

Jacksonville Detachment #059

Bylaws

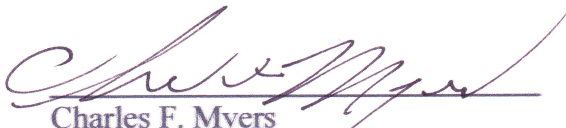
February 13th, 2020

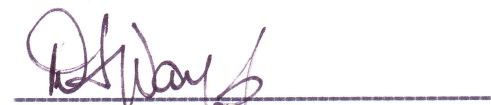
From: MCL Jacksonville Detachment #059
To: Distribution List


Subj: **MCL Jacksonville DETACHMENT #059 BYLAWS**

Ref: (a) 2019 Edition of the National Bylaws and Administrative Procedures

1. **Purpose.** These Bylaws provide guidance concerning the function and organization of the MCL Jacksonville Detachment #059. The primary goal of these Bylaws is to ensure that the MCL Jacksonville Detachment #059 is operated in accordance with the Marine Corps League's structure and to follow all local, state, and national laws. The January 5, 2017 Edition of the Jacksonville Detachment #059 Bylaws are hereby cancelled this date.
2. **Background.** The National Bylaws state the responsibilities incumbent upon all Marine Corps Leagues members and state the requirements that will ultimately facilitate the mission of this Detachment.
3. **Goal.** The goal of the Marine Corps League Detachment Bylaws is to provide the Detachment leadership effective resources and guidance to ensure that this Detachment is successful and relevant to the membership. These Detachment 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 Detachment Bylaws were presented to all members at the MCL Jacksonville Detachment #059 general meeting on February 13th, 2020. There was a motion and a second by qualified members to accept and approve the Detachment Bylaws. Discussion phase was opened, and all questions or changes were made. The Detachment Bylaws were ratified/approved by majority vote of all members present at the Detachment's general meeting on February 13th, 2020.
5. **Effective:** Date of MCL Jacksonville Detachment #059 Bylaws. These Bylaws were effective on February 13th, 2020.


Charles F. Myers
Commandant
Jacksonville Detachment #059


Dayton Warfle
Adjutant/Paymaster
Jacksonville Detachment #059


Dwayne Enos
Judge Advocate
Jacksonville Detachment #059

Distribution: MCL Department of Florida, Detachment BOT, Detachment Adjutant

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ARTICLE I: Name, Purpose, and Resolve

Section 100: Name. The name of this Detachment shall be the Marine Corps League Jacksonville Detachment #059. This Detachment is affiliated with and has been chartered by the National organization of the Marine Corps League. The National charter was issued on November 20th, 1969 and presented to the officers and members of the Detachment by the Department Commandant Ralph E. Banton, and signed by the National Sr. Vice, Lawrence Bassin and the National Commandant of the Marine Corps League Edward Bange. These bylaws are to conform to the bylaws, administrative procedures, regulations and policies issued by the National and Department organizations.

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. Detachment 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.
- g. To create a bond of comradeship between those in the service and those who have returned to civilian life.
- h. 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.
- i. 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 Detachment shall be:

- a. This Detachment is organized as a charity for non-profit purposes. Individual members may not derive profit from any Detachment activity or program. However, this does not prohibit the Detachment from hiring a member or other person on a commercial basis to provide services to the Detachment when the best interests of the Detachment or its programs will be best served thereby.
- b. The property of the Detachment is dedicated to the purposes of this veteran's organization and no part of the net income or assets of this Detachment 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 Jacksonville Detachment # 059 is the sole judge of its membership, providing said person meets the requirements established in the current National Bylaws.

Section 205: Membership Dues and Fees. Membership dues and fees will be as set by the National and/or the Department of Florida and by such additional fees as set by this Detachment. All such fees of this Detachment shall be subject to vote of the membership at a regular business meeting before taking effect. Said Membership dues Shall be Forty Dollars (\$40.00) as previously voted and approved by the Detachment Membership.

- a. All members shall be considered in good standing in the Detachment and the Marine Corps League, except when:
 - (1) Required dues are not paid and transmitted on or before membership expiration date as shown on the member's membership card.
 - (2) A member is indebted and in arrears to the Detachment, Department, or National Headquarters.
- b. In all cases involving transfer of a member of a Detachment, the losing Detachment approving of the transfer shall also certify in writing that the transferring member is in good standing.
- c. A member shall be identified as delinquent whenever the member's dues are not paid and transmitted on or before 31 August annually.

- d. Such member shall be retained in the delinquent status for a maximum of one (1) year, during which time the member may erase this status by making payment of all dues in arrears and all dues current and provided that the member is not indebted to Marine Corps League Jacksonville Detachment #059, the Department of Florida or to National Headquarters.
- e. Should the affected member remain in the delinquent status in excess of one (1) year (or such other lesser time as may be determined by the Detachment Officer Board), such a member shall be dropped from all membership rolls. The good standing status of such member shall be restored only through the processing of a standard application form as a new member, which shall include the initiation fees as prescribed by the Detachment and National bylaws.
- f. No delinquent member may be transferred.
- g. No member shall be deprived of any rights and privileges in the Marine Corps League or Marine Corps League Jacksonville Detachment #059 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.
- h. The right of appeal under the Provisions of the National bylaws and Administrative Procedures shall not be denied.

Section 210: Ineligible Members

- a. If there is reason to believe a member of the Marine Corps League does not meet the qualifications to be a member, this (these) reason(s) must be submitted in writing to the Detachment Commandant, who will assign the Detachment Judge Advocate to investigate the charge as presented. Unless and if:
 - b. The person to be investigated is the Detachment Commandant, then the request will be given to the Detachment Senior Vice Commandant for action, or
 - c. The person to be investigated is the Detachment Judge Advocate, then the Detachment Commandant will appoint a Past Detachment Commandant to hold the investigation.
- d. If the investigation determines that the member does not have the necessary qualifications to be a member, the officer who is investigating will present a written report of the investigation, with a draft of a disciplinary charge to the members of the Detachment Board of Trustees. The Board of Trustees shall file a charge with the Department Judge Advocate in accordance with National Administrative Procedures, Chapter Nine.

Section 215. Removal from Detachment Rolls

- a. Once accepted as a member in good standing by the Detachment membership that member may not be removed from the Detachment roll except:
 - (1) By disciplinary action in accordance with National Administrative Procedures.
 - (2) By that member requesting transfer.
 - (3) By resignation in writing; or
 - (4) If member become delinquent as defined in the National Administrative Procedures.
 - (5) Upon the Death Notice being processed by National Headquarters.

Section 220: Membership Listing. The membership listing of the MCL Jacksonville Detachment #059 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 Detachment Board of Trustees of the MCL. The membership listing (Detachment 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 Detachment shall be the Commandant, Senior Vice Commandant, Junior Vice Commandant, and Judge Advocate. The immediate past Commandant shall be the Junior Past Commandant. A Detachment is authorized to appoint the outgoing Junior Past Commandant or a past Detachment commandant to serve a one-year term as a member of the Detachment Board of Trustees. These five (5) elected officers shall comprise the Board of Trustees, also referred to as Board of Trustees of the Detachment. Only regular members may hold these offices. Associate Members are not eligible for elected office.
- b. **Detachment Officers:** Each Detachment 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 and Paymaster,
 - (3) (Or Adjutant/Paymaster), Chaplain, and Sergeant-at-Arms.
 - (4) A Detachment may have such additional elected and appointed officers as required by the Detachment bylaws or the need of the Detachment. These positions shall also be appointed by the Detachment Commandant.
 - (5) All elected officers shall be regular members of the Detachment in which they are elected.
- c. **The Detachment Staff:** The Detachment Commandant shall with the advice or approval of the Elected Officers, appoint an Adjutant, Paymaster, Chaplain, Sergeant-at-Arms, Officer and other such officers as needed to effectively administer the business of the Detachment. Such officers comprise the Detachment Staff and are expected to assist the (Board of Trustees) in decisions and administrative activities and attend Detachment Meetings. Regular members and/or Associate Members may hold these offices in the Detachment. If in view of the Detachment Staff and a majority vote of the membership at a regular meeting, it is deemed in the best interests of the Detachment to elect rather than appoint any or all these officers. Section 500 (a) shall be so amended. However, these Detachment 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 Detachment, Associate Members may serve in appointed offices only.

- e. **Term Limits:** Each elected officer shall be elected for a term of one (1) year and may be reelected for additional terms as provided in the Detachment 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.

ARTICLE IV **Election of Officers**

Section 400: Election of Officers

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

Section 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 between April and May of each calendar year. Nominations will be open at the April General Meeting of members. Nominees must accept nomination prior to their names being placed on the ballot. Nominations may be made subsequent to the meeting, but in no case later than the close of the May General Meeting.

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 Detachment to perform these functions.

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

ARTICLE V **Meetings**

Section 500: Meetings. The Jacksonville Detachment #059 shall meet the first Thursday of the month at the 5 Star Veterans Center, 40 Acme Street, Jacksonville, FL 32211. The Detachment charter or a copy, the National Colors, and a Bible shall be displayed at all business meetings. In the case of emergencies, the Commandant may reschedule said meeting as the situation may dictate.

Section 505: General and Special. Other general or special meetings may be called by the Board of Trustees as the business of the Detachment requires.

Section 510: Board of Trustees. The board of Trustees Meeting should take place at a mutually acceptable time on a monthly basis, but in no case not less than at least (4) times per year to plan and administer the business of the Detachment.

Section 515: 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 520: Parliamentary Authority. Each Detachment 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 525: Contracting Authority. No Detachment officer, committee chairperson, or other member of any Detachment shall enter into or sign any contract or agreement for the purpose of binding the Detachment without first submitting such contract or agreement to the Detachment Board of Trustees for approval, amendments, or rejections.

ARTICLE VI **Committees**

Section 600: Elected Officers. The Detachment 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 Detachment.

Section 605: Members. The members of such committees and projects serve at the pleasure of the Board of Trustees (BOT).

ARTICLE VII **Fiscal and Financial**

Section 700: Commandant. The Commandant may approve the expenditure of up to and including \$500.00 for a non-budgeted expense in his good judgment.

Section 705: Elected Officers. The Commandant and the elected officers may approve the expenditure of between \$0.00 and up to and including \$500.00 for non-budgeted expense.

Section 710: 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 715: Board of Trustees. The Board of Trustees shall have sole responsibility for negotiating any indebtedness on behalf of the Detachment, 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 720: Judge Advocate. The Judge Advocate shall have the responsibility of reviewing accounts, books, and transactions of the Detachment at least twice per fiscal year and shall make a report of his/her finding to the BOT and to the members of the Detachment. The Judge Advocate may designate other member(s) to assist in this audit function.

ARTICLE VIII **Uniforms**

Section 800: 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 Detachment. The Detachment encourages all members to obtain and maintain in good repair, the approved uniforms of the Detachment and the Marine Corps League. Uniform regulations and policies of the Detachment shall conform to the policies of the National Uniform Committee, as approved by National and Department policies.

ARTICLE IX **Amendments**

Section 900: Detachment Bylaws Amendments. The Detachment Bylaws may be revised, amended, or repealed by a majority vote of the members at a Detachment meeting. The proposed revision, amendment, or repeal shall be submitted to the Department Judge Advocate once approved by the general membership.

Section 905: National and Department Bylaws. In the event any issue arises that is not covered by these bylaws, the Detachment shall seek the advice of the Department Judge Advocate. If the Department JA cannot rule on the issue, seek the ruling of the National Judge Advocate.

Section 910: Distribution.

- a. The current edition of the Jacksonville Detachment #059 Bylaws with any published changes shall be posted on the Detachment website OR if no website is available, sent by e-mail or USPS for access and review by all members of Detachment.
- b. Any member of the Marine Corps League may request a copy of the Detachments Bylaws.

Section 915: Clerical Errors. The Board of Trustees shall have the authority to identify, and correct clerical errors in the Detachment 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 920: Bylaws Revision History. Marine Corps League Jacksonville Detachment #059 Bylaws will not have revision numbers. Instead, the Revision Date is used to identify current edition of the Bylaws.

Section 925: Bylaws Terminate and Supersede. Upon the approval of the Jacksonville Detachment #059 Bylaws (“Bylaws”) as herein provided, said Bylaws shall terminate, supersede and replace in its entirety any previously approved Jacksonville Detachment #059 Bylaws.

ARTICLE X
Dissolution

Section 1000: Dissolution. Upon dissolution of the Detachment, the Detachment properties and assets will be held by the Department for a period of one (1) year or until a new Detachment is formed. Should a new Detachment be formed during that period, and the new Detachment retains the old Detachment name, ALL properties and assets will be returned. After the one (1) year, the properties and assets will revert to the Department. The Charter will be returned to National Headquarters and placed in the archives. All assets will then become the property of the Department. All ceremonial rifles must be accounted for per issuing regulations (Title 10, US Code 2572), either physically or through police/fire reports.

WHEREAS, I, John Gionet Judge Advocate, Department of Florida, Marine Corps League, having received said Bylaws on behalf of the Jacksonville Detachment 059, Marine Corps League and as said Judge Advocate, hereby accept, approve and certify said Bylaws this _____ day of _____, 2020.

John Gionet
Judge Advocate
Department of Florida
Marine Corps League