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Department of New York Bylaws

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NOTES: (1) Where the word "Board" appears, it means "The Board of Trustees"

CHAPTER 1
DEPARTMENT NAME AND SEAL

SECTION 1-57

DEPARTMENT NAME

a-57 The name of this organization shall be "Marine Corps League, Department of New York."

SECTION 2-95

DEPARTMENT SEAL (to read)

a-00 The Corporate Seal shall be round in shape, containing in the center thereof a replica of the United States Marine Corps Emblem surrounded by the words, "Marine Corps League, Semper Fidelis" - with a border of two narrow rings, with a star centered between the words "Marine and Semper" and a star between the words "Fidelis" and "League".

CHAPTER 2
DEPARTMENT AND DETACHMENT PURPOSES

SECTION 1-57

DEPARTMENT AND DETACHMENT PURPOSES

a-57 In addition to the purposes outlined in section 2 of the Charter, the following objectives are: to perpetuate and honor the memory of those Marines who have passed on to their eternal rest; to decorate the graves of all deceased Marines with the official grave marker of the Marine Corps League; wherever and whenever possible, to aid, assist and provide for the fathers, mothers and other dependents of deceased Marines; to strive for the passage of legislation favorable to the Marine Corps League, the United States Marine Corps, the officers and members of the active service and honorably discharged Marines, and to agitate for the defeat of legislation unfavorable to them, to foster social and fraternal intercourse among the members, to urge the participation of all members in patriotic functions and such other civic, state or national affairs as are of particular interest to Marines.

CHAPTER 3
DEPARTMENT AND DETACHMENT POLICY

SECTION 1-57

DEPARTMENT AND DETACHMENT POLICY

a-00 Neither the Marine Corps League, the Department of New York, nor any of its constituent units shall take part in any labor dispute or issue and shall ever be nonsectarian, non-political and non-partisan; it shall never be used as a medium of political ambition or preferment; rank or advancement within the Marine Corps League by reason of present or former military rank or civilian position shall not be countenanced.

SECTION 1-57

DEPARTMENT AND DETACHMENT POLICY {continued}

b-57 Notwithstanding the provisions of item (a), herein, it is hereby expressly provided that the Marine Corps League, Department of New York, and any of its constituent units may engage in political and legislative issues which affect the welfare of the United States Marine Corps, or of the Marine Corps League, or any of its constituent or subsidiary units, and of the rights, privileges and benefits which are based on military service of any member thereof.

[

CHAPTER 4
ELIGIBILITY

SECTION 1-87

ELIGIBILITY

a-03 Only persons who are serving or who have served honorably in the United States Marine Corps for not less than (ninety) 90 days and persons who are serving or who have served honorably in the United States Marine Corps Reserve and who have earned not less than ninety (90) Reserve retirement credit points, FMF Corpsman and FMF Navy Chaplains shall be eligible for regular membership in the Marine Corps League, as outlined in the National Bylaws, Article Six, Section 600.

b-00 Any member of the Marine Corps League who is in good standing may become a life member upon proper payment of required fee as specified in Article Six, Section 645 of the National Bylaws. A Life Member shall be subject to the payment of no further dues to a Detachment, a Department or National, and such member shall have all the privileges, rights and benefits enjoyed as a member as long as that Life Member shall live. National Headquarters shall administer Life Memberships according to Article Six, Section 645 of the National Bylaws.

c-00 Any regular member in good standing shall be eligible for membership in more than one Detachment in the Marine Corps League, except that membership in subsequent Detachments shall be counted in the same manner as an Associate Member and regular membership shall be retained only in the detachment of greater tenure unless the member makes a signed written request for transfer (in triplicate) to the receiving Detachment as prescribed by Article Six, Section 650 of the National Bylaws to change regular membership to another Detachment. Eligibility to vote or hold office is restricted to the Detachment in which regular membership is held.

d-87 Any person eligible for regular membership in the Marine Corps League may make application directly to the National Headquarters for the status of Member-at-Large, however, this membership shall not be counted in the voting strength of any Detachment or Department or National Annual Convention, nor may a Member-at-Large have any rights or privileges including voting in any Detachment or Department.

SECTION 2-87

ASSOCIATE MEMBERSHIP

a-03 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 may, upon application to a Detachment or to National Headquarters, be accepted as Associate Members in the Marine Corps League and shall be governed by the requirements set forth in *Article Six, Section 600, Paragraph (b) of the National Bylaws*.

SECTION 3-87

Honorary Membership

a-00 Detachments, Departments and the National Headquarters may, at the discretion of the respective Commandant, issue Honorary memberships to those persons who have been of extraordinary service to the nation, the community, the United States Marine Corps or the Marine Corps League, and shall be governed according to the guidelines set forth in *Article Six, section 600, Paragraph (c) of the National Bylaws*.

CHAPTER 5
DEPARTMENT DUES AND ASSESSMENTS - RESIGNATION - TRANSFER

SECTION 1-57

DUES

a-57 The amount of Department dues shall be determined annually by the Department Convention.

SECTION 2-57

DETACHMENT MEMBERSHIP RESIGNATION

a-88 Any member who resigns from membership in a Detachment shall not be entitled to any refund of dues paid. Department and Detachment membership rosters shall be adjusted as of the date of the resignation.

b-57 A member shall submit their resignation in writing. No verbal resignation shall be accepted.

c-00 The Adjutant of the Detachment from which the member resigns shall notify National and the Department Adjutant/Paymaster within ten (10) days of the date of said resignation.

d-88 A member resigning of their own volition and through no indiscretion on their part, shall be eligible to make application for membership in any other Department in the Marine Corps League, Department of New York, provided that the member pays dues in full as required by that Detachment. They shall be counted in the voting strength of the Detachment in which he is to be accepted for membership.

SECTION 3-57

DETACHMENT TRANSFERS

a-88 A member may transfer from one Detachment to another without payment of additional dues or transfer fees upon application to and approval by the Detachment to which he seeks application, for transfer is made as per *National Bylaws, Article Six, Section 620 (c)*, "No delinquent members may be transferred"

b-57 A receipt from the Detachment from which the transfer is made showing the member's dues to be paid in full, shall entitle the member, if transfer is approved by the receiving Detachment, to all rights and privileges of the Detachment to which they transfer during the period for which the receipt shows their dues paid.

c-95 A member transferred less than fifteen (15) days prior to the start of the Annual Convention shall not be counted in the voting strength of the Detachment receiving such transfer until the following membership year of the transferred member. BUT will be counted by the losing Detachment for the current year.

CHAPTER 6
DEPARTMENT HEADQUARTERS

SECTION 1-57

DEPARTMENT HEADQUARTERS

a-75 The administration and conduct of business of the Department of New York, Marine Corps League, shall be vested in the Department Staff which shall be composed of:

- The Department Board of Trustees (all elected Department Officers and elected junior past Commandant
- All appointed Department Officers
- And all Department committee Chairpersons

b-00 All past Department Commandants and all Detachment Commandants shall be considered as an integral part of the Department Staff and shall act as Advisory Council to the Board of Trustees. They shall assume the general duties, of corresponding nature, as outlined under *Article two, Section 210, of the national Bylaws*.

- 1) The Chairman of the past Commandants Council shall be the Junior Past Department Commandant.
- 2) The Chairman of the Detachments Commandant's Council shall be the Department Senior vice Commandant.

SECTION 1A-75

DEPARTMENT BOARD OF TRUSTEES

a-87 The department Board of Trustees shall be composed of the following Officers:

- The Department Commandant
- Senior Vice Commandant
- Junior Vice Commandant
- Judge Advocate
- Area Vice Commandants
- Junior Past Vice Commandant

All of whom shall be elected annually by the Department Convention. The Department Adjutant/paymaster shall act as the secretary to the Board as an ad hoc member without vote.

b-00 The board of Trustees shall exercise executive and such other powers and do such other things as are compatible with the Bylaws of and to the best interest of the Department of New York and the Marine Corps League.

SECTION 1B-75

APPOINTED OFFICERS

a-00 The Officers to be appointed to the Department Staff are listed under Chapter 13, Section 15-88 of these Bylaws.

CHAPTER 7 (Continued)

SECTION 2-65

DISTRICT (AREA) VICE COMMANDANTS - ASSIGNMENTS

a-00 Vice-Commandants shall be assigned one each to the following areas: West; Southwest; Northwest; North Central; North Central; South Central; North; East; Southeast; Metro-NY; and Long Island.

The assignments shall be as follows by counties included:

1. **West:** Cattaraugus, Chautauqua, Erie, Niagara.
2. **Southwest:** Alleghany, Chemung, Schuylar, Steuben, Tioga, Tompkins.
3. **Southeast:** Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester.
4. **Northwest:** Cayuga, Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, Yates
5. **North Central:** Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego.
6. **South Central:** Broome, Chenango, Cortland, Delaware, Otsego.
7. **North:** Clinton, Essex, Franklin, Hamilton, St. Lawrence.
8. **East:** Albany, Columbia, Fulton, Greene, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, Washington.
9. **Metro-NY:** Bronx, Kings, New York, Richmond.
10. **Long Island:** Queens, Nassau, Suffolk.

SECTION 3-65

DEPARTMENT STAFF MEETINGS

a-75 The Department Staff shall be called into session at least five (5) times during the year of each governing administration. It shall convene at the close of each convention with the members of the outgoing staff to facilitate the orderly transition of administration. The department Staff shall also convene on the day prior to the opening of the Department Convention to provide for the closing out of business of the outgoing administration and for an audit of the department books by the Department Board of Auditors.

b-75 The Department Staff may be called into session by the Department Commandant or any member of the board temporarily performing the duties of the Commandant. Written notice to the Staff members indicating the time, place and purpose of the meeting must be sent at least ten (10) days prior to the date for which the meeting is called.

c-75 Any member of the Board may also request the Department Commandant to call the Department Staff into session. *See Paragraph b-75*

d-00 In the event that the Department Commandant refuses or fails to call the meeting within ten (10) days after written request by a board member, the meeting may be authorized by a "Majority" of the Board with proper written notice to Staff members.

e-00 A quorum for the conduct of business at Department Board or Staff meetings shall be a majority of member of the board of Trustees present, one of which MUST be the Department Commandant, Senior or Junior Vice Commandant.

f-00 If an Officer fails to attend two consecutive Staff Meetings (without being excused by the Commandant for reasons of illness or hardship) his office shall automatically become vacant.

g-00 Department Staff meeting shall be defined as to include the staff of all New York Detachments and or their members.

CHAPTER 8
DUTIES OF DEPARTMENT OFFICERS

SECTION 1-57

DEPARTMENT COMMANDANT [ELECTED OFFICE]

- a-57 The Commandant shall preside at all meetings of the Department Staff and at all Conventions.
- b-00 At all times comply with the national Charter, Bylaws and Administrative procedures.
- c-00 Enforce the Bylaws and Administrative Procedures of the Department of New York.
- d-57 With proper authority as provided herein shall sign all orders on the Treasury and countersign all checks issued by the Adjutant/Paymaster against accounts of the Department.
- e-00 Be bonded as provided for in Article Four, Section 420, of the National Bylaws.
- f-75 Appoint all committees not otherwise provided for in Article Four, Section 420, of the national Bylaws.
- g-75 Be an ex-officio member of all committees and have a vote only in the event of a tie. Shall be responsible for the proper functioning of all committees.
- h-75 Be the Chief Executive Officer of the Department and shall perform all duties that pertain to this office.
- I-57 Cooperate with the Officers and Representatives of the National Headquarters, Marine Corps League.
- J-75 Be a member and be responsible to the Department Board of Trustees.
- k-57 Be responsible for all official statements issued to the press.
- l-57 When the interests of the department require, call a special Board or Staff meetings.
- m-95 With the approval of the board, call a special Department "Staff Meeting" if necessary.
- n-57 Appoint such Aides and Liaison officers as necessary to the proper conduct of Department business.
- o-64 Contact the Senior Vice Commandant within twenty (20) days of their election to office, to determine the programs for the Department for the ensuing year.
- p-92 The Department Commandant, Senior Vice and Junior Vice Commandants (or other elected officers appointed by the Department) shall among them attend at least one meeting of every Detachment in the Department each year.
- q-75 Within twenty (20) days after the close of the National Convention, call the department Board of Trustees into session for the purpose of reporting all important results of the National Convention and submit for approval the program developed for the Department by the Commandant and the Senior Vice Commandant.
- r-75 The Department Commandant shall be responsible to see that the Department of New York is properly represented on the floor of the National Convention. Should the Department Commandant be unable to attend, the Department Senior Vice shall assume the responsibility. In the event that neither shall be able to attend, they shall consult on the designation of another member of the board to lead the department Delegation.
- s-87 In the event that the Judge Advocate is unable to resolve a grievance within the Department, the Department Commandant shall appoint a hearing board composed of himself as Chairman, the Department Judge Advocate and a minimum of three (3) other members, none of whom shall be members of the Detachment or other units involved in the grievance. The Commandant shall be responsible for the preparation of the report of the hearing board which shall then be submitted to the petitioner and all parties to the grievance. The report shall also be submitted to the National Commandant and National Judge Advocate within fifteen (15) days of the hearing.

CHAPTER 8 [continued]

SECTION 1A-62

DEPARTMENT SENIOR VICE COMMANDANT [ELECTED OFFICE]

a-00 It shall be the duty of the Department Senior Vice Commandant to "Assist" the Department Commandant in all duties and responsibilities of conducting business of the Department and shall assist in determining Department policy and programs.

b-75 Preside over all Detachments Council Conferences and, with their assistance, initiate such programs as will increase the effectiveness of the Department.

c-95 "May" become a candidate for election to the Office of Department Commandant at the expiration of term of office.

d-64 Succeed to the Office of Department Commandant in the event that the standing Department Commandant is unable to continue serving due to a disability, death or resignation from office.

SECTION 1B-75

DEPARTMENT JUNIOR VICE COMMANDANT [ELECTED OFFICE]

a-00 The Department Junior Vice Commandant shall create and be the chairperson of a membership Committee consisting of four (4) members which shall pass onto the Detachments all information which may be helpful in their drives and shall issue a quarterly membership bulletin to all Detachment and Department Staff members.

b-95 "May" succeed to the Office of Department Commandant in the event that the Department Commandant or Senior Vice Commandant are unable to continue serving due to their disability, death or resignation from office.

SECTION 1C-57

DEPARTMENT JUDGE ADVOCATE [ELECTED OFFICE]

a-00 The department Judge Advocate shall act as legal counsel of the Department. He shall advise all Officers and Detachments concerning the laws of the Marine Corps League. He shall render opinions in all questions of the Law that May arise concerning Bylaws of the Department or any constituent of the Department.

b-88 Shall receive and review petitions from aggrieved members or Detachments within the Department and shall act as mediator in disputes or grievances. He shall report to the Department Commandant and shall serve on the Hearing Board established by the Commandant to further investigate and resolve the grievance.

c-64 Shall be responsible for maintaining up to date copies of the Bylaws of the Department of New York and shall see to their proper distribution among Detachment Officers and Department Staff members.

d-64 Shall forward all revisions, changes, alterations and amendments of the Department Bylaws to the National Judge Advocate for approval and maintain up-to-date file of approved revisions, alterations, changes or amendments.

e-67 The Judge Advocate of the Department of New York shall NOT hold the same office in both Department and Detachment levels at the same time. If such be the case, the elected will resign as Detachment Judge Advocate

f-71 The Department Judge Advocate shall not sit on any Department committee other than those created by the Judge Advocate to assist in the duties of the office of Judge Advocate such as a Bylaw Committee.

CHAPTER 8 [continued]

SECTION 2-57 **DEPARTMENT AREA VICE COMMANDANTS [ELECTED OFFICE]**

- a-57 It shall be the duty of the Area Vice Commandants to assist the Department Commandant in carrying out the duties of that office.
- b-57 The Area Vice Commandants shall be responsible for the proper administration of business of the Department within their Districts (counties). They shall take the necessary steps to organize their Detachments. It shall be their duty to make visitation and inspection within their respective counties.
- c-57 They shall have direct jurisdiction and supervision over all Detachments within their counties.
- d-64 Each Area Vice Commandant shall conduct at least two (2) meetings of the Detachments under his control during his term of office.

SECTION 3-75 **JUNIOR PAST DEPARTMENT COMMANDANT [ELECTED OFFICE]**

a-00 The Junior Past Commandant using past experience to the best interests of the Department and the League, shall preside over all past Department Commandants' Council Conferences seeking, among other things, ways of building membership strength. A Candidate for the office of Junior Past Commandant must have served as a Department Commandant and if elected will serve a one (1) year term as a member of the Board of Trustees.

SECTION 4-47 **DEPARTMENT ADJUTANT/PAYMASTER [APPOINTED OFFICE]**

The Department Board of Trustees may determine that the job of the Adjutant/Paymaster be divided into two distinct appointed positions – “Adjutant” and “Paymaster”. In the case where duties are split between the two appointed positions each duty shall be suffixed by an (A) for Adjutant and (P) for Paymaster as follows:

- a-67 XXXXXXXXXXX.....(A)
- b-67 XXXXXXXXXXX.....(P)
- c-67 XXXXXXXXXXX.....(A- Non Financial) (P – Financial)
- d-75 XXXXXXXXXXX.....(P)
- e-67 XXXXXXXXXXX.....(P)
- f-67 XXXXXXXXXXX.....(P)
- g-67 XXXXXXXXXXX.....(P)
- h-75 XXXXXXXXXXX.....(P)
- i-00 XXXXXXXXXXX.....(A- Non Financial) (P-Financial)
- j-67 XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX(A-Non Financial) (P-Financial)
- k-67 XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
- l-67 XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX(P)

- a-67 It shall be the duty of the Department Adjutant/Paymaster to keep an exact account of all business transacted at meeting of the Department Staff and Conventions and record them in a book kept for that purpose, known as the "Minutes Book".
- b-67 Shall keep a correct record of all financial business of the Department in ledgers provided for that purpose. The disbursement of Department funds shall be subject to all rules provided for the safeguarding of funds.

c-67 Shall have custody and supervision over all Department records and the Official Seal. The records shall not

CHAPTER 8 [continued]

be available for any purpose other than Department business.

d-75 Shall deposit promptly all funds of the Department in a bank approved by the Department Board of Trustees and all payments from these funds shall be made by check.

e-67 Shall upon proper authorization, pay all outstanding bills as promptly as possible.

f-67 Shall co-sign all checks and orders of the Department Treasury.

g-67 Shall make and have published a quarterly report which shall be presented to the entire membership stating the amount received from dues and other sources and including all disbursements.

h-75 Shall make available to a Certified Public Account all Department financial records when so directed by the Department Board of Trustees, shall deliver all books, papers and records to the board.

i-00 Upon request of the Board of Trustees, he shall deliver all books, papers and records to the Board."

j-67 Shall have posted all Official Notices.

k-95 Shall have all assistants as required by the Department Board of Trustees and have direct control over such assistants.

l-67 Shall close the books for the collection of dues fifteen (15) days prior to the opening of the Annual Department Convention.

n-87 Shall serve as an ad hoc member without vote on the Department Board of Trustees and shall serve as secretary to that Board, keeping an accurate record of all transactions.

SECTION 5-75 DEPARTMENT BOARD OF AUDITORS

a-75 The department board of Auditors should be composed of past commandants, but at the discretion of the Commandant; the Junior and/or the Senior Vice Commandant or any member in good standing may be appointed by the Commandant. The Commandant may appoint up to three (3) alternates as needed for the Commandants term of office.

b-75 It shall be the duty of the Board of Auditors to approve all vouchers and to audit all books and records of the Department quarterly and to make inventory of property at least once a year, to safeguard all properties of the Department and to render a report at the annual Department convention following the audit.

c-75 With the approval of the Department Commandant and or the Department Board of Trustees, the Department Board of Auditors shall act as, or in conjunction with, the Department Budget Committee in the event that there are not enough qualified or experienced members to staff said committee.

SECTION 6-75 DEPARTMENT SERGEANT-OF-ARMS [APPOINTED OFFICE]

a-57 The Department Sergeant-of-Arms shall take charge of the door at all meetings of the Department of New York and shall be under the direction of the Presiding Officer in the maintenance of order.

Shall see that no one is admitted unless they are a member in good standing in the Department or an authorized guest.

SECTION 7-57 DEPARTMENT CHIEF-OF-STAFF [APPOINTED OFFICE]

a-75 The Department Chief-of-Staff shall be responsible for the coordination of Staff functions and planning for the Department Commandant.

SECTION 8-57 DEPARTMENT HISTORIAN [APPOINTED OFFICE]

a-57 The Department Historian shall perform such duties as are prescribed by the Department Commandant and staff.

SECTION 9-57

DEPARTMENT CHAPLAIN [APPOINTED OFFICE]

a-57 The Department Chaplain shall perform such duties of a spiritual nature as are customarily performed by members of the Clergy and as are required by the Laws and Rituals of the Marine Corps League.

SECTION 10-00

DEPARTMENT QUARTERMASTER [APPOINTED OFFICE]

a-00 The Department Quartermaster shall"

- 1) Manage and operate the department's 'Ships Store' in accordance with these Bylaws and administrative procedures.
- 2) Order, stock and sell merchandise of an appropriate nature for members of the Marine Corps League.
- 3) Provide a financial report for each Department Staff Meeting.
- 4) Provide a complete inventory and financial report to each annual Department Convention.
- 5) Provide for 'Ships Store' to be open at the Department Staff meetings and conventions.
- 6) Provide for the transportation, Storage and security of the 'Ships Store' merchandise and funds.
- 7) Determine the selling prices for inventory items, providing for a modest mark up to cover expenses.
- 8) Enlist such assistance as required for safe and efficient operation of the 'Ships Store'.

SECTION 11-57

DEPARTMENT LIAISON OFFICER(S) [APPOINTED OFFICE]

a-57 The Department Liaison Officer shall maintain close contact with the Navy Department and the U.S. Marine Corps and acquaint themselves with and inform the Department Commandant and Staff of ways and means by which the Marine Corps League can render assistance to the naval and Marine Corps establishments in the State of New York.

SECTION 12-90

CORRESPONDENCE [ALL DEPARTMENT OFFICERS]

a-00 All Departments Officers are required to submit a quarterly report to the Department Commandant The number of copies of said report shall be determined by the Department Commandant and shall be submitted at each Department Staff Meeting, if no report is made, the officer involved will for forfeit one-fourth (1/4) of their annual allowance or expense. The reports will be accepted and approved by vote of the Department Staff at Staff meetings.

b-90 If, for two consecutive Staff meetings, any officer fails to file a report for that period, unless the report is submitted and accepted at the next Staff Meeting, Chapter 7, Section 3-65, applies.

CHAPTER 9
DEPARTMENT FINANCES

SECTION 1-57 **DEPARTMENT REVENUES**

a-75 The revenue of this organization shall be derived from the annual membership dues and such other sources as may be designated by the Department of Trustees or by the Department Convention in any year.

SECTION 2-57 **DEPARTMENT ANNUAL DUES**

a-57 The amount of the annual dues shall be determined by each Department Convention for the succeeding year.

b-75 The annual dues for the Department and National shall be collected by the Detachment Paymasters who shall forward them to the Department Adjutant/Paymaster.

c-57 All dues and assessments are payable in advance.

SECTION 3-57 **DEPARTMENT AND DETACHMENT FISCAL YEAR**

a-66 The Department Fiscal Year is defined 1 August XXXX through 31 July XXXX.

CHAPTER 10
DEPARTMENT BONDS

SECTION 1-57 **DEPARTMENT BONDS**

a-00 The Department Commandant and Adjutant/Paymaster will be bonded as provided for in the National Bylaws.

CHAPTER 11
DEPARTMENT SAFEGUARDING OF FUNDS

SECTION 1-57 **DEPARTMENT DONATIONS**

a-75 All requests for donations shall be referred to the Department Board of Trustees for recommendations. No donation exceeding Twenty Five Dollars (\$25.00) shall be made at any Board or Staff meeting without the approval of two-thirds (2/3) of the members present.

SECTION 2-57 **DEPARTMENT DEBTS - BUDGETS - RECORDS**

a-75 No Officer or Committee shall incur any obligation in the name of the Department of New York without prior approval of the Department Board of Trustees.

c-75 The Budget shall be administered by the Department Board of Trustees.

d-57 Upon written request, the books of the Department shall be open for inspection to the members in good standing under supervision of the Department Adjutant/Paymaster.

SECTION 3-57 **DEPARTMENT EXPENDITURES**

a-57 All expenditures in excess of One Hundred and Fifty Dollars (\$150.00) not defined in the adopted Budget shall require authorization by a Department Convention.

CHAPTER 11 [continued]

b-57 A petty cash account not exceeding Twenty Five Dollars (\$25.00) will be maintained by the Department Adjutant/Paymaster.

c-77 The Department shall award a Life membership to the retiring Department Commandant.

SECTION 4-57 **DEPARTMENT FUNDS**

a-75 The Department Board of Trustees shall approve the funds of the Department into two, broad categories; “Working Funds” and “Investment Funds”. “Working Funds” (checking and or savings) of the Department shall be deposited for near term operating expenses according to the approved budget and contingency reserve requirements. “Investment Funds” of the Department shall be invested as directed by the Board of Trustees consistent with the short term, intermediate term and long term needs of the Department. Exchanges between “Funds” may be made at the discretion of the Board consistent with the Board’s fiduciary responsibilities.

SECTION 5-57 **DEPARTMENT BUDGET**

a-57 The Department Budget shall be prepared by the Department Budget Committee appointed by the Department Commandant and shall require a majority vote of the Delegates present at the annual Department Convention. Any specific item to be included in the budget must be submitted to the Budget **and Finance**¹ Committee no less than six weeks prior to the Department Convention.

SECTION 6-57 **EXPENSE OF DEPARTMENT STAFF**

A-75 The Department Commandant, his representative, the Department Staff or any member designated on official business may, when such expense is not covered by the budget, submit an expense voucher subject to the approval of the Board of Trustees and/or the Department Board of Auditors.

CHAPTER 12
VACANCY IN OFFICE

SECTION 1-62 **DEPARTMENT VACANCY IN OFFICE**

a-75 In the event of a vacancy in the Elective Office other than that of the Department Commandant or Senior Vice Commandant, the Department Commandant shall appoint a member from the membership roster of the Department for the balance of the term so vacated. Their selection must be approved by the Department Board of Trustees.

CHAPTER 13
DEPARTMENT CONVENTION

SECTION 1-57

LEGISLATIVE AND REGULATORY POWER

a-57 The legislative and regulatory power of the Department of New York shall be vested in the Department Convention

SECTION 2-57

DATE OF CONVENTION

a-75 The Department Convention shall be held *between May first (1st) and July fifteenth (15th)* each year. Time and place of each Convention shall be determined by the Department Board of Trustees.

SECTION 3-57

VOTING

a-90 The voting strength of all Detachments shall be based upon the paid-up membership as of the fifteen (15) days prior to the opening of the Department Convention. Each delegate, complying with Article One, Section 105 of the National Bylaws, is entitled to cast a vote for ten (10) members providing that the total vote of the Department's delegates does not exceed the Detachment membership strength.

SECTION 4-57

DELEGATE AND ALTERNATE

a-90 Each Detachment shall be allowed one (1) delegate and (1) alternate for every ten (10) paid-up members, as of fifteen days prior to the opening of the Department Convention. Detachments Commandants are to be considered delegates of the Department Convention in accordance with the above allocations.

SECTION 5-57

COMMITTEES

a-88 The Department Commandant shall appoint all committees necessary for the transaction of business at every Department Convention. The Resolutions and Bylaws Committee(s) shall have copies of all resolutions and/or proposed bylaw changes for the delegates to study at the convention.

b-00 The department Convention Administrative Committee shall be:

Credential Committee

Bylaws/ Administrative Procedures Committee

Rules Committee

Resolution Committee

SECTION 6-57

NOMINATIONS – ELECTIONS

a-90 Nominating Committee shall not be appointed for the purpose of nominating candidates. All nominations for Department Office must be made from the floor of the Department Convention. Nominees must be present on the floor to accept the nomination.

SECTION 7-57

BUSINESS SESSION

a-00 The Department **Bylaws** and Administrative Procedures shall govern the procedures and conduct of each Department Convention. Parliamentary reference for conventions shall be Robert's Revised Rules of Order.

SECTION 8-57

FORMS OF ADDRESS

a-57 The Department Commandant shall be addressed as "Sir Commandant". All members shall address each other as "Marine".

CHAPTER 13 [continued]**SECTION 9-57****ELECTIONS**

a-57 All elections at the Department Convention shall be conducted and supervised by the Department Commandant or Presiding Officer.

SECTION 9-87**INSTALLATION OF OFFICERS**

a-87 Installation of Department Officers shall be at the end of the last business session of the Annual Department Convention

b-87 The Installing Officer must be the National Commandant, an elected National Officer, a Past National Commandant or a Past Department Commandant.

c-00 It shall be the responsibility of the installing Officer to sign, date and forward the Installation Form to National Headquarters within the specified by ***National Bylaws, Article Four, Section 405***

Section 10-57**MINUTES EXPENSE**

a-77 The Department Convention Committee shall bear all expenses of the Convention, including the expense of taking the minutes.

b-77 The Department Convention Committee shall be responsible for sending to the Department Adjutant/Paymaster, within sixty (60) days after the close of the Department Convention, complete copies of the minutes plus one (1) copy for each Detachment in the Department. All Expenses of this obligation shall be borne by the Department Convention Committee.

SECTION 12-57**DEPARTMENT CONVENTION COMMITTEE**

a-88 There shall be a perpetual standing committee known as the Department Convention Committee, consisting of a director and four (4) members appointed each year by the Department Commandant. Tenure of office will be directed by National Administrative Procedure. Each member shall be bonded by an insurance company licensed by the State of New York against loss, theft or misappropriation of funds raised in connection with the Convention, to a maximum of Fifty Thousand Dollars (\$50,000).

b-00 The Duties of the Committee shall be:

- (1) To contract, with the approval of the Board of Trustee, for the service of a professional promotional organization, hereinafter known as the Promoter, who shall solicit all advertising and provide good quality Convention Journals in a quantity specified by the State Convention Committee. He shall be bonded by an insurance company licensed by the State of New York against loss, theft or misappropriation of monies received as a result of the Convention to a maximum amount of Fifty-Thousand Dollars (\$50,000). They shall render to the Department Convention Committee a sworn full and complete accounting of all financial transactions no later than fifteen (15) days prior to the Annual Department Convention;

CHAPTER 13 [continued]

- (2) to oversee all activities of the Promoter and ascertain that he complies with all federal, state and local laws and the Bylaws of the Department of New York League , in promoting and preparing the Convention Journal;
- (3) the Committee shall insure that the Promoter fulfills all obligations, financial and otherwise, to the Department of New York;
- (4) to extend invitations to such distinguished guest as the Department Commandant and/or Convention Committee deems advisable in sufficient time to insure their proper attendance and provide for their comfort and entertainment, the cost which shall be borne by the Convention Committee;
- (5) to receive and evaluate Convention Bids for the succeeding year and to present the same with their recommendation to the Board of Trustees. In the event that no bid is forthcoming, the Committee shall choose a suitable site subject to the approval of the Board of Trustees
- (6) To distribute to all paid-up member of the Marine Corps League, Department of New York, an advertisement for the Annual Department Convention containing time, place and cost of all Convention events, as well as information on lodging and accommodations;
- (7) To assume complete responsibility for and control of all details of the Annual Department Convention and whenever possible, work in conjunction with the host Detachment(s). A percentage of the Convention registration fees and/or profits from a convention function to be distributed to the host detachment(s) will be set forth by the committee subject to the Department Commandant's approval.

c-90 All monies transmitted to the Convention Committee by the Promoter and others shall be deposited in a special Convention Account from which all promotions and Convention expenses shall be paid. This account shall be under the control of the Department Convention Committee. At the first Department Staff Meeting following the Annual Convention, the Convention Committee shall file a complete report with the Department and all surplus funds shall be remitted to the Department Treasurer. A specified amount, not to exceed one thousand dollars (\$1,000) shall be retained in the Convention Account from which advance and promotional expenses shall be paid.

SECTION 14-88

OFFICERS TO BE ELECTED

a-88 At each Annual Convention, the following Officers shall be elected: Department Commandant, Senior Vice Commandant, Junior Vice Commandant, Judge Advocate and the Junior Past Commandant. Ten (10) Area Vice Commandants shall also be elected in the following manner; each Detachment in the Area shall caucus and nominate a candidate. Nomination and elections for Area Vice Commandants will be held in accordance with ***National Bylaws, Article One, Section 120 (Nominations Section 110 Voting***

SECTION 15-88

OTHER OFFICERS

a-88 The following Officers shall be elected or appointed by the Department Convention: Chaplain, Sergeant-at-Arms, Adjutant/Paymaster and Quartermaster. The Department Commandant may appoint any other staff officers which are deemed necessary.

SECTION 16-57

CREDENTIALS

a-74 The Department of New York transmittals or copies thereof, will always be available to the Credentials Committee during the Department Convention. The Credentials Committee shall, at all times, have the proper set of transmittals at the Convention in the event of a challenge.

SECTION 17-57

BOARD OF TRUSTEES

a-88 The Department of Trustees shall be the Elected Officers of the Department, with the Adjutant/Paymaster serving in ad hoc, nonvoting capacity as secretary.

SECTION 18-57

TERM OF OFFICE

a-95 Elected officers shall be elected for a term of one year and may stand for re-election for one consecutive year. Area Vice Commandants may be elected for a term of two years.

CHAPTER 14
LOCAL DETACHMENTS

SECTION 1-57

DETACHMENTS

a-00 Each local Detachment shall be self-governing, regulate its own dues and adopt its own Bylaws, providing that such adopted procedures do not conflict with the Department of New York Bylaws or the National Bylaws. The individual Bylaws of each Detachment shall be forward to the Department Judge Advocate for approval before final adoption by the Detachment, Any future changes, revisions or amendments must receive approval by the Department Judge Advocate prior to final adoption by the Detachment.

SECTION 2-57

DETACHMENT OFFICERS

a-75 Each local Detachment must elect a Commandant, Senior Vice Commandant, Junior Vice Commandant and Judge Advocate. It may elect or appoint the Adjutant/Paymaster, Sergeant-at-Arms, Chaplain, Public Relations Officer, Service and Rehabilitation Officer and such other Officers as may be considered necessary. (The Office of Adjutant and Paymaster may be combined.) It shall be the duty of each Detachment Service and Rehabilitation officer to notify the Department Service and Rehabilitation Officer of his appointment immediately upon assuming office.

a-88 At no time should any member hold the office of Detachment Commandant and the office of Detachment paymaster at the same time in the same detachment.

SECTION 2-75

TRUSTEE

c-88 The Elected Officers of the Detachment shall be its Detachment Board of Trustees. A Detachment is authorized to appoint the outgoing Detachment Commandant or a Past Commandant to serve a one (1) year term as a member of the Board of Trustees.

CHAPTER 14 [continued]

SECTION 3-57

NAME OF DETACHMENT

a-88 No Detachment shall be named in honor of a living person. No Detachment shall adopt a name previously adopted by any other Detachment unless such other Detachment has surrendered or by revocation, lost its charter.

SECTION 4-75

DETACHMENT ELECTION REPORT

a-00 Each Detachment shall hold an annual election of Officers between September 1st and May 15th. Installation of Officers shall be as outlined in the **National Bylaws Article 5 Sections A & B**

b-03 Detachment Officers may be installed by the Department Commandant, an Elected Department Officer, Past Department Commandant, the National Commandant, a Past National Commandant, an Elected National Officer, the Detachment Commandant or a Past Detachment Commandant.

SECTION 5-57

DETACHMENT BONDS

a-95 All Detachment Officers whose duty is to handle funds shall be bonded in accordance with the provisions outlined in the **National Bylaws Article 5 Section 545 and Article 8 Section 815.**

SECTION 6-57

DETACHMENT CANTEENS

a-95 No Detachment shall operate a Canteen using the name "Marine Corps League."

SECTION 7-57

DETACHMENT FUND RAISING

a-57 No Detachment shall conduct its business or conduct any program, fund raising campaign, publicize any event or affair or issue and printed matter except in its own Detachment's name and shall not in any way, use the name "Marine Corps League" except in combination with its own name.

SECTION 8-58

DETACHMENT SOLICITATION COMMITTEE

a-58 In each District (Area, Region) temporary committees may be formed where an activity of solicitation involves two (2) or more Detachments. The committees' formation must have the approval of the Department Commandant and Staff and they shall automatically dissolve upon completion of the affair or solicitation for which they formed.

b-58 Where required by local law, permanent or temporary County Councils or Committees must be formed. The Vice Commandant of the District (Area, Region) shall be the Chairman of these Councils or Committees.

c-58 The Judge Advocate of the Department will if necessary, initiate whatever measures are required to dissolve these Councils or Committees copies must be sent to the Department Judge Advocate. If no such report is filed by the twenty-fifth (25th) of the Month the Judge Advocate must act as outlined in **Sub-paragraph c-58 of this section.**

e-59 Monthly reports must be filed by the Chairman of the Council or with the Department Commandant and

CHAPTER 15
AUXILIARY UNITS

SECTION 1-91

a-91 The Marine Corps League auxiliary, Department of New York, will be in accordance with the National Bylaws of the Marine Corps League,

CHAPTER 16
DEPARTMENT BYLAWS AMENDMENTS

SECTION 1-57

ADOPTION AND ADMENT

a-00 This Department may adopt or amend **Bylaws** not inconsistent with the National Charter or **Bylaws** of the Marine Corps League by a majority of the voting Delegate at the Annual Department Convention.

SECTION 2-00

AMENDMENTS – OPERATIVE BYLAWS.

a-00 a-00 Procedures for revisions or amendments are set forth as follows:

To be Published in the Department website at least 60 days before the convention

To be Published in the Department Newsletter in the issue prior to the convention

and to be distributed by Area Vice Commandant to all detachments following the Spring Staff meeting.

Any and all changes, modifications or addition to the Bylaws of the Detachment, which do not provide for an effective date, shall be in effect upon the close of the Department Convention at which it is approved.

CHAPTER 17
NATIONAL CHARTER AND BYLAWS

SECTION 1-57

CONFLICT OR VARIATION

a-88 Department Conventions may adopt Department Bylaws and Administrative Procedures which are not inconsistent with the National Charter or the National Bylaws and Administrative Procedures, provided they have been approved by the National Judge Advocate, and provide further, that a copy of such approved Bylaws and Administrative Procedures shall be on file at National Headquarters.

CHAPTER 18
GRIEVANCES AND DISCIPLINE

SECTION 1-87

GRIEVANCES

a-88 In the event of a grievance or dispute within a Detachment, which cannot be resolved through the offices of the Officers or members of the Unit, petitions for redress shall be directed to the Department Judge Advocate.

b-87 In the event the Judge Advocate is unable to settle the dispute in a satisfactory manner, than the Department Commandant shall appoint a Hearing Board, consisting of himself as Chairman, the Department Judge Advocate and a minimum of three (3) other members, none of whom shall be members of the Unit involved, All legitimate travel and lodging expenses of the Board shall be reimbursed by the Department upon submission of proper voucher.

Section 1-87

GRIEVENCES

c-87 The Hearing Board Shall convene a hearing at a time and place of its convenience for the purpose of hearing testimony from parties in the dispute as outlined in Chapter Nine, Section 900 of the National Administrative Procedure; the Board shall submit its written decision to the petitioner within fifteen (15) days, with copies to all participating parties, the National Commandant and the National Judge Advocate.

d-87 The petitioner may appeal the decision of the Hearing Board, in writing, within thirty (30) days to the National Judge Advocate, who will then consider the grievance according to the ***National Administrative Procedures, Chapter 9, Section 901, Paragraph (g).***

SECTION 2-87

DEPARTMENT DISCIPLINE

a-00 Whenever an individual member, Detachment or Department Officer, or Detachment commits an act contrary to the National Bylaws and Administrative Procedure of the Marine Corps League or the Bylaws of the Department of New York, Marine Corps League, or an act which is deemed not in the best interest of the Marine Corps League or the Department of New York said individual, Detachment or Department Officer, or Detachment, may be charged according to the manner set forth ***in Chapter 9, Sections 904 and 905 of the National Procedures***

b-88 A charge, in writing, shall be served on the on the offending individual or Detachment(respondent) according ***to National Procedures, Chapter 9, Section 904 (a-1) and 904 (b).***

c-88 If warranted, the Department Commandant shall appoint a Hearing Board consisting of himself or his appointed reprehensive, as Chairman, the Department Judge Advocate and a minimum of three (3) other members who shall not be members of any Detachment involved in the charge. All legitimate travel and lodging expenses of members of the Bard will be reimbursed by the Department on submission of proper vouchers.

d-88 The Hearing Board will convene a hearing at a time and place of its convenience and may hear testimony and conduct its own investigation of the charge. The Board's decision will be processed in accordance with ***the National Administrative Procedures, Section Nine Section 901 (e).***

e-87 The respondent may appeal the decision of the Board with in thirty (30) days, in writing, to the National Judge Advocate, who will then consider the charge in the manner outlined in ***Chapter 9 section 904, paragraph (e) of the National Administrative Procedures.***

CHAPTER 18 [continued]

f-87 In event the respondent is the Department Commandant, or the Department, the charges will be submitted directly to the National Judge Advocate, who shall proceed according to provisions of **Chapter 9, Section 905, of the National Administrative Procedure.**

CHAPTER 19
QUORUM

SECTION 1-90 **QUORUM**

a-90 A quorum for a Department Convention shall consist of the authorized delegates present, on the floor when a vote is taken.

SECTION 2-91 **CONTRACTS**

a-91 No Department Officer, employee, or Committee Chairman, or any member of the Marine Corps League, shall enter into, or sign any contract or agreement, for the purpose of binding the Department of New York of the Marine Corps League without first submitting such contract or agreement to the Department Judge Advocate for his consideration and recommendations. The Department Judge Advocate will forward the contract or agreement to an Attorney or Insurance carrier, if applicable, for their recommendations. All Documents will then be forward to the entire Board of Trustees.

The Department Board of Trustees thereafter, by a majority vote, may accept or reject, in whole or in part the contract or agreement submitted to it.

All contracts or agreements consummated in the name of the Department of New York, Marine Corps League, shall require the signature of the Department Commandant.

SECTION 3-91 **CORPRATE NAME**

a-91 Unauthorized use of the Corporate name and/or Corporate Seal is strictly prohibited.

SECTION 4-91 **MEMBERSHIP LISTING**

a-91 The membership listing of the Department of New York, Marine Corps League, is proprietary information and under direct control of the Department of New York League. Applicable portions of the Membership listing shall be periodically provided to appropriate Detachments exclusively for internal usages in administrative membership of such Detachment.

The membership listing will not be sold, leased, copied, loaned or assigned without the express permission, in writing from the Commandant, Department of New York, and Marine Corps League upon approval of the Department Board of Trustees.