

DEPARTMENT OF MASSACHUSETTS BY LAWS

BY LAWS

ARTICLE ONE

DEPARTMENT CONVENTION

SECTION 100 - AUTHORITY - The supreme legislative and policy making power of the Department of Massachusetts, Marine Corps League shall be vested in the Department Convention composed of the properly elected, registered and approved Delegates in good standing.

SECTION 101 - COMMITTEES - The Department Convention Administrative Committees shall be : By Laws, Credentials, Resolutions, Rules and Standing Committees.

SECTION 105 - CREDENTIALS - DELEGATES, ALTERNATES, MEMBERS -

(a) Delegates, Alternates and Members desiring to attend business sessions of a Department Convention must possess a paid up membership card, plus properly executed and signed credentials, and must be registered with, and approved by the Convention Credentials Committee.

(b) Detachment Delegates and Alternates to the Department Convention shall be determined on the basis of said Detachment's membership on record at Department Headquarters as of 31 May, immediately preceding the Department Convention. The delegate voting strength of each detachment shall be as follows: For the first ten (10) Marine members, one (1) Delegate and (1) Alternate; for each additional full block of ten (10) Marine members, one (1) Delegate and one (1) Alternate; for a partial number of ten (10) Marine members, one (1) Delegate and one (1) Alternate. However, no Delegate strength of a Detachment shall be computed by including Associate members or Honorary members in such Detachment total membership.

(c) Registration Fees will be set by the Department Convention Committee with the approval of the Department Staff as set forth in Section 220 of the Department Administrative Procedures. (Chg. 97-01)

(d) No Marine member, in good standing, shall be deprived of his individual vote at the Department Convention, provided that he or she has registered in due form.

(e) Delegate / Alternate cards of a Detachment may be claimed only by a registered member of that Detachment only.

SECTION 110 - VOTING -

(a) Except as otherwise provided in these By Laws, a fifty percent (50%) plus one (1) vote by the delegates voting shall carry any measure and decide any issue.

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(b) Each Delegate complying with Section 105 is entitled to cast a vote for ten (10) members, providing that the total vote of the Detachment's delegates does not exceed the Detachment's membership strength. Such Delegate or Alternate in the absence of a Delegate present at the time of voting may, on behalf of registered and approved absent Delegates, cast the vote of the Detachment's full voting strength.

(c) A Roll Call vote may be required and recorded upon the request of any ten (10) registered and approved Delegates, except as provided for in (e) below.

(d) A Detachment Commandant, being a registered and approved Delegate, or their registered and approved designee, in the Detachment Commandant's absence, may cast the full voting strength of the Detachment, subject to the will of, and in the manner specified by the registered and approved Delegates present from the Detachment.

(e) In the event of a challenge by a registered Delegate to the stated vote of their Detachment, the roll call vote of each Delegate shall be called. Upon calling, a Delegate of the Detachment shall rise, if not restricted by physical impairment, and identify themselves as a registered Delegate and cast their vote.

SECTION 115 - MEETINGS - The Department of Massachusetts, Marine Corps League shall hold a Department Convention each year.

(a) The Department Charter or a copy thereof, the Bible, and the National and Department Colors shall be displayed at all business meetings. (Changed 6/01/01)

(b) The Department Convention will be held during the first complete weekend of June. The earliest dates to be May 31, June 1 and 2; the latest dates to be June 6, 7 and 8. The Department Staff may approve alternate dates as it deems fit. (Chg. 96-01)

(c) The Department Convention will be held in a different geographical location each year. The cycle will be Western Massachusetts, Southeast Massachusetts, Central Massachusetts and Northeast Massachusetts. The Department Staff / Delegates may break the cycle as it deems fit. (Chg. 96-02)

SECTION 120 - ELECTIVE OFFICERS - The Department Officers to be elected at each Department Convention shall be: Commandant, Senior Vice Commandant, Junior Vice Commandant, Judge Advocate, Chaplain and four (4) Financial Officers. (Chg. 1991)

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SECTION 125 - NOMINATIONS - All nominations for elective officers shall be made from the floor during business sessions and on the day on which the elections are held.(Chg. 97-02) Each nominee must be a member in good standing in the Department of Massachusetts, Marine Corps League at the time of his or her nomination. Each nominee, when called upon, shall rise, if not restricted by physical impairment, and state to the Chair that if elected he or she will accept the office and serve loyally, faithfully and to the best of his or her ability during the term to which elected.

SECTION 130 - ELECTIONS - The election of Department Officers shall be the last order of business of the Department Convention. The election of Commandant, Senior Vice Commandant, Junior Vice Commandant, Judge Advocate, Chaplain and four (4) Financial Officers (Chg. 1991) shall be by roll call vote, properly recorded.

(a) No member may hold more than one elected Department Office at the same time.

(b) Before the voting begins, the Department Commandant shall select two Past Department Commandants or other Department Officers to act as Judges and Tellers.

(c) When the Judges and Tellers have informed the Chair that they are ready and prepared to supervise the election, the Chair shall then call for the "Election of Officers". Upon such announcement by the Chair, it 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 is concluded.

(d) A majority of the vote cast is required to elect the Department Officers. When a simple majority is not obtained on the first ballot, a second balloting will immediately commence after a caucus (not to exceed five (5) minutes).

SECTION 135 - TERM OF OFFICE - All Department Elective Officers shall be elected for one (1) year and may be succeed themselves in office for one (1) additional year. (Changed 6/1/01)

SECTION 140 - QUORUM - The minimum number required to transact the regular and legal business of the Department Convention shall be the registered and approved Delegates in good standing from a majority of all Detachments which are duly registered and authorized to vote at said Department Convention. (Changed 6/1/01)

SECTION 160 - RIGHT TO SPEAK - All registered Delegates, when recognized the Chair and not so expressly prohibited by the By Laws, shall have the right to speak on any subject and all issues brought to the Department Convention for its consideration. Each registered Department Officer, Past Department Commandant, Detachment Commandant and member may be granted the floor by the Chair.

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ARTICLE TWO

DEPARTMENT BOARD OF TRUSTEES

SECTION 200 - COMPOSITION - The Department Board of Trustees shall be composed of the following:

1. DEPARTMENT COMMANDANT
2. DEPARTMENT SENIOR VICE COMMANDANT
3. DEPARTMENT JUNIOR VICE COMMANDANT
4. DEPARTMENT JUDGE ADVOCATE
5. DEPARTMENT CHAPLAIN
6. PAST DEPARTMENT COMMANDANTS
7. FOUR (4) FINANCIAL OFFICERS

SECTION 205 - DUTIES OF BOARD MEMBERS - In addition to the specific duties of the individual Board Members, as here in after stated, it shall be the duty of each member of the Board to acquire a working knowledge of the Department of Massachusetts and the National By Laws and Administrative Procedures of the Marine Corps League. The specific duties of the Members of the Board of Trustees shall be:

(a) **The Department Commandant** - shall preside at all sessions of the Department Convention and at all meetings of the Department Board of Trustees. The Department Commandant, together with the Board of Trustees, shall have direction and control of the executive and administrative affairs of the Department of Massachusetts, Marine Corps League between Department Conventions. In addition, the Department Commandant shall:

(1) Observe and enforce observance of the Congressional Charter and the National and Department By Laws and Administrative Procedures of the Department of Massachusetts, Marine Corps League.

(2) Direct to all officers and members such orders as are not in conflict with National or Department By Laws and Administrative Procedures which are necessary for the proper conduct of business.

(3) Call such meetings of the Department Board of Trustees and Staff (Chg. 1991) as are required by the Department and National By Laws and Administrative Procedures.

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(4) Seek the advice of the Department Board of Trustees and Staff as well as that of the National Vice Commandant, New England Division.

(5) With the Department Paymaster, have custody of all funds and property of the Department of Massachusetts, Marine Corps League, subject to the supervision of the Department Board of Trustees.

(6) Upon approval of the Department Convention appoint an:

- (a) Adjutant
- (b) Paymaster
- (c) Sergeant at Arms

(7) With the advice and consent of the Department Board of Trustees, appoint the following:

- (a) Chairman of the Convention Committee
- (b) Historian
- (c) Veterans Service Officer
- (d) Chairman of Youth Activities
- (e) Public Relations Officer
- (f) Auxiliary Liaison Officer
- (g) District Vice Commandants (Chg. 97-03)
- (h) Department Inspector General (Chg. 97-23)
- (i) Such other Staff Officers as may be necessary

(8) With the advice and consent of the Department Board of Trustees, appoint such standing committees as are deemed necessary.

(9) Approve and disapprove requisitions of the Department Paymaster.

(10) Represent the Department of Massachusetts, Marine Corps League at all social functions and ceremonies in such manner as will enhance the dignity, honor and prestige of this organization.

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(b) Department Senior Vice Commandant - shall give every assistance to the Department Commandant, and during the absence or illness of the Department Commandant, he or she shall perform the duties of that office. He or She shall preside over all Detachment Commandant's Council meetings and with their assistance, initiate and implement such dynamic programs as will increase the effectiveness of the Department of Massachusetts, Marine Corps League.

(c) Department Junior Vice Commandant - shall create and promulgate such incentives and programs which will encourage an enthusiastic response resulting in the continuous membership growth. In the absence or illness of the Department Commandant and the Department Senior Vice Commandant, he or she shall perform the duties of that office.

(d) Department Judge Advocate - shall interpret the Department By Laws and Administrative Procedures. He or She shall advise, construe, counsel and render opinions of Law and Procedure to the Department Commandant, the Department Board of Trustees, the Department Staff and Detachments when so requested in the manner outlined hereafter.

(1) At the Department Conventions, upon the request of an approved Delegate, through the Chair, the Department Judge Advocate shall render an opinion of Law and Procedure to the Chair, whereupon the Chair will rule on the opinion and the question, which ruling shall be final unless appealed by an approved Delegate, whereupon the Department Judge Advocate will put the question, "Shall the ruling of the Chair be sustained?". A vote of approved Delegates will be called, and two-thirds (2/3) of the total will be required to reverse the ruling of the Chair.

(2) At Department Board meetings, the same procedure 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) On all questions of Law and Procedure pertaining to the Department of Massachusetts, Marine Corps League or any of its subsidiaries referred to this officer through channels, the Department Judge Advocate shall rule in writing. Copies of the ruling shall be distributed by hand or via the United States Postal Service to the parties concerned and to the Department Commandant and the National Judge Advocate. The ruling shall be binding unless reversed by the Department Board of Trustees or the National Judge Advocate or at the Department Convention.

(4) The Department Judge Advocate shall not hold the office of Judge Advocate in any other level of the Marine Corps League. If this be the case, then his or her resignation from the lower office shall be required upon being sworn into the higher office.

(e) Department Adjutant - shall perform the following:

(1) Be responsible to the Department Commandant

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(2) Keep the minutes of all Department Conventions, Board meetings and perform such other duties as are usually assigned a secretary.

(3) Mail to each Detachment and member of the Department Board of Trustees within sixty (60) days following each Department Convention a copy of the Convention minutes showing actions and decisions affecting the Department By Laws and Administrative Procedures.

(4) Receive and review all committee reports and correspondence, and where appropriate, forward copies to the Department Board of Trustees for information.

(5) Surrender all books, records and property of the Department of Massachusetts, Marine Corps League with which the office is charged, to the duly appointed successor or as directed by the Department Commandant. (Changed 6/1/01)

(f) Department Paymaster - shall perform the following:

(1) Be responsible to the Department Commandant.

(2) Perform all of the ordinary and necessary business of the Department of Massachusetts, Marine Corps League, including the approval or disapproval of purchasing materials and services of normal business operations within the bounds of the budget as provided by the Board of Trustees.

(3) Render the compensation for the Department Staff within the approved budget guidelines.

(4) Conduct a census of the total membership of the Department of Massachusetts, Marine Corps League for the purpose of determining Delegates and Alternate entitlement for the ensuing Department Convention. Such census shall be conducted prior to the Department Convention annually.

(5) Cause to be kept all proper and necessary books for the recording of all business of the Department of Massachusetts, Marine Corps League, including a correct record of all membership accounts.

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(6) Receive all monies, keeping a record of their source and purpose and shall deposit said monies in approved and Federally insured accounts, including checking and / or savings accounts. All monies deposited shall be in the name of the Department of Massachusetts, Marine Corps League only.

(7) Assure that all checks issued have the signature of the Commandant and the Paymaster of the Department of Massachusetts, Marine Corps League. A third signature may be authorized to expedite the timely execution of the Paymaster's duties. This third authorized individual must be either a Past Department Commandant or a Department Financial Officer. All authorized signatures will be on file with the approved financial institution. (Chg. 97-25)

(8) Close the books for the collection of dues and for the determination of voting rights on 30 May of each year prior to each Department convention.

(9) Establish the Fiscal Year of the Department of Massachusetts, Marine Corps League from May 31 to May 30 of the following year and provide such assistance as necessary in the conduct of an annual audit of all funds of the Department of Massachusetts, Marine Corps League.

(10) The Paymaster will mail to each Detachment, the Department Convention Delegate and Alternate Registration Form, at least thirty (30) days prior to the published submission deadline. (Chg. 97-20)

(11) If there is a separate Department Convention account, the Department Paymaster will serve on the Convention Committee. All funds will be handled in a manner outlined elsewhere within these By Laws. (Chg. 97-21) (See Subparagraph (6))

(g) Department Chaplain - shall perform the following:

(1) Perform such duties of a spiritual nature as are customarily performed by members of the clergy and required by the National By Laws and Administrative Procedures of the Marine Corps League.

(2) Be responsible for and have charge of arranging and conducting an impressive, dignified and inspiring nondenominational Memorial Service at each Department Convention and Staff Meeting, including in each ceremony representatives of those subsidiaries that are appropriate, and including the names of the Department of Massachusetts, Marine Corps League deceased during the past year.

(h) Department Sergeant at Arms - shall preserve order at the Department Convention and such other Department meetings as may be called by the Department Commandant, and to perform such other duties as are assigned by the Department Commandant.

(i) Junior Past Department Commandant - shall preside at all Past Commandant Council Conferences, seeking therein to build membership strength, contributing generously and impartially from past experience to the best interest of the Marine Corps League.

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(j) Department Financial Officers - shall perform the following: (Chg. 96-03)

(1) The Financial Officers along with the Department Paymaster will serve as the Department Convention Budget Committee.

(2) They will meet quarterly to review the Department budget with the intent of recommending any and all budget changes.

(3) The Department Commandant or Paymaster may request a meeting of the Financial Officers to address immediate budgetary issues.

(4) The Financial Officers will receive all invoices and bills (paid or unpaid) for their review, at Department Board of Trustees Meeting to insure compliance with the Department budget. (Chg. 97-26)

SECTION 215 VACANCY - The order of succession to the office of the Department Commandant shall be (1) Senior Vice Commandant and (2) Junior Vice Commandant. In the event of other vacancies on the advice and consent of the remaining Board Members, the Department Commandant, shall appoint a successor to fill the remaining unexpired term of office.(Chg. 97-04) In addition to death, resignation or incapacitation, a vacancy will occur through failure to attend two consecutive officially called meetings of the Department Board of Trustees or in the case of removal from office for cause as is provided in Chapter Nine of the Administrative Procedures.

SECTION 220 BOARD MEETINGS - The Department Board shall meet:

(a) Annually, immediately prior to each Department Convention to close out the executive administration of the Department Board of Trustees from that fiscal year; to finalize preparation for the ensuing convention and 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.

(b) Annually, after the adjournment of each Department Convention for the purpose of selecting appointive Department Officers and Standing Committees and for the transaction of such other business as may properly come before it.

(c) The Department Board of Trustees shall meet monthly on the third Sunday of the month starting with September, October, November, January, April, May and Department Convention (June) or upon special call of the Department Commandant. (Chg. 97-19)

(d) During the month of February, the Department Board Meeting will be held on the second Sunday of the month; during the month of March, the Department Board Meeting will be held on the first Sunday of the month. (Chg. 97-19)

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(e) The Department Board of Trustees may alter the meeting date as it deems appropriate. (Chg. 97-19)

SECTION 225 QUORUM - The presence of a minimum of four (4) of the Department of Board of Trustees shall constitute a Quorum for the transaction of business.

SECTION 230 VOTING - Each Department Board member shall have one (1) vote. There shall be no proxy voting. The Department Judge Advocate shall abstain from voting on all matters wherein an official opinion has been rendered by the Department Judge Advocate.

SECTION 235 CONDUCT OF BUSINESS - The Board of Trustees may conduct business between Conventions at any regular or special meeting, or by mail in accordance with the National By Laws and Administrative Procedures.

SECTION 240 EXPENSES - The Department may reimburse the Board members' expenses incurred, provided that funds are available and budgeted.

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ARTICLE THREE

DEPARTMENT STAFF

SECTION 300 COMPOSITION - The Department Staff shall be comprised of the Department Board of Trustees, appointed Department Officers, identified collectively as Staff Officers and Detachment Commandants. (Chg. 1991)

SECTION 305 POWERS - The power and authority of the Department Staff shall be the same as the Department Board of Trustees, except that members of the Staff who are not members of the Board of Trustees, shall not be considered in determining a quorum for the Board of Trustees meetings.

SECTION 310 DUTIES, STAFF OFFICERS - The Department Staff Officers shall acquire a working knowledge of the National and Department By Laws and Administrative Procedures of the Marine Corps League, and shall act as assistants to the Department Board of Trustees with individual specific duties:

(a) **Convention Committee Chairman** - Shall with the Convention Committee perform those duties outlined in the Administrative Procedures Chapter Two, Section 240.

(b) **Department Historian** - Shall assemble and maintain a record of the Department of Massachusetts, Marine Corps League history of achievement.

(c) **Chairman of Public Relations** - Shall act as public relations and press officer for the Department of Massachusetts, Marine Corps League and perform such other duties as assigned by the Department Commandant.

(d) **Department Auxiliary Liaison Officer** - Shall maintain a close association with the Department of Massachusetts, Marine Corps League Auxiliary President. He or She will advise the President when called upon, of relations between the Marine Corps League and the Auxiliary. Also, he or she will stress coordination of the Convention, Staff Meetings and committees, approved by the Board.

(e) **Chairman of Youth Activities** - Shall, under the direction of the Department Board of Trustees, have supervision and direction of all departmental committees and programs engaged in any way with activities concerned with America's Youth. (Chg. 97-05)

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(f) Department Veterans Service Officer(s) - Shall be certified by the National Director of Veterans Service. He or she will acquaint themselves with federal and local laws and regulations and governmental agencies and institutions within the framework of service to veterans. He or she should be familiar with the duties of the National Director of Veterans Service as outlined in Article Three of the National By Laws. (Chg. 97-06)

(g) District Vice Commandants - Shall be held accountable to the Board of Trustees for the care and proper administration of their Districts. Make a continuing effort to establish new Detachments and assisting existing Detachments within their Districts. Planning and executing means and methods of strengthening and increasing the effectiveness of the District. They will assist the Department Commandant in meeting Department obligations within the District. (Authorized 1996 Convention)

(h) Inspector General - Shall inspect Detachment Minutes and Financial Reports to insure compliance with these By Laws. A copy of this inspection will be filed with the Detachment and Department Adjutants. The Inspector General may be asked to serve as an investigating official in a grievance filed with the Department of Massachusetts. (Chg. 97-23)

SECTION 315 VACANCY - Should a vacancy occur in an appointed office, a committee chairmanship or a committee member, the Department Commandant shall make an appointment, as soon as practicable, with the approval of the Department Staff (Chg. 1991), to fill the unexpired term.

SECTION 320 CONTRACTING AUTHORITY - No officer of the Department of Massachusetts, Marine Corps League shall enter into or sign any contract or agreement, for the purpose of binding the Department of Massachusetts, Marine Corps League without first submitting such contract or agreement to the Department Judge Advocate for his or her consideration and the forwarding of his or her recommendation to the Department Commandant as outlined in Section 320 of the National By Laws. All contracts or agreements shall require signatures of the Department Commandant and Department Paymaster.

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ARTICLE FOUR

DEPARTMENT

SECTION 400 BY LAWS - The Department Convention may adopt Department By Laws and Administrative Procedures which are not inconsistent with the National Charter or the National By Laws and Administrative Procedures, provided they have been approved by the National Judge Advocate and provided further that a copy of such approved By Laws and Administrative Procedures are on file at National Headquarters.

SECTION 415 TRUSTEES - The elected Department Officers and Past Department Commandants shall be the Board of Trustees of the Department of Massachusetts, Marine Corps League.

SECTION 420 DEFAULT - The Department shall be in default if it does not comply with the National By Laws and Administrative Procedures Article Four, Section 420.

SECTION 425 FREEDOM OF ACTION - Unless expressly forbidden by any section of the National or Department By Laws and Administrative Procedures, the Department Convention and / or Department Staff meeting shall be free to take such action and engage in such activities as are not in violation with Federal, State, County or Municipal Law or Ordinances.

SECTION 430 CHARTER SUSPENSION, REVOCATION - Should the Department Charter be suspended or revoked, the Department will surrender all property and assets to the National Board of Trustees as detailed in the National By Laws and Administrative Procedures Article Four, Section 430.

SECTION 440 BONDING - All Department Officers handling monies shall be bonded. The Department Commandant and the Department Paymaster or Adjutant / Paymaster shall be bonded by the National Headquarters. Any other officer requiring bonding will be bonded by the Department at its expense.

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ARTICLE FIVE

DETACHMENTS

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

SECTION 505 BY LAWS - Each Detachment may adopt By Laws and Administrative Procedures which are not inconsistent with National and Department By Laws and Administrative Procedures and shall be subject to approval by the Department Judge Advocate.

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

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

SECTION 520 QUORUM - Each Detachment may fix the minimum number of members required to be present for the transaction of business, such number shall be stated in the Detachment By Laws.

SECTION 525 TRUSTEES - The elected Officers of the Detachment shall be its Detachment Board of Trustees. However, a Detachment is authorized to appoint the outgoing Commandant or a Past Detachment Commandant to serve a one year term as a member of the Board of Trustees.

SECTION 530 ELECTION, INSTALLATION OF OFFICERS - Each Detachment shall hold an annual election of officers between October 1 and May 15. (Chg. 97-07)

(a) Installation must be conducted no later than the last day of the month subsequent to the election.

(b) Report of Officers and Installation must be forwarded to National Headquarters, the Division Vice Commandant and the Department Adjutant within fifteen (15) days of the installation.

(c) Notwithstanding the above, Report of Officers and Installation must be received at National Headquarters no later than June 30 each year.

SECTION 535 DEFAULT - A Detachment shall be in default when: (Chg. 97-08)

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(a) It fails to comply with National By Laws and Administrative Procedures as detailed in Article Five, Section 535.

(b) It is in default of monies from any source due the Department or fails to submit its Report of Officers and Installation within twelve (12) months prior to the start of the Department Convention. Such a fact will be reported to the Department Convention Credentials Committee, such Detachment and its Officers will not be recognized on the floor of the Department Convention.

(c) It is in default if it does not have on file an Inspector General Report within the twelve (12) months prior to Convention. This fact will be reported to the Department Convention Credentials Committee. (Chg. 97-25)

SECTION 540 MEMBERSHIP - Membership in a Detachment is detailed in the National By Laws and Administrative Procedures Article Five, Section 540.

SECTION 545 BONDING - Bonding of Detachment Officers handling monies is detailed in the National By Laws and Administrative Procedures Article Five, Section 545.

SECTION 550 ADDITIONAL DETACHMENT - When a Charter is sought for a Detachment which is to be located within the limits of any municipally wherein another Detachment exists, Article Five, Section 550, of the National By Laws and Administrative Procedures will prevail.

SECTION 555 CHARTER SUSPENSION, REVOCATION -

(a) The charter of a Detachment may be suspended or revoked for those reasons detailed in the National By Laws and Administrative Procedures Article Five, Section 555 (a).

(b) The suspension or revocation of charters may be consummated by the Department Board of Trustees and / or the National Board of Trustees and shall be implemented in accordance with the provisions of the National By Laws and Administrative Procedures in a manner considerate of the well being and good name of all concerned.

(c) When a Detachment Charter is suspended or revoked, the Department Board of Trustees upon receipt of written authorization of the Department Commandant as certified by the Department Adjutant and with the written, certified authorization of the National Commandant shall assume custody of such Detachment's assets and liabilities. The Board of Trustees shall, within the limitations of the assets, satisfy the liabilities of the Detachment in question

(The above section was inserted as directed at the 1996 Department Convention.)

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ARTICLE SIX

MEMBERS

SECTION 600 MEMBERSHIP ELIGIBILITY -

(a) Regular Membership - 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 in the United States Marine Corps reserve and have earned no less than ninety (90) Reserve Retirement Credit Points shall be eligible for regular membership in the Marine Corps League.

(1) Member at Large See Section 640

(2) Life Membership See Section 645

(3) Dual Membership See Section 650

(b) Associate Member - The eligibility for Associate Membership shall be detailed in the National By Laws and Administrative Procedures Article Six, Section 600 (b).

(c) Honorary Member - The Department and its Detachments may issue Honorary Membership as described in the National By Laws and Administrative Procedures Article Six, Section 600 (c).

(d) Corporate Member - Corporate Membership is a national activity only. (Insert authorized by the 1996 Department Convention.)

SECTION 605 MEMBERSHIP APPLICATION - Any person eligible for membership in the Marine Corps League as defined by the National By Laws and Administrative Procedures, may initiate an application for membership as outlined in the National By Laws and Administrative Procedures Article Six, Section 605. (Section inserted by direction of the 1996 Department Convention.)

SECTION 610 MEMBERSHIP DUES AND FEES - The dues and fees structure will be detailed in the National By Laws and Administrative Procedures Article Six, Section 610. Department dues and fees will be authorized under the provisions of the Department Administrative Procedures Chapter Six, Section 610.

SECTION 615 GOOD STANDING - The definition of a member in good standing is given in the National By Laws and Administrative Procedures Article Six, Section 615.

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SECTION 620 DELINQUENT MEMBER - The definition of delinquent membership and instruction for reinstatement of good standing is covered by the National By Law and Administrative Procedures Article Six, Section 620.

SECTION 625 INELIGIBLE MEMBER - Any member may be required to prove membership eligibility qualifications at any time. Should it be determined after careful investigation that a member does not have the qualifications for membership in accordance with the National Charter and By Laws of the Marine Corps League, Article Six Section 625, such member shall be dropped from the rolls immediately. Proper notice of such action and the reason therefor shall be expedited to the Department and National Headquarters.

SECTION 630 RIGHTS OF MEMBERS - No member shall be deprived of any rights and privileges in the Marine Corps League except for non payment or other indebtedness, unless the member shall first be charged, tried and found guilty in accordance with the provisions of the National By Laws and Administrative Procedures dealing with offenses and penalties.

SECTION 635 RIGHTS OF APPEAL - The right of appeal under the provisions of the National By Laws and Administrative Procedures shall not be denied.

SECTION 640 MEMBER AT LARGE - Any individual qualified for membership in the Marine Corps League may make application to become a Member at Large. The procedure for new members and the transfer of existing Detachment members may be found in the National By Laws and Administrative Procedures Article Six, Section 640.

SECTION 645 LIFE MEMBER - Any member of the Marine Corps League who is good standing may become a Life Member upon proper payment of the fee, as require in the National By Laws and Administrative Procedures Article Six, Section 645.

SECTION 650 DUAL MEMBERSHIP - Dual membership is defined as membership in more than one Detachment by the same individual. Dual membership and the individual's standings in the Detachments concerned is covered in the National By Laws and Administrative Procedures Article Six, Section 650.

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ARTICLE SEVEN

SUBSIDIARIES AND SUBORDINATE GROUPS

SECTION 700 AUTHORITY - All subsidiary organizations and subordinate groups which, and in the future, shall function and operate directly or indirectly under the Congressional Charter and the name of the Marine Corps League are and shall ever be subject to the authority, supervision, direction, control and discipline of the National Headquarters, Marine Corps League. Details, instructions and requirements concerning such subsidiary organization and subordinate groups are found in the National By Laws and Administrative Procedures Article Seven, Section 700.

SECTION 710 INCORPORATION - The Department of Massachusetts, Marine Corps League and its Detachments which engage in services or business will be incorporated. This requirement is detailed in the National By Laws and Administrative Procedures Article Seven, Section 710.

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ARTICLE EIGHT

MISCELLANEOUS

SECTION 800 AMENDMENTS - (Chg. 97-09)

(a) The Department By Laws and Administrative Procedures may be revised, amended or repealed by a majority vote of the properly registered and approved Delegates voting at a Department Convention, provided that the proposed revision, amendment or repeal is submitted to the Department Adjutant no later than March 15 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 in triplicate and will be in the exact wording intended. Submission should be sent via Certified US Mail, or by other carriers where Certified delivery may be verified and a Return Receipt may be requested.

(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 change or correct wording of those Sections will be included in the single submission.

(c) The Department Adjutant will distribute copies of each proposal, without comment, to each existing Detachment Commandant and each member of the Department Board of Trustees no later than April 1 prior to the Department Convention at which the proposal is to be considered.

SECTION 805 EFFECTIVE DATE - Each revision, amendment or repeal of a provision of the Department By Laws and Administrative Procedures which are approved at a Department Convention, as outlined in Section 800, and does not provide for an effective date will become effective upon the close of the Department Convention at which it is approved.

SECTION 810 DEPARTMENT BY LAWS AND ADMINISTRATIVE PROCEDURES

DISTRIBUTION - Each Detachment, each Department Board Trustee, the National Headquarters, Marine Corps League, the National Judge Advocate, the Massachusetts Pack, the Military Order of Devil Dogs, the Department of Massachusetts Marine Corps League Auxiliary and such other subsidiary organization within the Department of Massachusetts. Marine Corps League shall be provided at no charge two (2) copies of the Massachusetts By Laws and Administrative Procedures including all changes thereto. Additional copies of the Department of Massachusetts By Laws and Administrative Procedures will be for sale by the Department Paymaster.

SECTION 815 BLANKET BOND - The following officers are included under a Blanket Bond provided by the National Organization:

DEPARTMENT OF MASSACHUSETTS BY LAWS

- (a) Department Commandant
- (b) Department Paymaster

SECTION 820 DISSOLUTION - Should the Department be dissolved, all funds and property will be surrendered to the National Board of Trustees as detailed in the National By Laws Article Four, Section 430. (Chg. 97-10)

SECTION 825 MEMBERSHIP LISTINGS - The membership listing of the Marine Corps League is proprietary information and under the control of the National Headquarters, Marine Corps League. Such membership list or other list derived therefrom shall only be used for official purposes of the Marine Corps League, the Department, or the respective Detachment. All use by the Department and/or Detachment, other than in the normal course of an officer's duties, shall be authorized in writing by the Department Commandant or the Detachment Commandant as may be appropriate. (Changed 6/1/01)

SECTION 830 VIOLATION - Any member who violates the precepts of the Department of Massachusetts or National By Laws and Administrative Procedures of the Marine Corps League is subject to the provisions of the Administrative Procedures Chapter Nine Grievance and Discipline.

DEPARTMENT OF MASSACHUSETTS BY LAWS

ADMINISTRATIVE PROCEDURES

CHAPTER ONE

GENERAL

SECTION 100 NAME AND PURPOSE - The name of the body corporate is the Department of Massachusetts, Marine Corps League and is a subsidiary organization of the National Marine Corps League, which is a non-profit corporation incorporated by an Act of the Seventy-fifth Congress of the United States at the First Session, begun and held at the city of Washington, DC on Tuesday, the fifth day of January, 1937, and approved August 4, 1937. The purpose for which the corporation is formed are:

- (a) To preserve the traditions and to promote the interest 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 America freedom and democracy;
- (c) To fit its members for duties of citizenship and encourage them to serve 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 civilian life;
- (h) To voluntarily aid and 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 particular interest to Marines.

SECTION 101 LOCATION - The principle location of the Department of Massachusetts, Marine Corps League shall be the Massachusetts State House, Boston, Massachusetts.

SECTION 105 CORPORATE SEAL - The Corporate Seal of the Department of Massachusetts, Marine Corps League shall be round in shape, containing in the center thereof a

DEPARTMENT OF MASSACHUSETTS BY LAWS

replica of the United States Marine Corps Emblem, surrounded by the words “Semper Fidelis - Marine Corps League” within a border of two narrow rings.

SECTION 110 POLICY -

(a) The supreme power of the Department of Massachusetts, Marine Corps League shall be vested always in its membership functioning through its Delegates at all Department Conventions; executive and administrative powers only will be delegated to its Department Board of Trustees or to the individual members of the Department of Massachusetts, Marine Corps League.

(b) The Department of Massachusetts, Marine Corps League shall never take part in any labor or management dispute of issue, and it shall ever be non-sectarian, non-political and non-partisan; nor shall it be biased on the race, color, creed, nationality or sex, nor shall it be used as a medium of political ambition or preferment; nor shall former or present military rank or former or present civilian position be used as a basis for special consideration or preferment.

(c) Nothing in the preceding section shall prohibit the Department of Massachusetts, Marine Corps League or any subdivision thereof, from participating in political issues affecting the welfare of the United States Marine Corps, the national security of our nation, or any veterans claims for justice arising from service in the Armed Forces of the United States of America.

SECTION 120 ORGANIZATION - The constituted bodies of this organization shall be:

(a) The Department Organization to be known as the Department of Massachusetts, Marine Corps League.

(b) Subordinate local organizations known as Detachments.

(c) Such other subsidiary organizations as the National Organization may create, establish or recognize.

SECTION 125 COMPLIANCE WITH NATIONAL BY LAWS AND ADMINISTRATIVE PROCEDURES

(a) The National By Laws and Administrative Procedures shall prevail should there be any inconsistency between the Department of Massachusetts By Laws and Administrative Procedures and those of National.

(b) Any amendment to, or revisions of the National By Laws and Administrative Procedures, hereafter adopted which may be in conflict with these By Laws and Administrative Procedures shall automatically become a part of these By Laws and Administrative Procedures.

(c) Within these By Laws and Administrative Procedures where sections and subparagraphs are identified without a following text, the corresponding section and

DEPARTMENT OF MASSACHUSETTS BY LAWS

subparagraphs of the National By Laws and Administrative Procedures are to be considered an integral part of these By Laws and Administrative Procedures.

SECTION 135 INSTALLATION OF DEPARTMENT OFFICERS - The Installation of Department Officers shall be held immediately following the election of the Department Officers. (Chg. 97-11)

DEPARTMENT OF MASSACHUSETTS BY LAWS

ADMINISTRATIVE PROCEDURES

CHAPTER TWO

DEPARTMENT CONVENTION

SECTION 200 MEETINGS - The Department Convention shall be convened once each calendar year on a weekend in June unless otherwise prevented by National Emergency or other unpreventable cause.

SECTION 205 TIME AND PLACE - The time and place of each Department Convention shall be decided by the Delegates present and voting at the Department Convention one (1) year in advance. In an emergency, the Department Staff shall designate the time and place.

(a) Each Detachment shall be provided written notification of the date and location of each pending Convention. Such notification to include necessary forms for the Detachment certification of authorized Delegates and Alternates to such Convention.

(b) Determination of dates and location of the Department Convention will be governed by Department By Laws Section 115. (Added to concur with 96-01 and 96-02.)

SECTION 210 PROCEDURE - Immediately preceding the convening of the each Convention, the Commandant and his or her Staff shall determine and establish the sequence and procedure with which the business of the Convention shall be conducted, in conformity with these By Laws and Administrative Procedures.

SECTION 215 RULES OF ORDER - By Laws and Administrative Procedures shall govern the procedure and conduct of each Convention, and Robert's Rules of Order shall be the parliamentary authority.

SECTION 220 REGISTRATION -

(a) All approved and certified Delegates and Alternates will receive from the Convention Registration Committee a program and such Activity Admittance tickets as they desire, upon payment of the amount indicated on the Convention Activities Program.

(1) All other members desiring to attend the Convention Activities must pay the registration fee.

(b) Pre Registration fee for each Delegate or Alternate to the Convention shall be five dollars (\$5.00). Detachments that register at the Convention shall be charged a registration fee of eight dollars (\$8.00) for each Delegate or Alternate. (Changed 6/01/01)

DEPARTMENT OF MASSACHUSETTS BY LAWS

(c) Detachments within the Department of Massachusetts, Marine Corps League shall have one (1) Delegate and one (1) Alternate for each ten (10) qualified Marine Corps League members of that Detachment or portion thereof. (Changed 6/01/01)

(d) In the process of registration, should a member(s) credentials as Delegate or Alternate be challenged by the Credentials Committee, the member(s)' Detachment Commandant (or duly appointed representative, in the absence of the member(s)' Detachment Commandant) may authenticate the credentials of the member(s) in question, providing that such action does not authorize more Delegates or Alternates than the Detachment is allowed under the provisions of these By Laws and Administrative Procedures.

(e) In the event the Delegate whose credentials are challenged is a Detachment Commandant, or upon an appeal by a member to the action of the Credentials Committee, the Department Commandant shall appoint a Grievance Committee composed of three (3) members who shall report it's findings to the Convention floor. The Committee findings shall require a majority vote for acceptance. The aggrieved party shall not participate.

(f) The Department Commandant shall be a Delegate at Large to the Convention.

SECTION 230 STENOGRAPHIC EXPENSE - The expense of recording the proceedings of the Department Convention shall be borne by the Department.

SECTION 235 CONVENTION ADMINISTRATIVE COMMITTEES -

(a) The Convention Administrative Committees shall be the Credentials, By Laws, Resolutions and Rules.

(b) The duties of the Convention Administrative Committee are:

(1) Credentials Committee shall:

(a) Examine the credentials of each Delegate and Alternate.

(b) Determine that each member desiring to register, must possess a current membership card.

(c) Compile a list of approved Delegates voting strength of each Detachment which is in good standing. Such list shall be presented as a part of the Committee's final report to the Convention.

(d) Disapprove the credentials of Delegates, Alternates or members of Detachments which are not in good standing at the time of the Convention.

(2) By Laws Committee shall: receive and consider all proposed changes of the Department By Laws and Administrative Procedures which are properly submitted in accordance with the requirements of these By Laws and Administrative Procedures. All changes

DEPARTMENT OF MASSACHUSETTS BY LAWS

meeting said requirements of the By Laws and Administrative Procedures shall be referred to the committee for its consideration and action. All proposed changes not meeting the prescribed requirements, shall be returned to the submitting Detachment member with an explanation of the discrepancies.

(3) Resolution Committee shall: receive and consider all properly submitted resolutions (not By Laws Proposals) complying with the requirements of these By Laws and Administrative Procedures, and it may offer resolutions on behalf of the Committee which it deems to be viable and necessary.

(4) Rules Committee shall: study the rules of the Convention employed at prior Conventions and determine the need for any additional rules or revisions thereof for recommendations to the Convention for application during the current Convention.

SECTION 240 CONVENTION COMMITTEE - The Convention Committee shall be composed of three (3) members as well as the Department Paymaster as outlined in Article Two Section 205 (f) and a member appointed by the Department of Massachusetts, Marine Corps League Auxiliary. (Chg. 97-12, 97-22)

(a) The Convention Committee shall receive and review all bids for the Department Convention and notify the Convention body of their recommendation. Should the Convention bid be rejected or no bid received, the members of the Convention Committee shall select a location. Should the site selected be made early enough, this information shall be presented at the first Staff Meeting as the situation allows. The information should include location, dates, rates of rooms, price of banquet, etc. Should other difficulties arise and the selection delayed, the Convention Committee shall immediately notify the Commandant.

(b) The Convention Committee Chairman will work closely with the host Detachment to insure an orderly and enjoyable Convention.

(c) The Chairman and the committee shall be responsible to the Commandant and the Board of Trustees for all planning, arrangements, control, administration and the final successful conclusion of the Department Convention.

(d) Any Detachment may make a formal bid for a Department Convention.

(e) The Detachment that is selected to host the Department Convention will receive three hundred dollars (\$300.00) from the Department. The host Detachment must provide the following:

(1) On site adequate meeting rooms for the Department of Massachusetts, Marine Corps League, the Auxiliary, Devil Dogs and Devil Dogs Fleas.

(2) Must provide complementary rooms and banquet meals for the Department Commandant, New England Division Vice Commandant and invited VIPs. The banquet invitation will include their companions.

DEPARTMENT OF MASSACHUSETTS BY LAWS

(3) The pre registration fee for the Annual Department Convention for members of the League shall be five dollars (\$5.00). Members who register at the convention shall be charged a registration fee of eight dollars (\$8.00). The registration fee for members of the Department of Massachusetts, Marine Corps League Auxiliary will be set by the Auxiliary. (Changed 6/01/01)

(4) The registration fees collected are to be utilized by the Department, Host Detachment and Auxiliary Unit at their discretion as may be appropriate.

(5) The Host Detachment will liaison with the Department Convention Committee Chairman when all arrangements have been completed for approval and further instructions, this must be accomplished prior to sixty (60) days of the Convention. The Host Detachment will notify all Detachments and Auxiliary Units in the Department of Massachusetts, Marine Corps League via mail including information about lodging, meeting rooms, committee meetings and etc.

DEPARTMENT OF MASSACHUSETTS BY LAWS

ADMINISTRATIVE PROCEDURES

CHAPTER THREE

DEPARTMENT STAFF

SECTION 300 STANDING COMMITTEES - DUTIES - The Department of Massachusetts Standing Committees and their Duties are as follows:

(a) MARINE OF THE YEAR COMMITTEE - The Department Marine of the Year Committee shall have the duty of reviewing nominations and selecting the Department of Massachusetts Marine of the Year subject to the following guidelines:

(1) Composition

(a) The Department Marine of the Year Committee shall be comprised of at least three past recipients of the Department Marine of the Year Award. The Committee shall be appointed by the Department Commandant. In the event that three past Department recipients are not available, at the discretion of the Department Commandant, vacancies shall be filled by any member who shall have been awarded the Detachment Marine of the Year Award.

(2) Nominations

(a) A nomination for the Department Marine of the Year Award may be made by the National Vice Commandant, New England Division, or by any officer, trustee, or staff member of the Department or from any Detachment duly registered and authorized to vote at the Annual Convention. The nominee must be a member in good standing of a Detachment of the Department of Massachusetts.

(b) A nomination for the Department Marine of the Year Award which is made other than by the member's Detachment shall be endorsed by the Detachment indicating either its "Approval" or "Disapproval" of the nomination.

(c) Any nomination must be in writing and submitted of the Department Awards Recommendation form as set forth in Enclosure (1) of these Administrative Procedures with any attachments the nominator deems necessary to allow a fair and adequate review of the nominee's qualifications.

(d) Each nomination must be postmarked no less than thirty (30) days prior to the opening of the Department Convention at which the nominee is to be judged.

(e) Nominations should be mailed to the Department Adjutant in a sealed envelope which is clearly marked "MARINE OF THE YEAR NOMINATION". Upon receipt the Department Adjutant shall deliver the nomination to the Commandant for transmittal to the

DEPARTMENT OF MASSACHUSETTS BY LAWS

appointed Marine of the Year Committee chairman or directly to such Chairman if he has been so appointed.

(3) Duties

The Department Marine of the Year Committee shall:

(a) Receive all nominations from the Department Commandant and/or the Department Adjutant as may be appropriate.

(b) Duly consider all nominations received and adjudge from such nominations that member to be awarded the Department Marine of the Year Award.

(c) Attest to the approval of the award by endorsing the nomination received with the signature of each member of the Committee.

(d) Deliver to the Department Commandant prior to the Department Banquet the approved and endorsed nomination.

(e) The decision of the Marine of the Year Committee is final and not appealable. The decision of the Committee shall not be disclosed to anyone other than the Department Commandant until such award is duly presented at the Department Banquet.

(f) Make recommendation(s) to the Awards and Membership Committee concerning any nominee not adjudged to be the Department Marine of the Year for any other award authorized to be issued by the Department if the Committee deems the same to be appropriate. A timely nomination received by the Department Marine of the Year Committee shall be deemed timely for any other award nomination.

(4) Award

(a) The Department Marine of the Year Award shall be announced at the Department Annual Banquet by the Chairman of the Awards Committee or the Department Commandant as may be appropriate.

(b) The Department Marine of the Year Award shall consist of an appropriate certificate, medal and ribbon as issued by National. In addition, the Department Marine of the Year shall be presented with a Department of Massachusetts medallion hung by a suitable ribbon which may be worn by the member with the appropriate League uniform signifying the receipt of such award.

(c) At the discretion of the Department Commandant, past recipients of the Department Marine of the Year Award may be presented with and authorized to wear the Department of Massachusetts medallion.

DEPARTMENT OF MASSACHUSETTS BY LAWS

(b) AMERICANISM COMMITTEE: The Americanism Committee shall have the duty of formulating, implementing and executing an Americanism program to effectuate the purposes of the Department of Massachusetts, Marine Corps League.

(c) AWARDS AND MEMBERSHIP COMMITTEE: Shall have the duty of recommending to the Staff awards and citations for use by Detachments, all recommendations for Department awards and shall certify that the recipient is worthy of said award.

(1) Composition

(a) The Department Awards and Membership Committee shall be comprised of at least three members of the Department in good standing. The Committee shall be appointed by the Department Commandant.

(2) Nominations

(a) A nomination for any award authorized to be issued by the Department of Massachusetts as set forth in Enclosure 4 of the National BY-Laws and Administrative Procedures or any other local award may be made by the National Vice Commandant, New England Division, or by any officer, trustee or staff member of the Department or from any Detachment in good standing. The nominee must be a member in good standing of a Detachment of the Department of Massachusetts.

(b) A nomination for any Department award which is made other than by the member's Detachment shall be endorsed by the Detachment indicating either it "Approval" or "Disapproval" of the nomination.

(c) Any nomination must be in writing and submitted on the Department Awards Recommendation form with any attachments the nominator deems necessary to allow a fair and adequate review of the nominee's qualifications. The nominator must identify the specific award for which the nomination is made.

(d) Each nomination must be postmarked no less than thirty (30) days prior to the opening of the Department Convention at which the nominee is to be judged.

(e) Nominations should be mailed to the Department Adjutant in a sealed envelope which is clearly marked "AWARDS NOMINATION". Upon receipt the Department Adjutant shall deliver the nomination to the Commandant for transmittal to the appointed Awards Committee chairman or directly to such chairman if he has been so appointed.

(3) Duties

The Department Awards and Membership Committee shall:

(a) Receive all nominations from the Department Commandant and/or the Department Adjutant as may be appropriate.

DEPARTMENT OF MASSACHUSETTS BY LAWS

(b) Duly consider all nominations received and adjudge from such nomination whether it is approved or disapproved and that the member is worthy of the award in the Committee's opinion.

(c) Attest to the approval of the award by endorsing the nomination received with the signature of each member of the Committee.

(d) Deliver to the Department Commandant prior to the Department banquet the approved and endorsed nomination.

(e) The decision of the Department Awards and Membership Committee is final and not appealable. The decision of the Committee shall not be disclosed to anyone other than the Commandant until such award is duly presented at the Department banquet.

(f) If in the opinion of the Department Awards and Membership Committee the nominee is considered to be worthy of an award which can only be awarded at the National level as set forth in the aforementioned Enclosure (4), the Committee shall recommend that the nomination be submitted to National on the appropriate form and in the manner set forth in the National By-Laws and Administrative Procedures and shall forward a copy of such recommendation with a copy of the nomination and supporting documents to the Department Commandant and to the National Vice Commandant, New England Division for such action as each may deem appropriate concerning such National Award.

(4) Award

(a) Department Awards shall be announced at the Department Annual Banquet by the Chairman of the Awards Committee or the Department Commandant as may be appropriate.

(b) Department Awards shall consist of an appropriate certificate or citation, any medal and/or ribbon as issued by National as set forth in the aforementioned Enclosure (4) of the National By-Laws and Administrative Procedures.

Entire section (c) changed as of 6/01/01)

(d) SCHOLARSHIP COMMITTEE: The Department Scholarship Committee shall have the duty of receiving all applications for scholarships, considering such applications and making its recommendations concerning approval or rejection of such application and administering the Department of Massachusetts Scholarship Program in a fair and equitable manner as set forth in the guidelines approved by the Department entitled "DEPARTMENT OF MASSACHUSETTS, MARINE CORPS LEAGUE, SCHOLARSHIP FUND" and set forth in the Administrative Procedures of the Department as Enclosure 2. All applications shall be on a form as set forth in the Administrative Procedures as Enclosure 3.

(1) Composition

DEPARTMENT OF MASSACHUSETTS BY LAWS

(a) The Department Scholarship Committee shall be composed of five (5) members. The Department Commandant will appoint the chairman and two members of the committee. The Department Paymaster shall be a member of the committee. The fifth member shall be appointed annually by the President of the Department of Massachusetts Auxiliary.

(2) Scholarship Fund

(a) The Scholarship committee shall have custody of the Scholarship Fund which fund shall be administered by the Department Paymaster. The Committee shall be prepared to give a complete accounting as to the disposition of the scholarship fund, at each Department Staff Meeting, with an annual report at the Department Annual Convention.

(b) All funds received by the Department and/or the Committee specifically for the purpose of awarding scholarships, other than funds budgeted and authorized by the Department, shall be deposited into an appropriate account in the name of the Department of Massachusetts, Marine Corps League Scholarship Fund. Funds authorized and budgeted for the award of scholarships by the Department shall be accounted for by the Department Paymaster but need not be segregated into a special account.

(c) Funds in the Department of Massachusetts, Marine Corps League Scholarship Fund may be drawn upon only on the mandate of the Department Convention by check signed by the Department Commandant and countersigned by the Department Paymaster.

(3) Application

(a) All applications for a grant from the Department and/or the Scholarship Fund should be submitted to the Chairman of the Committee on a form as set forth in Enclosure 4 of these administrative procedures and subject to the guidelines set forth in enclosure (2) of these administrative procedures.

(b) Upon notice by the Chairman, the Committee shall meet and review the applications submitted, apply the guidelines as set forth in Enclosure (2) of the Administrative Procedures and shall select the recipients of the scholarships, if any.

(c) All applications must be postmarked so as to be received by the Chairman not later than May 1st of the year in which the application is made.

(Entire subsection (d) changed 6/01/01)

(e) VAVS CHAIRMAN: Shall be governed by the duties outlined in the National By Laws and Administrative Procedures, Article Three, Paragraph 310 (q).

(f) DETACHMENT COMMANDANTS COUNCIL: The Detachment Commandants Council, an integral part of the Department Staff, is composed of all Detachment Commandants and is chaired by the Department Senior Vice Commandant, as a collective advisory body, is charged with the responsibility of providing assistance to the Department Board of Trustees. It's duties shall be:

DEPARTMENT OF MASSACHUSETTS BY LAWS

(1) Study ways and means towards stimulating the growth in the membership of the League and its stature, and the enhancement of administrative and command relationship between the Department Headquarters, the Board of Trustees and its constituent elements of the League.

(2) Receive and evaluate suggestions from constituent elements or from the Board of Trustees, which are oriented to the improvement of the Marine Corps League's growth and / or enhancement of the constituent elements and Department Headquarters and Board of Trustees relationship.

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

(4) Pursuant to accomplishing the above duties, develop and finalize proposed plans, policies, procedures and / or systems for recommendation to the Board of Trustees.

(5) Meet prior to the Board Meeting preceding the Convention at which Council reports will be rendered to the Board of Trustees. Conduct of interim business between Council Conferences shall be accomplished via mail and / or telephonic means.

(g) TOYS FOR TOTS COMMITTEE: (Chg. 97-27)

(1) This committee will coordinate the Toys for Tots activities between the Department and the Detachments with those of any and all United States Marine Corps Reserve authorized Toys for Tots programs operating within the Department of Massachusetts.

(2) The committee will consist of at least five (5) appointed members. One (1) member should be associated with these programs, and one (1) member appointed by the Department of Massachusetts, Marine Corps League Auxiliary.

(3) The committee will select its Chairman.

SECTION 310 APPOINTED OFFICERS - CHAIRMAN - COMMITTEE MEMBERS - TERMS - All appointed officers, Committee Chairman and members shall serve at the pleasure of the Department Commandant and the Department Board of Trustees. All of the above shall surrender all monies and properties of the Department of Massachusetts, Marine Corps League in their charge to their successors.

DEPARTMENT OF MASSACHUSETTS BY LAWS

ADMINISTRATIVE PROCEDURES

CHAPTER FOUR

DISTRICTS

SECTION 400 FORMATION - To obtain more effective administrative functioning, the Department of Massachusetts is divided into geographical units called Districts.

SECTION 405 POWERS - The function of Districts is administrative only. No District will adopt By Laws or assess dues. Only expenses authorized in advance by the Department Board of Trustees for a District will be paid. The duties and authorities of the District Vice Commandants are covered by the Department By Laws, Article Three, Section 310 (g).

SECTION 410 DISTRICT ALIGNMENT - The Districts of Massachusetts, Marine Corps League are:

- | | |
|--------------------------------|---|
| (a) Western Massachusetts | Hamden, Hampshire, Franklin and Berkshire counties. |
| (b) Central Massachusetts | Worcester County. |
| (c) Essex District | Essex County. |
| (d) North and West Middlesex | Middlesex county outside Rte 128. |
| (e) Charles River District | Suffolk county, Middlesex county inside Rte 128. |
| (f) South Shore District | Norfolk county, Plymouth & Bristol counties north of Rte 44. |
| (g) Southeastern Massachusetts | Barnstable, Nantucket and Duke counties, Bristol & Plymouth counties south of Rte 44. |

The creation of this Chapter was mandated by the 1996 Convention and approved as written by the 1997 Convention.

DEPARTMENT OF MASSACHUSETTS BY LAWS

ADMINISTRATIVE PROCEDURES

CHAPTER FIVE

DEPARTMENT

SECTION 500 FORMATION - This State having three (3) or more Detachments with a combined membership of sixty (60) or more members is chartered as a Department by the National Board of Trustees in compliance with the National By Laws and Administrative Procedures Chapter Five, Section 500.

SECTION 505 POWERS - Whatever power is vested in the National Organization, shall in corresponding circumstances, be vested in the Department.

SECTION 510 AUTHORITY - Each Department shall be governed by the Department Convention subordinate to the National Convention.

SECTION 520 DUES - The Department Convention shall determine the amount of Department per capita dues. All per capita dues and monies which are due National Headquarters from the Department shall be forwarded without delay.

SECTION 530 INSTALLATION OF DEPARTMENT OFFICERS - See Chapter One of these Administrative Procedures.

DEPARTMENT OF MASSACHUSETTS BY LAWS

ADMINISTRATIVE PROCEDURES

CHAPTER SIX

DETACHMENTS

SECTION 600 CHARTER - A Detachment may be organized, chartered and instituted in the following manner:

(a) A standard application form shall be signed by no less than twenty (20) persons who are eligible for regular membership in the Marine Corps League; directions covering the limitation of current member signing applications and the method for forwarding completed applications to higher authorities for endorsement can be found in the National By Laws and Administrative Procedures Chapter Six, Section 600 (a).

(b) The application, once received by National Headquarters, will be handled in the manner detailed in the National By Laws and Administrative Procedures Chapter Six, Section 600 (b).

(c) The Charter shall be presented with an appropriate ceremony at an open public meeting.

(d) Each new Charter, before framing, shall be signed by each member who signed the Charter Application.

(e) Failure of prompt endorsements may result in actions covered by the National By Laws and Administrative Procedures Chapter Six, Section 600 (e).

(f) Under special consideration, a Detachment Charter may be issued to less than twenty (20) applicants. A Charter issued under this provision is subject to all requirements of Chapter Six, Section 600.

SECTION 610 AUTHORITY - Each Detachment shall be governed by its elected Officers (Board of Trustees) subordinate to the Department and National Convention, the Charter and the By Laws and Administrative Procedures of such bodies.

SECTION 615 DUES - Each Detachment shall fix the amount of its membership dues, which shall include the Department and National per capita dues and fees which are due the Department and National Headquarters shall be forwarded with the standard transmittal form without delay to the Department Paymaster for processing. The Department Paymaster shall without delay remit to the National Adjutant / Paymaster those transmittal forms and such funds which are due National Headquarters.

DEPARTMENT OF MASSACHUSETTS BY LAWS

SECTION 620 INSTALLATION OF DETACHMENT OFFICERS -

(a) The Detachment must request from the Department Commandant an Installing Officer.

(b) The Installing Officer must be the Department Commandant, or an elected Department Officer, Past Department Commandant, National Commandant, Past Detachment Commandant or other elected Marine Corps League Officer.

(c) It shall be the responsibility of the Installing Officer to sign, date and forward the installation form within the time frame as specified in Article Five, Section 530, of the National By Laws.

DEPARTMENT OF MASSACHUSETTS BY LAWS

ADMINISTRATIVE PROCEDURES

CHAPTER SEVEN

MEMBERS

SECTION 700 INITIATION - All applicants acceptable for membership in the Marine Corps League shall be properly obligated as detailed in the National By Laws and Administrative Procedures Chapter Seven, Section 700.

SECTION 710 MEMBERSHIP TRANSFER - Any member in good standing may transfer from one Detachment to another, upon the completion of the Transfer Form as detailed in the National Administrative Procedures Chapter Seven, Section 710.

SECTION 720 MEMBERS DEATH -

(a) Upon notification of the demise of any member, the Detachment Chaplain shall carry out the instructions found in the National Administrative Procedures Chapter Seven, Section 700.

(b) It shall be the duty of all members of the Marine Corps League who are not prevented by distance or unavoidable cause to attend the funeral services of the deceased member. To this end, the Detachment Commandant, with the assistance of the Detachment Chaplain and Adjutant / Paymaster, shall develop a plan to notify Detachment members in a timely manner.

DEPARTMENT OF MASSACHUSETTS BY LAWS

ADMINISTRATIVE PROCEDURES

CHAPTER EIGHT

SUBSIDIARIES AND SUBORDINATES

SECTION 800 REPORTS - Each Department subsidiary organization and each Department subordinate group (identified below) which directly or indirectly operates under the Congressional Charter and in the name of the Marine Corps League must annually file with their National Headquarters a true and complete financial statement of its itemized total income and expenses for the preceding twelve (12) months period.

(a) This requirement is applicable to those organizations and groups named in the National Administrative Procedures Chapter Eight, Section 810.

(b) Failure upon the part of any of the above organizations and groups to file the required report in compliance with the provisions of this section will subject the violating organization or group to such action as determined by the National Board of Trustees.

(c) If the subsidiaries or subgroups, are required by their own By Laws, to submit an annual report to their National Headquarters, a copy shall be submitted as described above. (Chg. 97-13)

SECTION 810 MARINE CORPS LEAGUE AUXILIARY - The Department of Massachusetts, Marine Corps League recognizes and adopts the Department of Massachusetts, Marine Corps League Auxiliary as the official Women's Auxiliary of the Marine Corps League in the Department of Massachusetts and declares that the Marine Corps League Auxiliary shall ever be subjected to the control and supervision of the Headquarters, Marine Corps League insofar as the Department and National By Laws and Administrative Procedures applies. (Chg. 97-15)

SECTION 820 MILITARY ORDER OF DEVIL DOGS - The Department of Massachusetts, Marine Corps League recognizes the Massachusetts Pack, Military Order of Devil Dogs as an official subsidiary organization of the Department of Massachusetts, Marine Corps League which shall ever be subject to the authority, direction and control of the Marine Corps League insofar as the Department and National By Laws and Administrative Procedures applies. (Chg. 97-14, 97-15)

SECTION 830 MILITARY ORDER OF DEVIL DOGS FLEAS - The Department of Massachusetts, Marine Corps League recognizes the Massachusetts Pack, Military Order of Devil Dogs Fleas as an official subsidiary organization of the Department of Massachusetts, Marine Corps League which shall ever be subject to the authority, direction and control of the Marine Corps League insofar as the Department and National By Laws and Administrative Procedures applies. (Chg. 97-14, 97-15)

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SECTION 840 MARINE CORPS LEAGUE SCHOLARSHIP FUND - The Department of Massachusetts, Marine Corps League recognizes the Department Scholarship Fund as covered by these By Laws Article Three, Section 300 (d). (Chg. 97-16)

SECTION 850 YOUNG MARINES OF THE MARINE CORPS LEAGUE - Covered as detailed in the National Administrative Procedures Chapter Eight, Section 840.

SECTION 860 MARINE CORPS LEAGUE YOUTH PHYSICAL FITNESS PROGRAM - Covered as detailed in the National Administrative Procedures Chapter Eight, Section 860.

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ADMINISTRATIVE PROCEDURES

CHAPTER NINE

GRIEVANCE AND DISCIPLINE

SECTION 900 PROCEDURES - This section is applicable to Sections 901, 902, 904, 905, 906, 907, and 908. The following procedures will adhere to the additions to the provisions of Sections 900 through 908.

(a) The Jurisdictional Judge Advocate must notify all concerned parties in the manner and time frame as detailed in the National Administrative Procedures Chapter Nine, Section 900 (a).

(b) The rights and responsibilities of the Petitioner are detailed in the National Administrative Procedures Chapter Nine, Section 900 (b).

(c) The rights and responsibilities of the Respondent are detailed in the National Administrative Procedures Chapter Nine, Section 900 (c).

(d) The responsibilities and duties of the Recorder are detailed in the National Administrative Procedures Chapter Nine, Section 900 (d).

(e) The responsibilities and duties of the Hearing Board, its Chairman and its Sergeant at Arms are detailed in the National Administrative Procedures Chapter Nine, Section 900 (e).

(f) Details concerning, testimony, cross examination, correspondence, written statements and exhibits are to be found in the National Administrative Procedures Chapter Nine, Section 900 (f through i).

SECTION 901 GRIEVANCES - If an individual member, Detachment or Department area, considers that there is a wrongdoing within the unit, or that member has a grievance himself, will follow the procedures detailed in the National Administrative Procedures Chapter Nine, Section 901.

SECTION 902 DEPARTMENT OR DIVISION GRIEVANCE - If the Department or a Division or a Department Officer or Division Officer is the aggrieved Petitioner, all matters shall be handled directly by the National Judge Advocate as detailed in the National Administrative Procedures Chapter Nine, Section 902.

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SECTION 903 DEPARTMENT OR NATIONAL CONVENTION GRIEVANCES - (Chg. 97-17)

(a) If a grievance arises during the Department Convention, it shall be presented to the Department Judge Advocate; he shall mediate same. If unsuccessful:

(1) He shall petition the Department Commandant to immediately convene a Hearing Board of at least three (3) members. The Board shall convene a hearing, it may hear testimony or conduct its own independent investigation.

(b) The Board's decision, which must be affirmed by a majority of the Board, shall be served upon the Petitioner immediately.

(c) The Petitioner may appeal the Board's decision directly to the Convention. A majority vote, with the affected delegation(s) abstaining, will prevail.

(d) If the grievance concerns the seating or voting of a Delegate or Delegation, the Convention will stand in recess until the matter is resolved.

(e) Any grievance applicable to a National Convention, shall be filed in writing with the National Judge Advocate in accordance with the National Administrative Procedures Chapter Nine, Section 903.

SECTION 904 DISCIPLINE MEMBER, DETACHMENT, DEPARTMENT OFFICERS AND BOARD OF TRUSTEES - Whenever an individual member, Detachment Officer or Department Officer, other than the Department Commandant, or a Detachment, commits an act contrary to the Department or National By Laws and Administrative Procedures of the Marine Corps League, or an act which is deemed not in the best interest of the Marine Corps League, said individual member, detachment or Department Officer, or Detachment will be charged and adjudged in accordance with the National Administrative Procedures Chapter Nine, Section 904.

SECTION 905 DEPARTMENT COMMANDANT OR THE DEPARTMENT - In the event the offender is the Department Commandant or the Department of Massachusetts, the National Administrative Procedures Chapter Nine, Section 905, will prevail.

SECTION 906 NATIONAL OFFICERS AND BOARD OF TRUSTEES - If the Respondent is a National Officer or member of the National Board of Trustees, other than the National Commandant or National Judge Advocate, the procedure in the National Administrative Procedures Chapter Nine, Section 906 will prevail.

SECTION 907 NATIONAL JUDGE ADVOCATE - In the event the National Judge Advocate shall be the accused person (Respondent), the National Administrative Procedures Chapter Nine, Section 907 will prevail.

SECTION 908 NATIONAL COMMANDANT - In the event that the National Commandant is the Respondent, National Administrative Procedures Chapter Nine, Section 908, will prevail.

DEPARTMENT OF MASSACHUSETTS BY LAWS

SECTION 909 SUSPENSION PENDING HEARING - In all proceedings brought under Section 904, 905, 906, and 907, herein, the designated judicial officer shall possess the discretionary authority to temporarily suspend from membership, officer or function, the Respondent, pending final resolution of the charge. The National Judge Advocate and National Adjutant / Paymaster shall be notified of such suspension.

SECTION 910 PUNISHMENT - If at the conclusion of any of these sections the Respondent is found guilty, the punishments outlined in the National Administrative Procedures Chapter Nine, Section 910 will prevail.

SECTION 911 CRIMINAL ACTS - Should any member of the League, or any subsidiary organization, subordinate group or members thereof, violate any of the criminal laws of the United States, or a State having jurisdiction, the complaint should be made directly to the proper Federal, State or local authority, and not to the League.

SECTION 912 OFFENSES - The offenses that are recognized for processing under the applicable section(s) of these Administrative Procedures Chapter Nine, are to be found in the National Administrative Procedures Chapter Nine, Section 912.

SECTION 913 APPEALS - The appeal process is detailed in the National Administrative Procedures Chapter Nine, Section 913.

DEPARTMENT OF MASSACHUSETTS BY LAWS

ADMINISTRATIVE PROCEDURES

CHAPTER TEN

MISCELLANEOUS

SECTION 1000 FUND RAISING - Fund raising activities may be entered into by the Department of Massachusetts, Marine Corps League, its Detachments and Subsidiary and Subordinate units within the guidelines and restrictions detailed in the National Administrative Procedures Chapter Ten, Section 1000.

SECTION 1005 RESPECT -

(a) The Bible shall be open, placed on an Altar Cloth, during all meetings of the Department of Massachusetts, Marine Corps League. No disrespect to the Bible, by act, word, or deed shall be tolerated. No one shall use the Altar for physical support, and shall not, under any circumstances, use the Bible or Altar as a resting place for any item or material. All space between the Altar and the Chair shall be considered hallowed ground and shall not be traveled upon while the Bible is open.

(b) The Ritual of the Marine Corps League shall be observed and employed at all meetings and appropriate functions to the maximum extent possible.

SECTION 1010 RESOLUTIONS SUBMITTING AND PROCESSING - Resolutions may be submitted by a member in good standing or a Detachment, for consideration by the Department Convention, provided said resolutions are in the proper form and in compliance with all the following requirements:

(a) The resolution must be typewritten, with an original and three (3) copies, and must be received by the Department Commandant and The Department Adjutant, no later than May 1 prior to the Department of Massachusetts Convention at which action thereon is desired.(Chg. 97-18) One copy will be retained by the Department Adjutant as a permanent file; one copy shall be placed in a working file, to be referred to by the Department Resolution Committee for the Committee's consideration and action; one copy shall be used by the Department Adjutant as a source for distributing the resolving clause to all Detachments and Department Board Members at least ten (10) days prior to the Department Convention. The fourth (4th) copy, noting the date it was received at the Department Headquarters, shall be returned to the proposer / sponsor, serving as prima fascia evidence of compliance with this section of the By Laws.

(b) All resolutions submitted for consideration by a Department Convention shall be drawn on such form as will identify it as being adopted by the Department of Massachusetts, Marine Corps League in Department Convention assembled. Any resolution not drawn in this form shall be returned by the Department Adjutant to the proposer / sponsor for correction.

DEPARTMENT OF MASSACHUSETTS BY LAWS

(c) Except as expressly waived by a vote of two-thirds (2/3) of the present and voting Delegates at the Department Convention, no motion proposing adoption of a resolution shall be placed on the floor of a Department Convention unless the requirements of this section have been complied with.

(d) The Department Headquarters Staff shall prepare an adequate supply of all resolutions received by the Department Adjutant in accordance with this section and shall make such supply available for distribution to all Delegates, all members and the Resolution Committee upon their arrival at the Department Convention. A complete file of all resolutions received shall be available in the convention office of the Department Adjutant for inspection by any Delegate and member of the Marine Corps League in good standing who desire to take advantage of such inspection.

SECTION 1015 AMENDMENTS - The Administrative Procedures may be amended, revised, or repealed by a majority vote of the Board of Trustees, provided that the amendment, revisions or repeal does not in any manner violate the provisions of the Department By Laws or the National By Laws and Administrative Procedures of the Marine Corps League.

SECTION 1020 EFFECTIVE DATE - The effective date of any changes to the Administrative Procedures must be stated in the proposed change.

SECTION 1025 ADMINISTRATIVE PROCEDURES DISTRIBUTION - The Administrative Procedures shall be distributed in the same manner as the By Laws as set forth in Article Eight, of the Department of Massachusetts, Marine Corps League By Laws.

SECTION 1030 AUTHORIZATION - By Direction authorization is permitted in all cases, except distribution of funds, when said authorization is granted in writing. Signature Stamps ARE NOT AUTHORIZED. (Addition per 1996 Convention.)