



Department of Iowa Marine Corps League Bylaws

DATE: 06/27/2020

From Department of Iowa : MCL
To: Distribution List

Subj: MCL Department of Iowa BYLAWS

Ref: (a) 6/27/2020 Edition of the National Bylaws and Administrative Procedures

1. **Purpose.** These Bylaws provide guidance concerning the function and organization of the Department of Iowa MCL. The primary goal of these Bylaws is to ensure that the Department of Iowa MCL is operated in accordance with the Marine Corps League’s structure and to follow all local, state, and national laws. All previous editions of the Department of Iowa Bylaws and Administrative Procedures are hereby cancelled this date.

2. **Background.** The National Bylaws state the responsibilities incumbent upon all Marine Corps League members and state the requirements that will ultimately facilitate the mission of this Department.

3. **Goal.** The goal of the Marine Corps League Department Bylaws is to provide the Department leadership effective resources and guidance to ensure that this Department is successful and relevant to the membership. These Department Bylaws and the Marine Corps League’s Administrative Procedures set the specific guidelines and requirements for all Marine Corps League members to follow.

4. **Ratification.** These Department Bylaws were presented to all members at the Department of Iowa MCL Department Convention on 06/27/2020. There was a motion and a second by qualified members to accept and approve the Department Bylaws. Discussion phase was opened, and all questions or changes were made. The Department Bylaws were ratified/approved by majority vote of all members present at the Department’s convention on 06/27/2020.

5. **Effective:** Date of Department of Iowa Bylaws. These Bylaws were effective on 06/27/2020.

X

Commandant Department of Iowa

X

Adjutant Department of Iowa

X

Judge Advocate Department of Iowa

Distribution: Department of Iowa MCL
Department BOT, Department ADJUTANT

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**ARTICLE I:
Name, Purpose, and Resolve**

Section 100: Name. The name of this Department shall be the Department of Iowa Marine Corps League. This Department is affiliated with and has been chartered by the National organization of the Marine Corps League. The National charter was issued on 11/July/1964, and presented to the officers and members of the Department by the Midwest Division Vice Commandant Gene Ritchter, and signed by the National Sr. Vice, Eugene O. Richter and the National Commandant of the Marine Corps League Raymond B. Butts. These bylaws are to conform to the bylaws, administrative procedures, regulations and policies issued by the National organization.

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

Section 110: The purposes of this Marine Corps League Department shall be:

- a. To preserve the traditions and to promote the interests of the United States Marine Corps;
- b. To band those who are now serving in the United States Marine Corps and those who have been honorably discharged from that service together in fellowship that they may effectively promote the ideals of American freedom and democracy;
- c. To fit its members for duties of citizenship and to 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;
- f. To create a bond of comradeship between those in the service and those who have returned to civilian life;
- g. To aid voluntarily and to render assistance to all Marines, honorably discharged Marines, FMF Corpsmen and FMF Chaplains, as well as to their families, their widows and their orphans;
- h. To perpetuate the history of the United States Marine Corps, and by fitting acts, to Observe the anniversaries of historical occasions that are of particular interest to Marines.

Section 115: Not for profit. The MCL is not organized for and shall not be operated for pecuniary gain or profit. No part of the property of the corporation and no part of its net earnings shall inure to the benefit of or be distributed to any director, member, or other private individual. The MCL shall never be authorized to engage in a regular business of a kind ordinarily carried on for profit or in any other activity except in furtherance of the purposes for which the MCL was organized.

Section 120. Non-Discrimination. The Marine Corps League:

- a. Shall never take part in any labor or management dispute or issue;
- b. Shall not be sectarian, political, and partisan;
- c. Shall not be based on race, color, creed, nationality, or sex;
- d. Shall not be used as a medium of political ambition or preferment and
- e. Shall not use former or present military rank or former or present civilian position as the basis for special consideration and preferment.

Section 125: The resolve of this Department shall be:

a. This Department is organized as a charity for non-profit purposes. Individual members may not derive profit from any Department activity or program. However, this does not prohibit the Department from hiring a member or other person on a commercial basis to provide services to the Department when the best interests of the Department or its programs will be best served thereby.

b. The property of the Department is dedicated to the purposes of this veteran's organization and no part of the net income or assets of this Department shall ever inure to the benefit of any director, officer, or member thereof, or to the benefit of any private persons.

ARTICLE II **Membership**

Section 200: Membership. Marine Corps League Detachment is the sole judge of its membership, providing said person meets the requirements established in the current National Bylaws.

- a. Any member accepted by any Detachment in Department of Iowa will automatically be a member of the Department of Iowa.

Section 205: Membership Dues and Fees. Membership dues and fees will be as set by the National and/or the Department of Iowa and by such additional fees as set by the Detachment. All such fees of the Detachment shall be subject to vote of the membership at a regular business meeting before taking effect.

- a. All members shall be considered in good standing in the Detachment, Department and the Marine Corps League, except when:
 - (1) Required dues are not paid and transmitted on or before membership expiration date, as set forth by National Bylaws/ Administrative Procedures.
 - (2) A member is indebted and in arrears to the Detachment, Department, or National Headquarters.
- b. A member shall be identified as delinquent whenever the member's dues are not paid and transmitted on or before expiration date as set forth by National Bylaws and Administrative Procedures.
- c. No delinquent member may be transferred
- d. No member shall be deprived of any rights and privileges in the Marine Corps League or the Department of Iowa Marine Corps League or the Detachment except for non-payment of dues or other indebtedness, unless the member shall first be charged, tried and found guilty in accordance with the Provision of the National bylaws and Administrative Procedures dealing with offences and penalties.
- e. The right of appeal under the Provisions of the National bylaws and Administrative Procedures shall not be denied.

Section 220: Membership Listing. The membership listing of the Department of Iowa is proprietary information and under the direct control of the Board of Trustees. The membership listing will not be sold, leased, copied, loaned distributed or assigned without the expressed permission in writing from the Commandant upon approval of the Department Board of Trustees of the MCL. The membership listing (Department roster) should only be distributed to members that have a direct need to use that information.

ARTICLE III
Officers

Section 300: Governing Body

a. **The Board of Trustees (BOT)**: The elected officers of this Department shall be: Commandant, Senior Vice Commandant, Junior Vice Commandant, and Judge Advocate. The immediate past Commandant shall be the Junior Past Commandant. These five (5) elected officers shall comprise the Board of Trustees, also referred to as Board of Trustees of the Department. Only regular members may hold these offices. Associate members are not eligible for elected office.

b. **Department Officers**. The Department shall:

1. Elect a commandant, a senior vice commandant, a junior vice commandant, and a Judge advocate each year; and
2. The Detachment Commandant shall appoint an adjutant, paymaster (Or adjutant/paymaster), chaplain, and sergeant-at-arms.
3. A department may have such additional elected and appointed officers as required by the department bylaws or the need of the Department. These positions shall also be appointed by the Department Commandant.
4. All elected officers shall be regular members of the department in which they are elected.

c. **The Department Staff**: The Department Commandant shall with the advice or approval of the Elected Officers, appoint an Adjutant, Paymaster, Chaplain, Sergeant-at-Arms, and other such officers as needed to effectively administer the business of the Department. Such officers comprise the Department Staff and are expected to assist the (Board of Trustees) in decisions and administrative activities and attend Department Meetings. Regular members and/or associate members may hold these offices in the Department. If in view of the Department Staff and a majority vote of the membership at a regular meeting, it is deemed in the best interests of the Department to elect rather than appoint any or all these officers. Section 500 (a) shall be so amended. However, these Department offices may still be held by regular or associate members, unless this caveat should also be amended.

d. **Appointed Officers**: At the will of the Department associate members may serve in appointed offices only.

e. **Term Limits**. Each elected officer shall be elected for a term of one year and may be reelected for additional terms as provided in the Department Bylaws. Appointed officers shall serve a term that expires with the new installation after the annual election occurs and may be appointed to additional terms.

1. The Commandant, Sr. Vice Commandant and Jr. Vice Commandant will only be able to serve two (2) consecutive terms in their elected office and will be ineligible for that office for two (2) years after the second term ends.
2. The position of Judge Advocate due to its nature will be exempt from the two-term limit, but will have to be elected by the membership for each term.

ARTICLE IV **Election of Officers**

Section 400: Election of Officers

a. The Department of Iowa shall hold an annual election and installation of officers at their Annual Convention. Installation must be conducted at the convention banquet the last day of the convention. The “Report of Installation” form must be received by the National Headquarters by June 30th of each year to establish credentials for the National Convention. A Department is NOT in good standing if this report is not received.

b. Any time throughout the year, were a change in any Officer(s) position occurs, the new officer(s) must be sworn in accordance with Administrative Procedures and a new “Report of Installation” form must be submitted for those positions that changed.

Section 405: A complete Report of Officer Installation (ROI) will be available for the installing official to verify and sign. The ROI must be submitted to the Department Paymaster no later than 15 days after the installation date.

Section 410: Nominations. Nominations of proposed officers shall be made at the opening meeting of the 1st day for the Department Convention each year where the 1st and 2nd call will be made. 3rd call and election will be held at the General Meeting of members on the 2nd day of the convention. Nominees must accept nomination prior to their names being placed on the ballot. Nominations may be made subsequent to the 1st meeting, but in no case later than the 3rd call of the General Meeting on the 2nd day of the Convention.

Section 415: Election of officers shall be by paper ballot or by up or down vote of regular members in good standing present at such meeting.

Section 420: Ballots. The counting of ballots will be conducted by the Sergeant-at-Arms, and verified by the Judge Advocate (unless the election is for the JA position) In the event, that either of these officers is not available, the Commandant will select a member(s) of the Department to perform these functions.

Section 425: Vacancies * See Section 925 of the currant National Bylaws

ARTICLE V Meetings

Section 600: Meetings. The Department of Iowa shall meet three times a year for a Spring Staff meeting (March or April), a Department Convention (May or June), and a Fall Staff meeting (September or October).

The Department charter or a copy, the National Colors, and a Bible shall be displayed at all business meetings.

Section 605: General and Special. Other general or special meetings may be called by the Board of Trustees as the business of the Department requires.

Section 610: Board of Trustees. The Board of Trustees Meeting should take place at a mutually acceptable time at least (3) times per year to plan and administer the business of the Department.

Section 615: Quorum. A quorum for purposes of voting at a regular meeting of members shall consist of two (2) BOT members and three (3) regular members.

Section 620: Parliamentary Authority. The Department of Iowa shall use the current edition of *Roberts Rule of Order Newly Revised* which shall govern in all cases to which they are applicable and in which they are not in conflict with the National bylaws and administrative procedures and any special rules of order National may adopt. In the event of a conflict, the ruling authority is the National Bylaws, then the National Administrative Procedures, then *Roberts Rule of Order Newly Revised*.

Section 625: Contracting Authority. No department officer, committee chairperson, or other member of the department shall enter into or sign any contract or agreement for the purpose of binding the department without first submitting such contract or agreement to the Department Board of Trustees for approval, amendments, or rejections.

ARTICLE VI Committees

Section 700: Elected Officers. The Department Commandant with the BOT approval, may appoint such standing or ad hoc committees and projects from time to time, as they deem appropriate to assist in the performance of the business of the Department.

Section 705: Members. The members of such committees and projects serve at the pleasure of the Board of Trustees (BOT).

ARTICLE VII
Fiscal and Financial

Section 800: Commandant. The Commandant may approve the expenditure of up to and including \$200.00 for a non-budgeted expense in his/her good judgment.

Section 805: Elected Officers. The Commandant and the elected officers may approve the expenditure of between \$200.00 and up to and including \$500.00 for non-budgeted expense.

Section 810: Membership. Any non-budgeted expenditure in excess of \$500.00 requires the favorable vote of the members in good standing present and voting at a regular general membership meeting before such expenditure can be made.

Section 815: Board of Trustees. The Board of Trustees shall have sole responsibility for negotiating any indebtedness on behalf of the Department, only after such proposal for indebtedness has been approved by a majority vote of the members at a general meeting which shall occur following written notification (newsletter or special letter) to every member in good standing.

Section 820: Judge Advocate. The Judge Advocate shall have the responsibility of reviewing accounts, books, and transactions of the Department at least once per fiscal year and shall make a report of his/her finding to the BOT and to the members of the department. The Judge Advocate may designate other member(s) to assist in this audit function.

Section 830: National Convention. The Department Commandant or his/her representative may receive a sum of monies not to exceed fifteen (15) percent of the Department's financial assets, including savings accounts, up to \$800.00 Said monies shall be used to help defray expenses accrued by attending the Marine Corps League National Convention.

ARTICLE VIII
Uniforms

Section 900: Uniforms. The minimum Marine Corps League uniform is the Basic Cover. While wearing the Basic Cover, you are considered in uniform and under arms. The cover is always worn indoors and out, even in church, and is removed only during prayer. Ownership of any uniform is not required as a condition of membership in the Department. The Department encourages all members to obtain and maintain in good repair, the approved uniforms of the Department and the Marine Corps League. Uniform regulations and policies of the Department shall conform to the policies of the National Uniform Committee, as approved by National and Department policies.

ARTICLE IX
Amendments

Section 1000: Department Bylaws Amendments. The Department Bylaws may be revised, amended, or repealed by a majority vote of the members at Department Convention. The proposed revision, amendment, or repeal shall be submitted to the Department Judge Advocate once approved by the general membership.

Section 1005: National and Department Bylaws. In the event any issue arises that is not covered by these bylaws, the Department shall seek the advice of the National Judge Advocate.

Section 1010: Distribution.

- a. The current edition of the Department of Iowa Bylaws with any published changes shall be posted on the Department website OR if no website is available, sent by e-mail or USPS for access and review by all members of Department.
- b. Any member of the Marine Corps League may request a copy of the Departments Bylaws.

Section 1015: Clerical Errors. The Board of Trustees shall have the authority to identify, and correct clerical errors in the Department Bylaws where the error is clearly evident, and the correction shall make no material change to the intent, form, or function of the bylaws.

Section 1020: Bylaws revision history. Marine Corps League Department of Iowa Bylaws will not have revision numbers. Instead, the Revision Date is used to identify current edition of the Bylaws.

ARTICLE X
Dissolution

Section 1100: Dissolution. Upon the dissolution of the organization, assets shall be distributed For one or more exempt purposes within the meaning of Section 501(c)(4) of the Internal Revenue Code, or corresponding section of any future tax code, or shall be distributed to the federal government, or to a state or local government for a public purpose. Any such assets not disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

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Judge Advocate Department of Iowa MCL