position become vacant, the Department Commandant will be responsible for finding and appointing a replacement for the vacancy, with assistance and approval of the Department Board of Trustees.
- D. **ANY OTHER DEPARTMENT OFFICERS.** Should another elected or appointed position become vacant, the Department Commandant will be responsible for finding and appointing a replacement for the vacancy, with assistance and approval of the Department Board of Trustees.

- E. **CAUSES FOR VACANCY.** In addition to death, resignation, or incapacity, a vacancy will occur through:
1. Failure to attend two or more consecutive officially called meetings of the Department Board of Trustees or
 2. Removal from office by disciplinary action in accordance with the National Administrative Procedure.
 3. Failure to preform duties assigned to the Office by the Department Bylaws and Administrative Procedures.

SECTION 620. DEPARTMENT BOARD OF TRUSTEES MEETINGS

A. THE DEPARTMENT BOARD OF TRUSTEES SHALL MEET:

1. Annually, prior to each Department Convention:
 - (a) to provide an interim report of the executive administration of the Department Board of Trustees from that fiscal year,
 - (b) to finalize preparation for the ensuing convention; and
 - (c) to identify pending and unaccomplished executive actions warranting further action by the Convention or by the Department Board of Trustees during the ensuing fiscal year.
2. Annually, immediately after adjournment of each Department Convention, for the purpose of determining the Appointed Department Officers and Standing Committees and for the transaction of such other business as may properly come before it;
3. Annually, normally during the months of April and October (to be known as the Department Fall and Spring Conferences) at a location chosen each year by the Department Board of Trustees,
4. At the call of the Department Commandant for special emergency reasons, providing that a quorum of the Department Board of Trustees is assured by polling by the Department Chief of Staff prior to the issue of the call for a special meeting. These meetings are authorized by teleconferencing; or
5. At the call of at least three (3) of the voting members of the Department Board of Trustees, to call for a Special Meeting of the Department Board of Trustees to discuss matters of emergency measures considered most important for the conduct of business of the Department Board of Trustees between Department Conventions. The senior member of the Department Board of Trustees asking for such a Special Meeting shall chair the Special Meeting. The Chair of the Special Called Meeting will ensure that each member of the Department Board of Trustees is notified of the date, time, and location of the Special Meeting. Such Special Called Meeting will ensure that a Quorum is in accordance with Section 635 of the Department Bylaws in order to conduct official business of the Special Called Department Board of Trustees Meeting.

- B. CONDUCT OF BUSINESS.** The conduct of business at all Department Board of Trustees meetings shall be governed by the Department Bylaws and Administrative Procedures. The rules in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Department Board of Trustees meetings in all cases to which they are applicable and in which they are not in conflict with the Marine Corps League's National Bylaws and Administrative Procedures and any special rules of order the League may adopt. In the event of a conflict, the ruling authority is the National Bylaws, then the National Administrative Procedures, then *Robert's Rules of Order Newly Revised*.
- C. RECORDING OF MINUTES.** All Department Board of Trustees meetings must be properly recorded.
1. The minutes at a minimum shall include but not limited to:
 - (a) Date, Time, & Location of the meeting.
 - (b) Purpose of the meeting.
 - (c) Members attending.
 - (d) Issues discussed
 - (e) Action(s) taken.
 2. The minutes of all regularly scheduled and special meetings will be sent to the Department Adjutant for the filing of "official documents."
 3. The minutes of the meetings will be sent to each Department Area Vice Commandants for distribution to all Detachments. The Detachments shall ensure that these minutes are available to each member. The exceptions to these minutes are matters that the Board of Trustees deemed unfinished, sensitive, and/or those matters that were discussed in "Executive Session."

SECTION 625. QUORUM. A majority of the Voting Members of the Department Board of Trustees shall constitute a quorum for a Meeting of the Department Board of Trustees.

SECTION 630. VOTING. No individual Voting Member of the Department Board of Trustees shall have more than one (1) vote. There shall be no proxy voting. The Department Judge Advocate shall abstain from voting on all matters wherein he has rendered an official opinion.

END OF ARTICLE VI

ARTICLE VII

DEPARTMENT STAFF

SECTION 700. COMPOSITION OF DEPARTMENT STAFF. The Department Staff is comprised of the Department Board of Trustees, appointed Department Staff Officers, Department Committee Chairmen, Department Liaison Officers (if any), and Past Department Commandants. The Department Staff Roster will consist of the National Staff Officers, Past National Commandants, and the Department Commandants.

SECTION 705. DEPARTMENT STAFF OFFICERS. Department Staff Officers are appointed by the Department Commandant, with the shall acquire a working knowledge of both the National and Department Bylaws and the National and Department Administrative Procedures and shall act as assistants to the Department Board of Trustees. They shall perform the duties delineated in the Department Administrative Procedures.

- A. DEPARTMENT CHIEF OF STAFF,** when utilized, shall assist in coordinating staff functions and planning for the Department Commandant, and other administrative tasks as assigned by the Department Commandant as may be necessary.
- B. DEPARTMENT ADJUTANT-PAYMASTER MAY** be a single Member performing the combined duties, or the office may be divided into two positions, a Department Adjutant and a Department Paymaster
 - 1. THE DEPARTMENT ADJUTANT** shall maintain the Administrative Records of the Department, including but not limited to the Minutes of all Meetings, Reports of Officer Installation, Reports of the Detachment's Activities as required by the National Headquarters and the State of Tennessee.
 - 2. THE DEPARTMENT PAYMASTER** will maintain the Department Financial Records and Documents pertaining to Banking, Membership, Incorporation and Internal Revenue Service filings. In order to have Fiscal Continuity, the office of Department Paymaster shall be a semi-permanent position, subject to the annual approval of the Board of Trustees.
- C. DEPARTMENT CHAPLAIN** shall perform the duties delineated in Chapter Three, Section 3020 of the Department Administrative Procedures
- D. DEPARTMENT SERGEANT-AT-ARMS** shall preserve order at Department Conventions and perform such other duties as required by the Department Commandant. The Department Sergeant-at-Arms is empowered to deputize Deputy Sergeants-at-Arms and Field Music as necessary for the appropriate performance of his duties as delineated in Chapter Three, Section 3050 of the Department Administrative Procedures
- E. DEPARTMENT VICE COMMANDANT OF A GRAND DIVISION:** Appointed in each of the three Grand Divisions of the State of Tennessee. They shall serve as Administrative Liaisons, assisting the Department Commandant and the Department Board of Trustees in maintaining proper oversight of the various Detachments in their area. The details of their responsibilities are found in Chapter Three, Section 3020 of the Department Administrative Procedures.
- F. ADDITIONAL OFFICERS:** As may be determined by the Department Commandant with the concurrence of the Department Board of Trustees, additional Officers may be Appointed to properly conduct the business of the Department of Tennessee. Should these Appointments be considered to be extended for multiple terms for the Department Convention, they will be inserted into this Article with the approval of the Body at the Department Convention. Otherwise, they will be provided a Letter of Instructions for the expected temporary position, which will require renewal at each Department Convention .

SECTION 710. DEPARTMENT STAFF POWERS. The power and authority of the Department Staff shall be the same as that of the Department Board of Trustees, except that appointed Department Staff Officers, Committee Chairmen, Liaison Officers, Past Department Commandants, and Detachment Commandants' Councils shall have no vote in the Department Board of Trustees Meetings and shall not be considered in determining a quorum for the Department Board of Trustees Meetings.

SECTION 715. VACANCIES OF APPOINTED OFFICERS. A vacancy in an Appointed Office, a Committee Chairman, or a Committee Member shall be filled as soon as practical by the Department Commandant. All such appointments shall be approved by the Department Board of Trustees.

END OF ARTICLE VII

ARTICLE VIII

DEPARTMENT COMMITTEES

SECTION 800 – COMPOSITION – The types of committees which may be established by the Detachment Commandant, with the advice and consent of the Detachment Board of Trustees to assist in the conduct of business within the Department. In addition to any established committees, the Past Detachment Commandants Council is established to function as an ongoing advisory body within the organization of the Detachment. The term of office for all committee members shall expire with Annual Installation of the Elected Officers unless otherwise specified in these Bylaws. Members may be reappointed for another term.

- A. Standing Committees are appointed to meet as required throughout the year to deal with matters that come within their area of responsibility. These committees may include the Membership Committee, Budget and Finance Committee, Bylaws Committee, Financial Oversight Committee, Nominating Committee, Awards and Citations Committee, and the Past Department Commandants Council, all listed in the following Sections.
- B. Temporary Committees, also called *Ad Hoc Committees*, may be appointed on an as required basis to deal with specific matters that do not fall within the jurisdiction of other existing committees and cannot be handled in an expeditious manner by the Detachment Staff. The composition and scope of the Temporary Committees will be determined by the matter(s) to be considered.

SECTION 805 – MEMBERSHIP COMMITTEE – This committee will be responsible for the development and conduct of a program to maintain and add to the current membership and further advance the interests of the Stones River Detachment by recruiting new members and maintaining the current Membership. This committee would be chaired by the Detachment Junior Vice Commandant and will consist of such additional members as may be required.

SECTION 810 – BUDGET AND FINANCE COMMITTEE – This committee will be responsible for the preparation of a financial program and budget for the conduct of business within the Detachment for the year. Additionally, this committee will monitor the budget and devise ways of increasing funds of the Detachment. This committee will be chaired by the Detachment Senior Vice Commandant and will include the Detachment Paymaster and additional members as may be required.

SECTION 815 – BYLAWS COMMITTEE

- A. The Detachment Bylaws Committee is a standing committee to receive and review all proposed changes and amendments to the Detachment Bylaws. All proposals received will be reported to the Membership by the committee with a recommendation for appropriate action. This committee will be chaired by the Detachment Judge Advocate and will consist of additional members as may be required.
- B. The Detachment Judge Advocate will, at the request of the Detachment Commandant, assemble an *ad hoc committee* immediately prior to the Department Convention to evaluate the proposed changes, amendments and repeals to the Detachment Bylaws and Administrative Procedures to present recommendations to the body assembled for a specific stance on each proposal. The membership of this *ad hoc committee* should come from Past Detachment Commandants whenever possible.

- C. The Department Judge Advocate will, at the request of the Department Commandant, assemble an *ad hoc committee* immediately prior to the Department Convention to evaluate the proposed changes, amendments and repeals to the National Bylaws and Administrative Procedures to present recommendations to the body assembled for a specific stance on each proposal. The membership of this *ad hoc committee* should come from Past Department Commandants and Past Detachment Commandants whenever possible.

SECTION 820 – PUBLICATION COMMITTEE – This committee will be responsible for the review of all items published by or for the Department for the purpose of accuracy of information and compliance with the National and Department policies. This committee will be chaired by the Department Judge Advocate and will include the Department Adjutant and other such members as may be appropriate.

SECTION 825 – PAST DEPARTMENT COMMANDANTS COUNCIL – Recognizing the honor and importance bestowed to the office of Commandant by the Marine Corps League, the Department of Tennessee hereby formally establishes the Past Department Commandants Council. This Council shall consist of all living Past Department Commandants and shall be chaired by the Junior Past Department Commandant. This Council is established as permanent organization within the Department, and changes in composition may be made only as a result of appropriate disciplinary action as defined in the appropriate sections of the National Bylaws and the National Administrative Procedures. The Past Department Commandants Council shall function as an advisory board for the Department Commandant and the Department Board of Trustees.

- A. The Past Department Commandants Council shall meet during the Department Convention, and at other times as may be required.
- B. In its role as an advisory board, the Past Department Commandants Council shall be guided by the appropriate sections of the National Bylaws and the National Administrative Procedures that describe the Past National Commandants Council.
- C. The Past Department Commandants Council may collect or receive funds to accomplish specific goals, subject to the approval of the Department Board of Trustees.

SECTION 830– AWARDS AND CITATIONS COMMITTEE:

- A. This committee will serve to ensure the individual Members of the Department receive appropriate recognition for their participation in the various activities that the Department is involved in to accomplish the goals set forth for the Marine Corps League in our Federal Charter.
- B. In order to accomplish this task, the Committee Members will familiarize themselves with Enclosure (4) of the National Bylaws and Administrative Procedures and Chapter Ten of the Department of Tennessee Administrative Procedures.
- C. The Committee will make recommendations to the Department Commandant and will include their justification in their recommendations. The Department Commandant, with the concurrence of the Department Board of Trustees, will make the final decision.
- D. Currently, the Department Americanism Program will function as a part of this Committee.
- E. The Committee will maintain a Record of Awards and Citations presented by the Department.

SECTION 835 – DEPARTMENT CONVENTION COMMITTEE – This committee will be responsible to the Board of Trustees for the production of the Department Convention. The Department Junior Vice Commandant will Chair this committee, and it will contain two other members, one of whom should be from the Detachment that hosted the last Department Convention and was directly involved in the production of that Convention. Its duties are twofold.

- A.** It will receive and analyze all bids to host the Department Convention. Normally, a Detachment wishing to host the Department Convention will inform the Committee two years in advance of its intention to bid. The declaration of intention will not be binding. Formal bids will be submitted to the Chair of the Committee prior to the Department Convention for the next year's Department Convention. The formal bids will include the proposed cost of rooms, including current taxes, at one or more hotel/motel, and the amenities to be provided by those facilities, such as pool, hospitality room, banquet arrangements, free rooms for invited guests, etc. The bidder will also include a plan for publicity and any other factor that they feel will make a successful Convention. The bid will include a statement that the Detachment will cooperate with the Department Convention Committee.
- B.** All bids received will be reported to the Convention with the Committee's recommendation for the one that best satisfies the Department's needs. The Department Convention will then make the final selection of the site and Host Detachment for the next Convention. Consideration will be made to attempt to share the Department Convention among the Grand Divisions of the State of Tennessee, and among the Detachments within the Department, but this will not override selection of the best available site. Chapter Two, Section 240, of the National Administrative Procedures will provide additional guidance for bids and site selection.
- C.** It will work jointly with the Detachment selected to host the next Department Convention to supervise and conduct the Convention. With the assistance of the Budget and Finance Committee, this Committee will promote the Department Convention along strict business lines to ensure the financial success of the Convention.

SECTION 840 – FINANCIAL OVERSIGHT COMMITTEE

- A.** This committee will present the statement of financial position and statement of financial income and expense prepared from the books and records of the Department and determine that only the following comments appear, as modified where the parenthesis appear, on those two reports:

“I (we) have prepared the accompanying (financial statements) of the (name of entity) as of (time period) for the (period) then ended. This presentation is limited to preparing in the form of financial statements the information that is the representation of management.”

“I (we) have not audited, reviewed or compiled, under professional standards prescribed for such services, the accompanying financial statements and accordingly do not express an opinion or any other form of assurance on them. I (we) am (are) not licensed by this state, as a certified public accountant, public accountant or accounting firm, to provide those types of services.”

- B. The Committee will inventory all Department property and report the results of its oversight of the reports and inventory count at the Department Convention. It is the responsibility of all members who have custody of such records, books, and property to make such available to the Committee. This committee may utilize the services of the Budget and Finance Committee and other such officers or committees of the Department as may be required to complete the financial oversight in a sound and timely fashion. This committee may be convened by the Department Commandant for additional oversight as may be made necessary by events. This Committee shall normally consist of Past Department Commandants, and shall be chaired by the Junior Past Department Commandant or if not available, a designated Past Department Commandant.

SECTION 845 – CREDENTIALS COMMITTEE – This Committee will be responsible for the examination and approval of the credentials of each Detachment and Delegate present at the Convention.

- A. The Department Paymaster (or Adjutant/Paymaster) shall Chair the Committee, and have available at the Convention Site, the Registration Forms for the Department Convention Delegates and Alternates Registration Forms submitted by the various Detachments. The Forms shall be annotated to inform the Committee that they were properly submitted with the correct payment.
- B. The Department Paymaster (or Adjutant/Paymaster) shall also have available at the Convention Site, the total number of regular members in good standing of each Detachment in good standing within the Department as of 31 March prior to the Convention.
- C. Conflicts as to the strength of a Detachment will be resolved by the best judgment of the Committee, based on documentation provided. Undocumented conflicts will be resolved in favor of the Adjutant. The Committee will not approve the credentials from any Detachment that is indebted to the National Headquarters or the Department of Tennessee when such indebtedness has been in default over thirty (30) days. The Committee shall report to the Convention the voting strength and method of voting for each Detachment represented. In the event that additional qualified delegates or members arrive after this report is made, an amended report will be filed by the Committee. A final report shall be given to the Convention immediately prior to the Election of Officers. Article Two, Section 2020.E of the Department Administrative Procedures shall apply.
- D. An amended report of voting strength will not affect the vote on any issue or matter that has occurred prior to the time the amended report is filed. The Credentials Committee will consist of the Chair and two additional members appointed by the Department Commandant. Past Detachment Commandants should be considered when constituting this Committee.

SECTION 850 – RESOLUTIONS COMMITTEE – This Committee will have the responsibility to receive and review all resolutions presented for consideration at the Department convention. The Committee will, by majority vote, approve or disapprove of each resolution presented. All resolutions received will be reported to the Convention along with the Committee's findings for final consideration. The Committee will be chaired by the Department Judge Advocate and will have at least two other members appointed by the Department Commandant.

SECTION 855 – RULES COMMITTEE – This Committee shall review the Convention Rules utilized in previous Department Conventions, as listed in Appendix 4, well prior to the next Convention and submit recommendations, if any, to make alterations or revisions as they think might be appropriate. The Rules of the Convention shall be presented to the Convention Body for approval. This will be a collateral duty of the Department Junior Vice Commandant.

SECTION 860– NOMINATING COMMITTEE – Whenever the Nominating Committee is invoked, it will be responsible to provide a slate of qualified officers for the ensuing year. The Junior Past Department Commandant will chair the Committee, and the Division Vice Commandants will comprise the Members of the Committee. However, Division Vice Commandants who intend to stand for one of the Department Elective Offices will not become a Member of this Committee, and the Department Commandant will name a substitute from that Division. The Committee will be established several months in advance of the Department Convention to allow for the orderly flow of the following events:

- A. An individual Member desiring to stand for office shall notify the Nomination Committee and provide a brief summary qualifications and offices held within the League.
- B. The Committee may receive names from sources other than the individual. If any are thus tendered, the Committee will insure that the individual is willing to serve in the appropriate office prior to further consideration.
- C. The Committee will then determine a slate of one nominee for each Elective Office. The selection of the slate need not require the unanimous
- D. This slate will be presented to each Detachment Commandant approximately sixty (60) days prior to the Department Convention, normally by the Spring Department Conference. This will provide sufficient lead-time to allow the slate to be announced and discussed at the respective regular scheduled Detachment Meetings prior to the Department Convention.

SECTION 865 – CONDUCT OF BUSINESS – Except as noted in these Bylaws, the business of these committees may be conducted in person, or by telephone, mail or other such means as may be available.

SECTION 870– VACANCIES AND ABSENCES – In the event of vacancies or absences on any committee or board, the Department Commandant may appoint replacements to serve in place of the missing member, with the concurrence of the Department Board of Trustees. Absent Members who were excused will normally resume their post upon return.

END OF ARTICLE VIII

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ARTICLE IX

FISCAL AND FINANCE

SECTION 900 – GENERAL – The Department will conduct all Financial matters under its control in an open manner. Normally, Financial Statements will be available for inspection at every Regular Business Meeting. Questions concerning Financial matters will be directed to the Department Commandant and the Department Paymaster (or Adjutant-Paymaster).

- A. The Department Budget and Finance Committee and the Department Financial Oversight Committee will provide guidance and direction in the conduct of the Detachment's Financial Affairs.
- B. All Department Funds will be held in a location or account that is secured in an appropriate manner, such as the Federal Insurance Contributions Act (FICA) or the Federal Credit Union Act (FCUA).

SECTION 905 – STATUS:

- A. The Department is Incorporated in the State of Tennessee as a Not-for-Profit Organization and is operating under the Internal Revenue Service Group Exemption Number 0955 of the National Organization of the Marine Corps League. As such, the Internal Revenue Service recognizes the Department as a 501(c)4 organization. Normally, donors to this classification may not deduct their donations as tax-exempt; however, a provision was made for the Marine Corps League to accept donations, and for the Donors to be able to deduct the Donation from their reportable income.
- B. The Department and its Detachments are qualified under this authorization for exemption from Tennessee Sales Tax, subject to the provisions of Tennessee Statutes and Code.
- C. Documentation is available for these provisions from the Department Judge Advocate or the Detachment Paymaster, if needed.

SECTION 910 – DESIGNATING FINANCIAL OFFICERS AND BONDING

- A. In accordance with Section 815 of the National Bylaws, the following Detachment Officers are designated to handle funds for the Department, and as such are covered under the National Blanket Bond.
 - 1. Department Commandant.
 - 2. Department Paymaster, (or Adjutant-Paymaster).
 - 3. Department Senior Vice Commandant.
 - 4. Junior Past Department Commandant.
- B. All officers designated to handle funds of the Detachment within the territorial provisions of the commercial crime policy are covered by the blanket bond.
- C. All financial accounts will be established so that the signatures of a designated Financial Officer(s) is required to withdraw funds or modify accounts.

SECTION 915 – DEPARTMENT BUDGET:

- A. The Department Budget and Finance Committee will present a Proposed Department Budget for consideration and approval annually.
- B. The Department Budget will reflect the purposes and goals of the Marine Corps League, as stated in the National Charter authorized by United States Congress and signed by the President.
- C. Any monetary amounts stated in the Department Budget will be subject to the availability of funds.
- D. In the event that the Income or Expenses of the Department may vary significantly during the year, the Department Board of Trustees is authorized to modify the Budget accordingly. Any such modifications, including the rationale, will be published appropriately in the most expeditious manner available.

SECTION 920 – DEPARTMENT AND DETACHMENT DUES:

- A. The Department Convention shall have the sole authority to fix the amount of the Department Dues. Once fixed by the Body Assembled, Dues will remain at that amount until changed by a subsequent Department Convention
- B. When a Dues increase is considered, prior notification will be given to all Members by the most expeditious means, no later than the Department Spring Conference.
- C. The Total Dues, consisting of the Department Dues, the Department Dues and the National Dues will be collected by the Department Paymaster (or Adjutant/Paymaster). The Department and National Dues will be submitted to the Department Paymaster (or Adjutant/Paymaster) with a Dues Transmittal and separate checks for the Department Dues and National Dues.
- D. The Department Paymaster will retain the Department Dues check and forward the Dues Transmittal to the National Headquarters with the National Dues Check.
- E. Any Regular or Associate Member may apply for a Paid Life Membership (PLM). In order to do so, the Member must be in Good Standing in the Marine Corps League, as defined in Chapter Seven, Section 7030 of the National Administrative Procedures. The Dues for PLM are graduated according to the Applicant's age, and the amounts.

SECTION 925 – DISPOSITION OF DEPARTMENT FUNDS

- A. Only the designated Financial Officers of the Department are Authorized to Receive and Disburse Funds. Any and all functions, which are official or semi-official functions of the Department, will include provisions for any funds involved to be paid to a Financial Officer, normally the Paymaster. Upon receipt of the funds, the Paymaster (or Adjutant-Paymaster) will provide for such payments as are required for the function.
- B. The Department Paymaster will ensure that the proper documentation for the State of Tennessee Sales Tax Exemption for non-profit organizations is available and is properly utilized as provided by the Tennessee Code whenever appropriate.
- C. The Board of Trustees may authorize specific Officers of the Department to obligate funds for specific purposes. Such authorization may include, but are not limited to, the Detachment Chaplain being authorized to cover the costs of memorial remembrances for deceased Members, or a Member's immediate family, or for the Adjutant-Paymaster to cover routine administrative requirements.

- D. Whenever such special authorizations are approved, they will be stated in the Department Budget, and a detailed process will be incorporated into the Department Administrative Procedures. A reasonable maximum amount will be specified, and each disbursement will be reported to the Membership at the next Meeting.
- E. Expenditures that are not included in the Department Budget will not be honored until they are approved by the Department Convention, except where alternate authorization has been previously established.
- F. **LIMITATIONS**
 - 1. Except as may be specifically provided in these Bylaws, no Officer or individual Member of this Department shall have the authority to financially obligate the Department in any way unless previously approved by the Body and the Department Convention or by the Department Board of Trustees.
 - 2. Any proposals requiring such approval will be provided to the Detachment Board of Trustees with sufficient time allowed to provide for an adequate review concerning feasibility and propriety under these Bylaws.
 - 3. Funds that do not have prior approval in the Department Budget require the approval of the Department Membership in a Department Convention prior to disbursement.
 - 4. "Prior Notification" as defined in *Robert's Rules of Order, Newly Revised* and in these Bylaws shall apply in all cases.
- G. When any authorized expenses are paid from an individual's funds, a reimbursement request may be submitted to the Department Paymaster. The request must be made on the form provided as an Appendix 20 in the Department Administrative Procedures and must include the original receipt(s) from the vendor.
- H. Any request for funds from the Department that would exceed \$200.00 will be presented to the Board of Trustees via the Budget and Finance Committee prior to the start of the Department Convention for their consideration and recommendation to the Convention. The request will be in writing and will explain the nature of the request and the proposed use of the funds to accomplish the stated goal(s). All such requests SHALL be presented to the body with the recommendation of the Board of Trustees for their consideration at the Department Convention. If these funds are approved and then are not or cannot be used for the requested purpose, they will be returned to the Department without the necessity of a demand.
- I. Specific procedures for payment of expenditures and reimbursements are contained in Chapter Seven, Section 7000 of the Department Administrative Procedures.

Amended
2022

SECTION 930 – TAX LIABILITY AND CHARITABLE SOLICITATIONS AND REQUESTS FOR FUNDS:

- A. The Department of Tennessee, as a subordinate of the National Marine Corps League is designated by the Internal Revenue Service (IRS) as a non-profit organization designated as a 501(c)4 and donors are allowed to deduct their deduction from their taxable income liability.
- B. In order to solicit such donations in Tennessee, each of the subordinate Detachments in the Department of Tennessee is required to Register or Request an Exemption annually from the Tennessee Secretary of State, in accordance with the *Tennessee Code Unannotated, §48-101-513*.
- C. Detailed provisions are included in Chapter Seven, Section 7030 of the Department Administrative Procedures

SECTION 935 – DEDICATED FUNDS AND OTHER SPECIAL FUNDS: – The Detachment may set aside certain Funds for specific purposes. When Designated Funds are established, they listed in this Section may only be used for the specific designated purpose unless modified by the provisions of Section 940 of this Article. Such Designated Funds may be established for Young Marines of the Marine Corps League, Marine-for-Life Program, Veterans Affairs Volunteer Service, or any other purpose the Detachment may find in need of assistance.

SECTION 940 – SPECIAL PROVISIONS AND RESTRICTIONS: Whenever funds which are designated or set aside for a specific purpose , they may not be utilized for other purposes without the expressed consent of the Membership. Such consent will be only provided as follows:

- A. The intent to change the designation will be published to the Membership either by the use of the Detachment Newsletter or by separate mailing at least sixty (60) days before a vote may be taken. The circumstances of the intent will be discussed and debated at least one Regular Business Meeting prior to a vote being taken. A two-thirds (2/3) majority of the Members present and voting at the first Regular Business Meeting following the satisfaction of these provisions may change the designation of such funds.
- B. In the event that provisions of the preceding paragraph) cannot be met, a two-thirds (2/3) majority of the entire Membership shall be required to change the designation of such funds. Such vote may be by mail, and if so, the envelopes provided will have an external marking to show that it is a vote, and will remain unopened until the vote is counted as specified in the voting instructions.
- C. In the event that funds are solicited for a specific purpose, i.e. Marines Helping Marines, Young Marines, Special Projects, etc., these funds are considered to be designated for that purpose and in this case the designation may not be changed without the consent of the donor(s). In this event, individual donor(s) may withdraw their donation if they desire. In any instance where this is not possible, paragraph A. or B of this Section, whichever is appropriate, will apply.

SECTION 945 – FINANCIAL REPORTS, OVERSIGHT AND AUDITS:

- A. The Department Commandant and the Department Paymaster (or Adjutant-Paymaster) will ensure that a proper Financial Report is available at all Regular Department Meetings. This requirement includes the General Financial Account, all Dedicated or Special Funds and any Investment Accounts.
- B. The Department Paymaster (or Adjutant-Paymaster) will publish an Annual Financial Statement on a timely basis following the end of the Fiscal Year. The Statement will include all Detachment Accounts, and may include projected credits and debits.
- C. The Department Commandant is responsible to ensure that the Financial Affairs are maintained in a proper and adequate manner consistent with the generally accepted procedures.
- D. The Tennessee Code provides that a formal Audit may be accomplished only by a Certified Public Accountant (CPA), Public Accountant (PA) or a licensed Accounting Firm. The cost of a Formal Audit is generally excessive and will not normally be included in the Department Budget. The Department Commandant, with the Assistance of the Financial Oversight Committee and the Corporate Treasurer, must exercise extreme care to ensure that the Financial Records are adequate and accurate.
- E. The provisions of this Section apply to all Detachments, also.

SECTION 950. INSPECTION OF RECORDS:

- A.** Tennessee Code § 48-66-105 provides that any accredited Member in Good Standing in a Mutual Cooperation, which describes the Marine Corps League Detachments, has the right to view certain Department Records, provided:
 - 1.** The member's demand is made in good faith and for a proper purpose;
 - 2.** The member describes with reasonable particularity the purpose and the records the member desires to inspect; and
 - 3.** The records are directly connected with the purpose for which the demand is made.
- B.** This Section is applicable for the Department to examine a Detachment's records with the same restrictions.
- C.** Refer to the *Tennessee Code* for more details.

END OF ARTICLE IX

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ARTICLE X

DETACHMENTS

SECTION 1000. DETACHMENT CHARTER. No detachment shall be named in honor of a living person. No detachment shall adopt the name previously adopted by another Detachment unless the Charter of the other Detachment has been surrendered or revoked. If the Detachment is being named in honor of a deceased Marine, FMF Hospital Corpsman, FMF Chaplain, or other deceased individual, a signed, notarized, permission letter is required from the deceased Individual's most immediate family.

SECTION 1005. BYLAWS AND ADMINISTRATIVE PROCEDURES. Each Detachment may adopt Bylaws and may adopt Administrative Procedures that do not conflict with and are consistent with the National and Department Bylaws and Administrative Procedures. The Detachment Bylaws and Administrative Procedures shall be approved by the Department Judge Advocate before they may become effective.

SECTION 1010. MEMBERS. Each Detachment shall be the sole judge of its membership, providing said person meets the requirements of Article V, Section 515 and Section 520.

SECTION 1015. INELIGIBLE MEMBERS

- A. If there is reason to believe a member of the Marine Corps League does not meet criteria established in the National and Department Bylaws and Administrative Procedures, the Detachment Commandant, will refer the matter to the Detachment Judge Advocate who will investigate the charge as presented, unless:
 - 1. The person to be investigated is the Detachment Commandant, in which case the request will be given to the Detachment Senior Vice Commandant to conduct the, investigation, or
 - 2. The person to be investigated is the Detachment Judge Advocate, in which case the Detachment Commandant will appoint a Past Detachment Commandant to conduct 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 Charge will be filed with the Department Judge Advocate in accordance with National Administrative Procedures, Chapter Nine.

SECTION 1020. DETACHMENT OFFICERS. Each Detachment shall:

- A. Each year, elect a Commandant, a Senior Vice Commandant, a Junior Vice Commandant, and a Judge Advocate; and
- B. Elect or appoint an Adjutant, a Paymaster (or Adjutant/Paymaster), Chaplain, and Sergeant-at-Arms.
- C. A Detachment may appoint or elect such additional officers as may be required by the Detachment Bylaws.
- D. All Elected Officers shall be Regular Members of the Detachment in which they are elected.
- E. All Appointed Officers shall be Members of the Detachment wherein they were appointed.
- F. Associate Members may serve in Appointed Offices only, in accordance with Article V, Section 515 of these Bylaws
- G. Each elected officer shall be elected for a term of one year and may be reelected for additional terms as provided in the Detachment Bylaws. Appointed officers shall serve a term that expires when the next Installation of Officers occurs and may be appointed to additional terms.

SECTION 1025. VACANCIES

A. DETACHMENT ELECTED OFFICERS

1. **ORDER OF SUCCESSION.** The order of succession to the office of the Detachment Commandant shall be; first, Detachment Senior Vice Commandant and second, Detachment Junior Vice Commandant.
2. **DETACHMENT COMMANDANT.** Should the Commandant's position become vacant, the Senior Vice Commandant *normally* will serve as the new Commandant for the remainder of the term. If not, the Senior Vice Commandant is unable to serve, the Junior Vice Commandant will serve as the new Commandant for the remainder of the term. If neither one is able to serve, the Department Commandant will be responsible for finding a replacement Detachment Commandant with assistance from the rest of the Detachment Staff. If either the Senior Vice Commandant or Junior Vice Commandant serves as the replacement Commandant, they will be responsible for finding a replacement for their previous position with assistance and approval of the Detachment Board of Trustees.
3. **DETACHMENT SENIOR VICE COMMANDANT.** Should the Senior Vice Commandant position become vacant, the Junior Vice Commandant *normally* will serve as the new Senior Vice Commandant for the remainder of the term. If the Junior Vice Commandant is unable to serve, the Commandant will be responsible for finding and appointing a replacement for the vacancy, with assistance and approval of the Detachment Board of Trustees.
4. **DETACHMENT JUNIOR VICE COMMANDANT OR JUDGE ADVOCATE.** Should the Junior Vice Commandant or Judge Advocate position become vacant, the Commandant will be responsible for finding and appointing a replacement for the vacancy for the remainder of the term, with assistance and approval of the Detachment Board of Trustees.
5. **CAUSES FOR VACANCY.** In addition to death, resignation, or incapacity, a vacancy will occur through: (1) failure to attend two consecutive, officially called meetings of the Detachment Board of Trustees or (2) removal from office by disciplinary action in accordance with the National Administrative Procedure.
6. **ANY OTHER DETACHMENT OFFICER.** Should any other elected or appointed position become vacant, the Commandant will be responsible for finding and appointing a replacement for the vacancy, with assistance and concurrence of the Detachment Board of Trustees.
7. **INSTALLATION AND REPORT OF INSTALLATION SUBMISSION.** Upon appointing a member to any new position on the Detachment staff, the Department Commandant, Detachment Commandant, or any Past Commandant, in the case of a newly appointed Commandant, will swear in the officer to the new position and submit the revised "Report of Installation" form as specified in the National Administrative Procedures.

B. DETACHMENT STAFF OFFICERS. A vacancy in an Appointed Office, a Committee Chairman, or a Committee Member shall be filled as soon as practical by the Detachment Commandant. All such appointments shall be approved by the Detachment Board of Trustees.

C. DETACHMENT APPOINTED OFFICERS: There is no Order of Succession for Appointed Officers. When a Vacancy occurs, the Detachment Commandant will appoint a replacement, with the concurrence of the Detachment Board of Trustees.

SECTION 1030. DETACHMENT STATUS.

- A.** A Detachment is considered to be in in Good Standing unless:
1. There is a persistent failure to maintain a minimum of fifteen (15) Members in Good Standing; or
 2. There is a persistent failure to promptly forward funds to the Department of Tennessee or the National Headquarters, as required, or;
 3. Failure to file a Report of Office Installation on a timely basis as required by the National Bylaws and Administrative Procedures, or;
 4. Performance of any Acts or Conduct that would bring the Marine Corps League into public dispute of disrespect, or;
 5. Willful violation of the Department of Tennessee or National Bylaws and Administrative Procedures, or;
 6. Willful violation of any Federal, State or Local Laws or Ordinances, or;
 7. Failure to obtain an Employer Identification Number and maintain their Not-for-Profit status under IRS Code 501(c)4 by failing to file the appropriate IRS Form 990_ on a timely basis, or for other reasons, or;
 8. Failing to Incorporate as a Not-for-Profit entity in Tennessee and maintain the incorporation status by failing to file the required Annual Report to the Tennessee Secretary of State.
- B.** A Detachment that is not in Good Standing will not be allowed to register Delegates at either the Department or National Conventions of the Marine Corps League, unless the problem has been reconciled with the respective Board of Trustees in advance.
- C.** Persistent failure to correct the deficiencies will lead to additional action by the Department or the National Organization.

SECTION 1035. MEETINGS. A Detachment shall meet at a date, time and frequency of its choosing. Once a month on the same day of the month is recommended. The Detachment Charter or a copy, the National Colors, and a Bible shall be displayed at all Business Meetings.

SECTION 1040. DETACHMENT BOARD OF TRUSTEES. The elected officers of a Detachment shall be its Board of Trustees. However, a Detachment is authorized to appoint the outgoing Past Commandant or another Past Detachment Commandant as Junior Past Detachment Commandant to serve a one-year term as a Voting Member of the Detachment Board of Trustees. No Elected Officer may hold more than Elective Office in the Detachment and the Junior Past Commandment may not hold an Elective Office in the Detachment.

Amended
2022

SECTION 1045. ELECTION OF OFFICERS

- A.** Each detachment shall hold an annual election and installation of officers between September 1 and May 15. Installation must be conducted no later than the last day of the month subsequent to the election. The "Report of Installation" form must be received by the National Headquarters by June 30th of each year to establish credentials for the National Convention. A Detachment is NOT in good standing if this report is not received.
- B.** Any time throughout the year, were a change in any Officer(s) position, that new officer(s) must be sworn in accordance with Administrative Procedures and a new "Report of Installation" form must be submitted for those positions that changed.

SECTION 1050: FREEDOM OF ACTION: Unless expressly forbidden by either the National Bylaws and Administrative Procedures or the Department of Tennessee Bylaws and Administrative Procedures, a Detachment Meeting or Detachment Board of Trustees Meeting shall be free to take action and engage in any activities that do not violate Federal, State, County or Municipal laws or ordinances.

SECTION 1055: EMPLOYMENT IDENTIFICATION NUMBER (EIN):

Updated
1 Dec 2019

- A. Each Detachment, immediately upon forming, shall obtain and maintain its own EIN under the Marine Corps League's Group Exemption Number "0955" as a Not-for-Profit Organization governed by IRS Code 501(c)4.
- B. Within sixty days from the from receiving their EIN, the Detachment will file an IRS Form 8976 in accordance with the current Internal Revenue Service instructions/information related to a non-profit entity intending to operate as a 501(c)4). Failure to do so will result in a penalty of \$20.00 per day for each day the failure continues, up to a maximum of \$5,000.00, will be assessed.
- C. Organizations that filed a IRS Form 990 (or, if eligible, Form 990-EZ or Form 990-N) or an IRS Form 1024 seeking a determination letter recognizing exemption under Section 501(c)4) *on or before July 8, 2016*, are not required to file the notification.

SECTION 1060: INCORPORATION: Detachments which engage in services or business, either for profit or non-profit, or which use the name of the Marine Corps League shall be incorporated within the state in which they reside within one year from the Charter date, unless their state or commonwealth requires incorporation to be completed within a shorter time period.

Updated
1 Dec 2019

SECTION 1065. FISCAL AND FINANCIAL: The Detachment will use the information in Article IX, of the Department Bylaws and Chapter Seven of the Department Administrative Procedures, respectively, as guidelines to develop their own Fiscal and Financial Program. Care must be taken to ensure that the proper Officers are listed to come under the National Bonding Coverage, and that Contracting Limitations are placed in the Bylaws.

SECTION 1070. SUSPENSION AND REVOCATION OF CHARTER

- A. **Basis:** A Detachment may be found to be in violation of the Marine Corps League National, Department or even its own Bylaws and Administrative Procedures on occasion. Failure to correct the violations may led to the Suspension of Revocation of their Charter.
- B. **AUTHORITY**
 - 1. The Suspension or Revocation of charters may be directed by a Department Board of Trustees and/or the National Board of Trustees.
 - 2. A charter that has been revoked, can only be re-chartered by the National Board of Trustees.
 - 3. The Procedures will be guided by the instructions in Chapter Five, Section 5050 of the Department Administrative Procedures and the National Bwqaae2aSDylaws and Administration Procedures.

SECTION 1075: VOLUNTARY SURRENDER OF CHARTER. The charter of a detachment may be voluntarily surrendered for such reasons as may be determined by the detachment. Upon a determination that it is no longer practical to maintain the Detachment, the Detachment Board of Trustees shall immediately notify its jurisdictional Department in writing of its intent to dissolve and surrender its charter. The procedures specified in Chapter Five, Section 5055 of the Department Administrative Procedures and the National Administrative Procedures will govern the process.

SECTION 1080: CONTRACTING AUTHORITY. No Detachment Officer, Committee Chairperson, or any other Member of any Detachment shall enter into or sign any contract or agreement for the purpose of binding the Detachment without first submitting such contract or agreement to the Detachment Board of Trustees. All documents shall be forwarded to the entire Detachment Board of Trustees for approval, amendments, or rejections..

SECTION 1085: PARLIAMENTARY AUTHORITY. Each Detachment shall use the current edition of *Robert's Rules of Order Newly Revised* which shall govern in all cases to which they are applicable and in which they are not in conflict with the National Bylaws and Administrative Procedures, Department Bylaws and Administrative Procedures, and any special rules of order National may adopt. In the event of a conflict. the ruling authority is the National Bylaws, then the National Administrative Procedures, then the Department Bylaws, then the Department Administrative Procedures, then *Robert's Rules of Order Newly Revised*.

END OF ARTICLE X

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ARTICLE XI

SUBSIDIARY AND AFFILIATED ORGANIZATIONS

Section 1100. AUTHORITY

- A. All Subsidiary Organizations which function and operate directly or indirectly under the Congressional Charter and name of the MCL are subject to the authority, supervision, direction, control, and discipline of the MCL.
- B. All Subsidiary Organizations are under the authority of the National Marine Corps League, only.
- C. Affiliated Organizations are organized and incorporated independently of the Marine Corps League, but they are structured to complement the activities of the Marine Corps League
- D. If the Department, a Detachment or an individual Member should have any complaints against a Subsidiary or Subordinate of the Subsidiary Organization or an Affiliated Organization, they must follow their appropriate chain of command that will refer it to the up to the National Marine Corps League for adjudication. It must be referred in writing via certified mail to the National Judge Advocate for appropriate action.
- E. If a Subsidiary or Subordinate Organization or Affiliated 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 that will refer it to the Marine Corps League for adjudication. It must be referred in writing via certified mail to the National Judicial Officer of that organization for appropriate action.

Section 1105. RELATIONSHIP WITH SUBSIDIARY AND AFFILIATED ORGANIZATIONS:

- A. The Marine Corps League recognizes and adopts each of the organizations listed in the National Administrative Procedures as official Subordinate, Subsidiary or Affiliated Organizations the Marine Corps League or which shall ever be subject to the authority, supervision, direction, control and discipline of the Marine Corps League at the National level only.
- B. Each of these Subsidiary and Affiliated Organizations operates as a separate entity under its own Bylaws, as amended. Individual Marine Corps League Members as well as Detachments, and the Department are encouraged to work with and support the subsidiary or Subordinate organizations at their own level.
- C. Affiliated Organizations are not under the control of the Marine Corps League below the National Level; however, Individual Marine Corps League Members as well as Detachments, and the Department are encouraged to work with and support their programs, each on our own level.
- D. No Member of the Marine Corps League shall be engaged in any way with the day-to-day operations of the any Subsidiary or Affiliated Organization, unless they are a registered member of the specific Subsidiary or Affiliated Organization, The same restriction applies to the Department of Tennessee, and to all of its Detachments

END OF ARTICLE XI

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ARTICLE XII

GENERAL

SECTION 1200. AMENDMENTS TO THE DEPARTMENT BYLAWS.

- A. The Department Bylaws may be revised, amended or repealed by a majority vote of the properly registered and approved Delegates present and voting at a Department Convention, provided that the proposed revision, amendment or repeal is submitted to the Department Judge Advocate no later than 1 March prior to the Department Convention at which said proposal is to be considered. Submission of proposed revisions, amendments or repeals will be in typewritten form, and will be in the exact wording intended. Submission should be sent via Priority U.S. Mail or by other carriers where a Tracking Identification may be used to verify delivery.
- B. To avoid possible confusion, each submission will address only one Section. However, if the proposal incorporates a revision, amendment or repeal that will interact with any other Sections, the changed or corrected wording of those Sections will be included in the single submission.
- C. Such proposals may be submitted to the Department Judge Advocate at the Spring Department Staff Conference. Such proposals may also be submitted to the Department Judge Advocate by the U. S. Postal Service, with the recommendation that a tracking system such as Priority Mail be used to insure delivery. Delivery must be no later than 1 April (or the date of the Spring Department Staff Conference, whichever occurs later.) prior to the Department Convention at which said proposal(s) is to be considered.
- D. A printed copy of the proposed revisions shall be made available to any existing Detachment Commandant, each member of the Department Board of Trustee, and each Past Department Commandant upon submission of a written request to the Department Judge Advocate; submission instructions, including any applicable deadlines, on how to receive a printed copy of the proposed revisions via U. S. Mail from the Department Judge Advocate shall be included in the notification of posting.
- E. The proposed changes will then be presented to the Members at the Department Spring Staff Conference
- F. When a proposed amendment is brought to the floor of the Department Convention for consideration and a motion is made relevant to adoption thereof, that motion becomes a Main Motion, and as such the proposed amendment may be amended from the floor in accordance with parliamentary law. Such amendments to the Main Motion, however, must be germane to the Main Motion and must not exceed the scope of the Main Motion.
- G. **DEPARTMENT BOARD OF TRUSTEES ACTION:**
 - 1. The Department Board of Trustees have the authority to revise, amend or repeal portions of the Department Bylaws only when such action becomes necessary due to changes in Federal, State or Local laws or ordinances, or changes to the National Bylaws and Administrative Procedures.
 - 2. When changes are made to the Department Bylaws by the Department Board of Trustees under this authority, all Detachment Commandants will be notified of the changes and the reason for the changes by the most expeditious means available.

SECTION 1205. EFFECTIVE DATE. Each revision, amendment, or repeal of a provision of the Department Bylaws and the Administrative Procedures which is approved at a Department Convention and does not provide for an effective date, will become effective when it is approved by the National Judge Advocate.

SECTION 1210. DEPARTMENT BYLAWS DISTRIBUTION

- A. The current edition of the Department of Tennessee Bylaws of the Marine Corps League along with any published changes shall be posted on the Department Website for the access and review by all members of the Marine Corps League, Department Board of Trustees, Department of Tennessee Marine Corps League Auxiliary, and the Tennessee Pack of the Military Order of the Devil Dogs. Changes approved at the Department Convention each year shall be posted to the Department Website once completed and notice of said posting shall be provided to all Detachments of the Department of Tennessee, the Department of Tennessee Marine Corps League Auxiliary and the Tennessee Pack of the Military Order of the Devil Dogs as soon as possible subsequent to the posting. Such notice shall include instructions on how to access and review the approved changes on the Department Website. A hard copy of the approved changes may be purchased (printing and mailing cost). Submission instructions, including any applicable deadlines on how to receive a hard copy of the approved changes via U.S. Mail from the Judge Advocate shall be included in the notification
- B. Any member of the Department of Tennessee Marine Corps League may purchase copies of the Department Bylaws from the **Department Judge Advocate**

SECTION 1215. CLERICAL ERRORS. The Department Judge Advocate shall have the authority to identify, and with the advice and consent of the Department Board of Trustees, correct clerical errors in the Department Bylaws and the Department Administrative Procedures where the error is clearly evident and the correction shall make no material change to the intent, form, or function of the Department Bylaws or the Department Administrative Procedure in question.

SECTION 1220. AMENDMENTS TO THE DEPARTMENT ADMINISTRATIVE PROCEDURES: THE Procedures for modifying the Administrative Procedures are contained in Chapter Twelve, Section 12000, of the Department Administrative Procedures.

SECTION 1225. DISSOLUTION. Should the Department of Tennessee, Marine Corps League be dissolved, the procedure shall be the same that is proposed in Article XII of the Bylaws of the Marine Corps League.

END OF ARTICLE XII