

Recommended Amendments to the Department Bylaws

SECTION 120 – NOMINATIONS. Each nomination for each elective Department Office shall be made from the floor no later than the day preceding the day on which the elections are to be held. Each nominee shall be a Regular Member in good standing, in the Marine Corps League at the time of the nomination. Each nominee, when called upon, shall rise if not restricted by a physical impairment, and state to the Chair that if elected he will accept the office and serve loyally, faithfully and to the best of his ability during the term to which elected

To amend Article I Section 120 by striking out the words, “Marine Corps League” and inserting the words, Department of California.”

SECTION 120 – NOMINATIONS. *Nominations for elective Department offices shall be made from the floor no later than the day prior to the elections. Each nominee shall be a Regular Member in good standing from the Department of California. Each nominee, shall rise if not restricted by a physical impairment, and state to the Chair that if elected he will accept the office and serve loyally, faithfully and to the best of his ability.*

A. Appointed Officers are required to submit proof of good standing in the Marine Corps League at the time of their appointment, to the Department Commandant. In the event an officer fails to submit proof within 60 days of appointment, any right of the officer to hold the office shall be forfeited, and the office declared vacant

To amend Article I, Section 120 A. By striking out the second sentence.

A. Appointed officers are required to submit proof of good standing in the Marine Corps League, at the time of their appointment, to the Department Commandant.

SECTION 125 – ELECTIONS

B. Before voting begins, the Department Commandant shall select two (2) past Department Commandant and two (2) past Detachment Commandants to supervise voting and correctly tally the votes cast. Two shall act as Tellers and two as Judges.

To amend Article I, Section 125 B. By deleting in its entirety as tellers and judges are not used in a roll call vote. This will also affect Section 125 C.

C. The election of officers shall not begin until the appointed election Judges and Tellers advise the Chair that they are prepared to supervise the election. When it is so advised, the Chair shall then call for the “Election of Officers”. Upon such announcement, the Chair shall not accept or entertain any issue, question or subject which is not strictly related to the roll call being conducted. Without explicit permission of the Chair, a voting member shall not be allowed to enter or leave the Convention floor until the roll call vote in progress is concluded

To amend Article I, Section 125 C. by striking out the reference to Judges and Tellers, and minor rewording.

C. The Chair shall not accept or entertain any issue, question or subject that is not strictly related to the roll call vote once the roll call has begun. Without explicit permission of the Chair, a voting member shall not be allowed to enter or leave the Convention floor until the roll call vote is concluded.

SECTION 205 – POWERS.

C. To recommend the issue, suspension, or revocation for cause, of a Charter granted to a Detachment.

To amend Article II, Section 205 C. By changing the wording to correctly identify the powers of the Board of Trustees in accordance with the National Bylaw.

C. To initiate and consummate the suspension or revocation for cause of a Detachment Charter. (Article 5, Section 555 of the National Bylaws.)

SECTION 210 – DUTIES.

A. DEPARTMENT COMMANDANT

1. Observe and enforce the observance of the Congressional Charter and the National Bylaws and Administrative Procedures of the Marine Corps League.

To amend Article II, Section 210 A 1. By inserting the words, “and the Department Bylaws” following “Marine Corps League”.

1. Observe and enforce the observance of the Congressional Charter, the National Bylaws and Administrative Procedures of the Marine Corps League, and the Department Bylaws.

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

Amend Article II Section 210 A 3. by deleting reference to National Bylaws. There is no requirement in the National Bylaws.

3. Call such meetings of the Department Board of Trustees as are required by the Department Bylaws.”

B. DEPARTMENT SENIOR VICE COMMANDANT. – shall give every assistance to the Department Commandant, and in the absence of the Commandant, shall perform the duties of that Office. He shall preside over all Detachment Commandant’s Council Conferences; with their assistance, initiate and implement such programs as will increase the effectiveness of the Marine Corps League.

To amend Article II, Section 210 B. By striking out the words “Marine Corps League” and inserting the words “Department of California” in the last sentence.

B. “He shall preside over all Detachment Commandants’ Council Conferences; with their assistance, initiate and implement such programs as will increase the effectiveness of the Department of California.”

D. DEPARTMENT JUDGE ADVOCATE.

5. Detachments will send two (2) copies of each required documents, their Bylaws, SS-4 Form (Employer Identification Number) and Articles of Incorporation to the Department Judge Advocate who will inspect the Bylaws for consistency with National and Department Bylaws and Administrative Procedures as required, if correct, will forward one copy of each document to National Headquarters, and the existing documents will be put in the Detachment/Department file and be maintained by the Department Judge Advocate.

To amend Article II, Section 210 D. by striking out the wording requiring action on the part of detachments, as this action is not related to the responsibility of the Department Judge Advocate, and insert new wording.

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

6. The Department Judge Advocate will review and file for record the following submitted documents: Articles of Incorporation, IRS letter of assignment of the EIN, and California Franchise Tax Board tax-exempt letter.

SECTION 220 – BOARD OF TRUSTEES MEETINGS.

B. The conduct of business at all Department Board of Trustees meetings shall be governed by the National and Department Bylaws and Administrative Procedures.

To amend Article II, Section 220 B. by striking out the wording, “the National and Department Bylaws and Administrative Procedures” and inserting, “Robert’s Rules of Order, Revised when not in conflict with the Department Bylaws.”

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

SECTION 310 – STAFF OFFICERS DUTIES.

A. DEPARTMENT ADJUTANT.

To amend Article III, Section 310 A. by inserting the following provisions.

7. Upon receipt of a Report of Officer Installation, verify through the Department Paymaster that the listed officers are members in good standing.

8. The Adjutant will forward the appropriate copies of the Report of Officer Installation (ROI) to National Headquarters within fifteen (15) days of installation. Notification of the officers installed will also be made to the Department Commandant, Paymaster, Judge Advocate, Web Master the effected Regional Coordinator, and the editor of the League.

B. DEPARTMENT PAYMASTER.

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

To amend Article III, Section 310 B. by deleting the words "entire membership" and "Department Commandant" in the last sentence. The Commandant is part of the "entire" membership of the Board and the wording is redundant.

2. If such proposed expenditure of Department funds is approved by two-thirds (2/3rds) vote of the Board of Trustees, such expenditure may be made.

D. DEPARTMENT SERGEANT-AT-ARMS. Shall preserve order at all times at the Department Convention and Staff Meetings and shall perform such other duties as may be required by the Department Commandant or Department Board of Trustees. He shall be empowered to deputize such Deputy Sergeants-At-Arms to maintain proper performance and order of the sessions.

To amend Article III, Section 310 D. By striking out the current wording and inserting the following:

D. Shall on the floor of the meeting hall assist in preserving order as the Commandant may direct; check the credentials or eligibility of those arriving, and deny entrance to unauthorized person.

1. Shall maintain custody of the Department Charter, ensuring it is present at all Department meetings and Convention. He shall relinquished custody of the Department Charter to his appointed successor.

To amend Article III, Section 310 by inserting sub-paragraph J., duties of the Regional Coordinators.

J. REGIONAL COORDINATOR – shall be responsible to function as a liaison between the Department and the Detachments within their assigned region. They shall initiate two meetings per year with the Detachment Officers and membership to develop a "teamwork" bond within the region as well as provide for information exchange, training, identification of problem for attention of the Department Officers, social integration, i.e. picnic or event, idea and brainstorming, and other activities of mutual benefit. They will be responsible to establish, maintain and lead the Regional Training Team in their assigned region. They shall further be responsible to adhere to the Department Regional Coordinators Program of June 2001.

To amend Article III, Section 310 by inserting sub-paragraph K., duties of the Training Officer.

K. TRAINING OFFICER – shall facilitate, coordinate training, training resources and material for the Department, Detachments and Regional Training Team. Coordinate with the Department Officers, Regional Training Teams and Detachment to assess training information needed or required. Develop training programs, facilitate presentations and continuously review and update existing training classes.

To amend Article III, Section 310 by inserting sub-paragraph L., duties of the Director of Veterans Service.

L. DIRECTOR OF VETERANS SERVICES – shall maintain close contact with the National Veterans Administration for the purpose of keeping abreast of programs and benefits available and provide that information in a timely manner to the membership.

SECTION 407 – ELIGIBILITY. All Officers serving in elected offices must be a Regular Member of the Department of California.

To amend Article IV, Section 407 by inserting the words, “in good standing”

SECTION 407 – ELIGIBILITY. All officers serving in elective office must be a Regular Member in good standing of the Department of California.

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

SECTION 512 – ELIGIBILITY AND TERM LIMITS.

A. All Officers serving in an elected office must be Regular Members of the Detachment in which they are elected to serve. At the will of the Detachment, Associate Members may serve in appointed offices only, in accordance with Article Six, Section 600 (b), of the National Bylaws.

To amend Article V, Section 512 by inserting the words, “in good standing”.

A. All Officers serving in an elected office must be Regular Members, in good standing, of the Detachment in which they are elected to serve. At the will of the Detachment, Associate members may serve in appointed offices only, in accordance with Article Six, Section 600 (b) of the National Bylaws.

SECTION 530 – ELECTION AND INSTALLATION OF OFFICERS.

B. The Report of Officers Installation (ROI) form must be forwarded to the Department Adjutant within five (5) days of installation. The Adjutant will verify with the Department Paymaster that the installed Officers are members in good standing.

To amend Article 5, Section 530 B by deleting the second sentence in its entirety as not relevant to a responsibility of a detachment.

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

C. The Department Adjutant will forward within fifteen (15) days of installation, copies of the ROI to National Headquarters (white), S/W Division Vice Commandant (yellow), Department Commandant, Editor of the Leaguer, Department Chaplain and the Regional Coordinator.

To amend Article 5, Section 530 C by deleting this sub-paragraph in its entirety as it does not pertain to the responsibility of a detachment.

SECTION 565- RESPONSIBILITY.

Amend by inserting the the provisions B. and C., which are provisions dictated by the National Bylaws and Administrative Procedures.

B. Detachments which engage in services or business, either profit or non-profit, or which use the name of the Marine Corps League will be incorporated in accordance with Article 7, Section 700 of the National Bylaws. New Detachments will have two years from the issue date of their charter.

C. Detachments must obtain and maintain their own Employee Identification Number (EIN) under the Marine Corps League's Group Exemption Number 0955. No Detachment will utilize the EIN of the National Headquarters.

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

SECTION 605 – MEMBERSHIP APPLICATION.

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

To amend Article 6, Section 605 B by inserting sub-paragraph 1.

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

C. The Detachment Adjutant shall read and record the application at the proper time, stating all pertinent data including name of sponsor, and clearly state that the required dues and fees have been verified and are in the possession of the Detachment Staff. (No applicant shall be present for that portion of the meeting in which the application is being considered.)

To amend Article 6, Section 605 C by inserting the words “and proof of honorable service” following the words, “dues and fees”.

C. The Detachment Adjutant shall read and record the application at the proper time, stating all pertinent data including the name of the sponsor, and clearly state that the required dues and fees and proof of honorable service have been verified and are in the possession of the Detachment Staff. (No applicant shall be present for that portion of the meeting in which the application is being considered.

ARTICLE VII. COMMITTEES. *To amend Article VII by inserting the Detachment Commandants’ Council.*

SECTION 7-3 DETACHMENT COMMANDANTS’ COUNCIL. *The Detachment Commandants’ Council shall be an integral part of the Department Staff, composed of all Detachment Commandants and chaired by the Department Senior Vice Commandant, as a collective advisory body charged with the responsibility of providing assistance to the Board of Trustees. It shall be the general duty of this Council to:*

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

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

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

D. Pursuant to accomplishing the above responsibilities, they shall develop a proposed plan, policies, procedures and systems for recommendation to the Department Board of Trustees for its consideration.

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

