

MEMORANDUM FROM THE BYLAWS REVIEW COMMITTEE..... APRIL 25, 2018

As required by the current bylaws, beginning in January of even number years, the bylaws are reviewed for possible changes and to ensure they are in synch with national and department bylaws. To that end, the Commandant formed a bylaws review committee to accomplish the required action. That review did not find any discrepancies with the detachment bylaws; they are in synch with national and department bylaws.

Additionally, seven bylaws modification and/or changes were recommended

The affected articles by section and paragraph are:

- Change 1: Article 1, Section 101, paragraph C. Bylaws page 1.
- Change 2: Article 2, Section 201, paragraph A. Bylaws page 2.
- Change 3: Article 8, Sections 801 and 802, paragraph B. Bylaws pages 6 and 7
- Change 4: Article 10, Section 1001, paragraph E. Bylaws page 9.
- Change 5: Article 12, Section 1201, add a new paragraph C to Section 1201. Bylaws page 13
- Change 6: Article 15. Section 1501, all paragraphs; Bylaws pages 15 and 16.
- Change 7: Article 15. Section 1504, paragraph B. Bylaws page 16.

Please review the proposed so that you may become familiar with them. They will be read during the next two detachment meeting. After the second reading the members present at the meeting will vote on their acceptance or non-acceptance. A 2/3 majority vote of the members present at the voting meeting is required for the changes to become effective

G. Randel
Bylaw Committee Chair

**CHANGE 1 FOR 2018 TVD BYLAWS REVIEW
SUBMITTED BY COMMANDANT WALT MODLER**

ARTICLE 1 - NAME

Bylaws Page 1

Section 101, Paragraph C

CURRENT WORDING FOR SECTION 101, PARAGRAPH C

C. National web site is www.mcleague.com

RECOMMENDED WORDING FOR SECTION 101, PARAGRAPH C

C. National web site is: www.mclnational.org/

JUSTIFICATION FOR THE CHANGE

Administrative update to the current MCL National Headquarters current website address

**CHANGE 2 FOR 2018 TVD BYLAWS REVIEW
SUBMITTED BY THE COMMANDANT WALT MODLER**

ARTICLE 2 - PURPOSES

Bylaws Page 2

CURRENT WORDING SECTION 201, PARAGRAPH I

- I. to perpetuate the history of the United States Marine Corps, and by fitting acts to observe the anniversaries of historical occasions of historical occasions of particular interest to Marines.

RECOMMENDED WORDING SECTION 201, PARAGRAPH I

- 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.

JUSTIFICATION FOR THIS CHANGE

Correct a typographical error, delete the repetition of the phrase “of historical occasions.”

**CHANGE 3 FOR TVD 2018 BYLAWS REVIEW
SUBMITTED BY THE COMMANDANT WALT MODLER**

Bylaws pages 6 and 7

ARTICLE 8 - NOMINATION AND ELECTION OF OFFICERS

SECTION 801 CURRENT WORDING

NOMINATION FOR OFFICE - A Nominating Committee consisting of at least three, but not more than five members, shall be appointed by the Commandant at the regular **February** meeting. The Nominating Committee will present its candidates at the regular **March** meeting. Additional nominations for each elective office will be accepted from the floor at the **March** meeting.

SECTION 801 RECOMMENDED WORDING

NOMINATION FOR OFFICE - A Nominating Committee consisting of at least three, but not more than five members, shall be appointed by the Commandant at the regular **December** meeting. The Nominating Committee will present its candidates at the regular **January** meeting. Additional nominations for each elective office will be accepted from the floor at the **January** meeting.

SECTION 802 CURRENT WORDING

ELECTIONS - Election of new officers will be held at the regular **April** meeting and shall be the last order of business.

- A. A simple majority of the votes cast is required to elect new officers
- B. Only regular members in good standing and present at the membership meeting in **April** may vote. Mail or proxy ballots are not allowed.

SECTION 802 RECOMMENDED WORDING

ELECTIONS - Election of new officers will be held at the regular **February** meeting and shall be the last order of business.

- A. A simple majority of the votes cast is required to elect new officers

- B. Only regular members in good standing and present at the membership meeting in February may vote. Mail or proxy ballots are not allowed;

JUSTIFICATION FOR THESE CHANGES:

It is a difficult time for the newly elected officers in May to begin to learn their respective jobs. Spring events begin to happen such as the Department Convention just after installation. As well several detachment events. By moving the time frame the newly elected officers will have three months of experience and discovery of what is expected to properly carryout their duties. What is considered normal, is officers would move up the ranks to higher level duties learning the next job by observing the officer serving before them. What happens in real life is today a member in the chairs attending a meeting and tomorrow Commandant. This change also allows for nominations from the floor; a bylaw provision that was inadvertently omitted during a previsions bylaw revision.

**CHANGE 4 FOR TVD 2018 BYLAWS REVIEW
SUBMITTED BY COMMANDANT WALT MODLER**

Bylaws page 9

ARTICLE 10 – DUTIES OF OFFICERS

SECTION 1001 CURRENT WORDING

E. during the month immediately before the first month of the detachment’s fiscal year, present a budget, previously approved by the Board of Trustees, to the membership for its consideration and approval.

PARAGRAPH E RECOMMENDED WORDING

~~E. during the month immediately before the first month of the detachment’s fiscal year, present a budget, previously approved by the Board of Trustees, to the membership for its consideration and approval.~~

Delete this requirement and the paragraph.

NOTE: If approved, this change will also require re-lettering paragraphs “F” and “G” as “E” and “F”.

JUSTIFICATION FOR THIS CHANGE:

This would be due in July. As much as I believe that a proper budget for the detachment would look good, the time consumed by the current and future Paymasters and officers. Would not be justified by the amount of useful information that was gleaned for the membership if they were even interested. The Commandants or membership have not seen a need for this before, with one exception when Commandant Gary Randel prepared the 2011 example.

**CHANGE 5 FOR TVD 2018 BYLAWS REVIEW
SUBMITTED BY DETACHMENT MEMBER GARRETT RANDEL**

ARTICLE 12 – FUNDRAISING

**RECOMMENDATION: ADD AN ADDITIONAL SUBPARAGRAPH THAT WILL BECOME
SUBPARAGRAPH C TO SECTION 1201 FUNDRAISING ACTIVITIES**

SECTION 1201 CURRENT WORDING

Section 1201 **FUNDRAISING ACTIVITIES** - Fundraising activities may be entered into by the detachment provided the following procedures are followed:

National Administrative Procedures, Section 1000 pg AP-10-1

Department Bylaws section 602. pg 22

- A. funds shall be used in a manner consistent with the purposes of the organization.”

TVDBL Article 2. Section 201 pg 1

B. any such fund-raising does not violate any federal, state, county, or municipal law ordinance, or bring discredit upon the Marine Corps League

SECTION 1201 RECOMMENDED WORDING

Section 1201 **FUNDRAISING ACTIVITIES** - Fundraising activities may be entered into by the detachment provided the following procedures are followed:

National Administrative Procedures, Section 1000 pg AP-10-1

Department Bylaws section 602. pg 22

- A funds shall be used in a manner consistent with the purposes of the organization.”

TVDBL Article 2. Section 201 pg 1

B any such fund-raising does not violate any federal, state, county, or municipal law ordinance, or bring discredit upon the Marine Corps League

C further, at no time will funds raised by the detachment through its public fundraising activities be used to defray any of the expenses incurred by the detachment for the support of detachment social events; e.g. dinners, parties, picnics, etc. This prohibition of use does not include funds received from membership dues or member only fundraising activities such as business meeting raffles.

JUSTIFICATION FOR CHANGE

Occasionally, funds raised by the detachment in support of the purposes of the Marine Corps League, have been used either largely or exclusively for the enjoyment and benefit of detachment members and their immediate family members, and in some instances extended family members and personal friends. A specific example of such funds use was a detachment’s summer party and BBQ.

Only in the broadest and loosest sense of the intent of Article 2 Section 201, the purposes for which the detachment was formed can, it be argued that the funds devoted to defraying the food and beverage costs of that gathering were obligated to fulfill a purpose of the Marine Corps League.

It is the purposes of the Marine Corps League, that underlie and underwrite the detachment's fundraising efforts. To obligate and expend those funds on an event that is either largely or solely for the enjoyment and benefit of the members, their families, and their friends undermines the integrity of the detachment's fundraising activities and could bring discredit upon the Marine Corps League.

The 11th edition of Robert's Rules of Order on page 568, line 3 instructs: In order to give the organization, the greatest freedom to act within its object; i.e. purposes, bylaws should be made no more restrictive nor more detailed in specification than necessary.

This recommended addition is very restrictive and detailed in specification; nevertheless, it is my belief that it is a very necessary addition to the bylaws. This addition will help ensure that funds raised by the detachment; funds that are given up by the public who are not MCL members go to support the various entities the detachment advertises that it supports are inadvertently spent or used for detachment member entertainment.

**CHANGE 6 FOR TVD 2018 BYLAWS REVIEW
SUBMITTED BY COMMANDANT WALT MODLER**

ARTICLE 15 – STANDING COMMITTEES

Recommendation: A complete rewrite of Section 1501.

Bylaw Pages 15 & 16

Section 1501 **AWARDS COMMITTEE**

SECTION 1501 CURRENT WORDING

A. COMMITTEE:

The Award Committee will be comprised of past recipients of the Marine of the Year award. The last recipient shall serve as Chairperson. The committee shall have no fewer than three (3) members. If there are fewer than three past recipients available to serve on the committee, the Commandant shall appoint one or more members. Each committee member shall be a paid-up member of the detachment and the Marine Corps League. Any committee member who becomes a nominee for Marine of the Year shall be replaced.

B. MARINE OF THE YEAR (MOY) ELIGIBILITY and CRITERIA:

This award shall be presented to a member who has rendered service and performed a deed or deeds above and beyond the duties and obligation performed as necessary within the Marine Corps League.

C. MOY NOMINATIONS:

The Committee will meet to consider the individual performance of all members over the period of their service, with emphasis on the last twelve (12) months. Nominations from the membership will be also considered Commandant. Selection must be completed by the membership meeting in November. The Commandant will submit the detachment recipient's name to the Department and arrange for the presentation of the award at a suitable ceremony. The Chairperson of the Award Committee will announce the winner and present the award.

REV: 2015

SECTION 1501 RECOMMENDED WORDING

Section 1501 **AWARDS COMMITTEES**

A. Marine of the Year COMMITTEE:

1. The MARINE OF THE YEAR (MOY) Committee will assemble no later than October of each calendar year. The committee will send their MOY nominee to the commandant no later than the 15th day of November following their October meeting. The MOY Committee shall be comprised of all available past recipients of the Marine of the Year award. The most recent recipient available shall serve as committee chairperson. The committee shall have no fewer than three (3) members. If there are fewer than three past MOY recipients available to serve on the committee, the Commandant shall appoint one or more additional detachment members to insure the committee has at least three members. Each committee member shall be a dues paid-up member of the detachment and of the Marine Corps League. Any committee member who becomes a nominee for Marine of the Year shall be replaced from the committee.

2. MARINE OF THE YEAR (MOY) ELIGIBILITY and CRITERIA: This award shall be presented to a member who, in the judgment of the MOY Committee, has rendered service and/or performed a deed or deeds above and beyond the normal expectations of the service of a detachment member.

3. MOY NOMINATIONS: The Committee will meet to consider the individual performance of all detachment members over the period of their service, with emphasis on the ~~last~~ previous twelve (12) months (October to September) before the committee's October meeting. Nominations from the membership will be also considered by the committee. Selection must be completed by the membership meeting in November. The Commandant will submit the detachment recipient's name to the Department for consideration as the Department MOY, and arrange for the presentation of ~~the~~ either/or both award(s) at an appropriate ceremony. The Chairperson of the MOY Award Committee will announce the recipient and present the award.

B. AWARDS COMMITTEE:

1. The Awards Committee will be comprised of dues paid-up members of the detachment and the Marine Corps League. The Senior Vice Commandant shall serve as the Awards Committee Chairperson. The committee shall have no fewer than three (3) members selected by the committee chairperson.

2. AWARD NOMINATIONS: The Awards Committee will meet in October of each calendar year to consider the individual performance of all members over the period of their service, with emphasis on the previous twelve (12) months (October to September). Nominations for awards for members, associate, axillary and non-

members shall be forwarded to the committee chair for consideration. Selection must be completed by the membership meeting in November.

3. The Commandant will arrange for the presentation of the award at a suitable ceremony. The Chairperson of the Award Committee will announce the winner and present the award.

JUSTIFICATION FOR THIS CHANGE:

The AWARDS section was written for only the Marine of the Year, the committee needs to be split one committee made up of past Marines of the Year to nominate the next Marine of the Year a second committee nominate members, non-members and groups.

In the past the awards with few exceptions have all been dropped on the Commandant. To properly reward active participation of the membership and any non-members or groups a committee would better serve the needs of the detachment. A second "AWARDS COMMITTEE" committee of members to nominate to the Commandant anyone from the detachment or community that should receive an award for their performance in the last 12 months.

**CHANGE 7 FOR TVD 2018 BYLAWS REVIEW
SUBMITTED BY COMMANDANT WALT MODLER**

ARTICLE 15 – STANDING COMMITTEES

Page 16, Section 1504 paragraph B

Section 1504 **BYLAWS AND ADMINISTRATIVE PROCEDURES COMMITTEE**:

SECTION 1504 CURRENT WORDING

BYLAWS AND ADMINISTRATIVE PROCEDURES COMMITTEE: Shall:

- A. be five (5) members appointed by the Commandant. (NO CHANGE)
- B. beginning in January of even numbered years, review the Bylaws and Administrative Procedures for possible changes or corrections, based on Department and National changes. The review will be completed prior to the annual State convention.
- C. consider all proposed changes of the detachment Bylaws and Administrative Procedures. The committee shall evaluate the proposal and make recommendations to the membership for their vote. (NO CHANGE)

SECTION 1504 RECOMMENDED WORDING

- B. beginning in **September of odd numbered years**, review the Bylaws and Administrative Procedures for possible changes or corrections, based on Department and National changes, **and internal Detachment considerations**. **The review will be completed by January so that the required reading and adoption of changes is completed prior to the annual State convention.**

JUSTIFICATION FOR THIS CHANGE:

That a date or time period gives reason to the discussions of completing a project. Without limits set some justification can be found to procrastinate till the next time frame has passed without completion.