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By-laws and  
Administrative Procedures of  
Marine Corps League, William E. Barber Detachment 1110

Chapter One

Corporation/Detachment

- 1.1 The name of this Corporation/Detachment is now and forever shall be the William E. Barber Detachment 1110 of the Marine Corps League, a nationally recognized Veteran's Organization, and Chartered by the Congress of the United States of America. Its location shall be in the county of Bonner, State of Idaho.
- 1.2 This Corporation shall be herein referred to as named, or as Detachment, or as Detachment 1110, solely for purposes of clarification and functioning within the National Marine Corps League and the Department of Idaho, Marine Corps League.
- 1.3 The fiscal year shall end on June 30 of each year. The use of the male gender shall be understood to represent either male or female as appropriate to the context in which it appears.
- 1.4 The Detachment shall elect or appoint officers, agents or trustees as deemed necessary in order to exercise the various functions, as it requires. It may hire employees and/or retain legal counsel or consultants as necessary. It may acquire by purchase, devise, bequest, or otherwise hold, encumber, convey or dispose of real and personal property as necessary, to carry out the purpose(s) for which the Detachment was founded.
- 1.5 It is the intent of this Detachment (as incorporated), to operate as a Nationally Chartered Veterans Organization, exempt from federal taxation under Section 501(c)(4) of the Internal Revenue Code. Accordingly, it is also the intent of this Detachment that these bylaws adhere to the requirements that meet or exceed the qualifications of exempt status.

- 1.6 No part of the net earnings of the detachment shall inure to the benefit of any member, private business or individual. Contributions to the Detachment are deductible by donors in arriving at their net income in such a manner in accordance with Internal Revenue Service Ruling letter of July 31, 1946 and March 3, 1970.

## Chapter two

### Officers

#### Section A - Titles

2.A.1 The officers of this Detachment shall be herein known as follows:

a. Elected Officers

Commandant

Senior Vice Commandant

Junior Vice Commandant

Judge Advocate

b. Appointed Officers

Adjutant/Paymaster (Ref. 2.A.3.a)

Chaplain

Sergeant at Arms

2.A.2 The administrative affairs of the Detachment shall be vested in the Board of Trustees. The financial matters of the Detachment shall be handled by the Board of Trustees, with approval of the membership. The Board of Trustees shall consist of the elected Officers, the Adjutant/Paymaster and the two immediate Past Commandants.

2.A.3 Appointments:

a. The Commandant may appoint the same person the responsibility of the combined duties of both the Adjutant and Paymaster.

b. The Commandant may appoint other officers and committee chairmen as he may feel is required. These positions shall be held only during the current commandant's tenure.

2.A.4 Policies, powers and procedures not covered in these By-laws or in the National By-laws, shall comply with Robert's Rules of Order, Newly Revised, most current edition.

#### Section B - Duties of:

2.B.1 **Commandant**

Shall in conjunction with the other officers, manage the direction and the affairs of the corporation.

He shall preside at all regular and special meetings of the Corporation/Detachment. He shall sign all "official" correspondence.

**2.B.2 Senior Vice Commandant**

Shall give assistance to the commandant as required. He shall perform, in the absence of the Commandant, as the Commandant. He shall assume the duties of Commandant should a vacancy in that office occur.

**2.B.3 Junior Vice Commandant**

- a. Shall assist the Senior Vice Commandant and the Commandant as requested. The Jr. Vice Commandant is designated the Committee Chairman of the Membership Committee, and will promulgate programs intended to produce enthusiastic response resulting in continuous membership growth.
- b. In the absence of the Sr. Vice Commandant, he shall perform those duties. In the absence of both the Commandant and the Sr. Vice Commandant, he shall perform the duties of Commandant.

**2.B.4 Judge Advocate**

- a. Shall act as the advisor regarding issues relative to the rules and regulations of the Marine Corps League. Shall render opinions in all questions that may arise concerning the By-laws of the Corporation/Detachment, Department and National Constitution and By-laws.
- b. In all cases, the opinion of the Judge Advocate shall be final unless an appeal is filed before the Department Judge Advocate. Any appeal must be in writing within ten (10) days of the Detachment Judge Advocate opinion.
- c. Nothing in the foregoing shall prevent an individual the right to employ outside counsel.

**2.B.5 Chaplain**

Shall perform such actions of the spiritual nature and as required by the Law and Rituals of the Marine Corps League. Shall take an active part in all memorial services involving the Detachment. Shall, as much as possible, visit sick members. Upon notification of the death of any member, he shall:

- a. Immediately contact the family of the deceased to offer assistance and condolences.
- b. Without delay, report the death of the member to the National Chaplain.

**2.B.6 Adjutant/Paymaster**

- a. Shall keep all minutes of all Detachment regular, special and Board of Trustee meetings. Shall prepare and sign general correspondence for the Corporation authorized by the Commandant or his designated representative. Shall be responsible for the upkeep and maintenance of all records and correspondence. Shall surrender all such records to his duly installed successor.
- b. Shall keep proper and necessary receipts and records of all Detachment accounts. Be responsible for all monies and securities of the Detachment. Monies and securities will be deposited in the bank or other financial institution so designated by the Board of Trustees, in the name of the Detachment. Shall maintain an accounting system and advise the Board of Trustees of all anticipated shortfalls in income or pending over expenditures in time to correct them.
- c. Shall prepare an annual report as required by the IRS and the State of Idaho. Shall provide the preceding fiscal year's financial report to the Board of Trustees at the August meeting. This report shall include a full and complete statement of receipts and expenditures (General Ledger Report).
- d. Shall surrender all records and other property to his duly installed successor.

**2.B.7 Sergeant at Arms**

- a. Shall be responsible for the preservation of order at all meetings.
- b. Shall perform duties as required by the Laws and Rules of the Marine Corps League.
- c. Shall perform duties as may be assigned to him by the Commandant.
- d. May deputize a Deputy Sergeant at Arms as may be necessary for the proper performance of his duties.

**2.B.8 Board of Trustees**

- a. Is responsible for the overall operation of the Detachment.
- b. Shall advise, counsel and assist all subsidiary organizations.

## Section C – Officers misc.

### **2.C.1 Tenure**

Officers shall be elected or appointed annually and shall serve one (1) year terms from the date of installation or until a successor has been elected or appointed and properly installed.

### **2.C.2 Nominations**

- a. The Commandant shall appoint a Nominating Committee for the purpose of election of Officers in the ensuing year. The Committee shall consist of one Board member and two members from the general membership. The Committee shall be charged with presenting a slate of nominees at the April membership meeting, consisting of qualified members willing to serve in the elected Officers positions of the Detachment for the coming year.
- b. Nominations for elective offices may be made from the floor, at the April meeting. The Nominating Committee shall verify the qualifications of those nominees for inclusion to the slate of candidates. Nominees will be notified by the Committee of their selection as a candidate for election. First year sitting Officers may stand for re-election. Unopposed positions shall continue to stand for election.
- c. Unfilled positions for election shall be retained by sitting Officer until such time as a qualified candidate is found. Nominations for the annual election of Officers shall be closed at the end of April meeting.

### **2.C.3 Elections**

- a. Election of Officers will be held at the regular May meeting.
- b. There are no provisions for “absentee” voting.
- c. Election is by a majority of votes cast and must be on a written ballot, if there is more than one nominee for a position. The Adjutant/Paymaster and two other members shall tally the written ballots and report the results. In the event of a tie vote for the same position, a second ballot will be conducted. In the event the ballot is tied a second time, a flip of the coin will decide the victor. (The newest member of the Detachment present will call the “flip”).
- d. At the conclusion of the election, all Officers shall be considered elected. They shall officially take office immediately following installation ceremonies.

### **2.C.4 Installation**

- a. Elected and appointed Officers will be installed in June, and installation shall be open to the public.
- b. If an Officer is not present to be installed, the Board of Trustees may declare the office vacant.

### **2.C.5 Removal of Officers**

- a. If an elected or appointed officer fails to attend four (4) consecutive regular meetings, they may be removed from office by a vote of the members present.
- b. Disciplinary procedures for all members shall be as per National By-laws, section 904.

### **2.C.6 Vacated Office**

- a. Whenever an elected officer(s) position becomes vacant, the Commandant shall notify the membership within ten (10) days. Elected Officer positions shall be filled by succession when a vacancy occurs. Elected Officers shall move upward and fill the vacant position and complete the term of office.
- b. A vacancy created at the lowest elected position will be filled by election. Nominations for said office(s) may be made from the floor, at that meeting and on election day.
- c. The sitting Commandant shall fill appointed positions.

## Chapter Three Membership

### **3.1 Regular Membership (as per National By-laws, section 600(a))**

“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 have served or are serving 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, and Naval Medical Personnel who have trained with FMF units in excess of ninety (90) days and earned the Marine Corps Device (clasp) worn on the service ribbons and those who earn the Warfare Device authorized for FMF Corpsmen shall be eligible for regular membership in the Marine Corps League.”

**3.2 Associate Membership (as per National By-laws, section 600(b))**

- a. Those individuals not qualified for regular membership in the Marine Corps League or Marine Corps League Auxiliary who espouse the principles and purpose of the Marine Corps League as contained in it’s Constitutional Charter and upon application to a Detachment, or to the National Headquarters, may be accepted for Associate membership in the Marine Corps League.
- b. Associate Members will be entitled to all rights, privileges and benefits of a Regular Member, with the exceptions they may not vote on membership applications, hold an elected office, vote for elected officers or on Marine Corps League policy. They may, however, hold appointed offices and vote on affairs of the Detachment.
- c. Persons who are qualified to be Auxiliary members may not join as Associate Members.

**3.3 Life Membership**

Any member of the Marine Corps League who is in good standing may become a LIFE MEMBER, upon proper payment of the fee, as required. A life member shall be subject to the payment of no further dues to a Detachment, Department or National. Such member shall have all the privileges, rights and benefits enjoyed as a member so long as that Life Member shall live.

**3.4 Delinquent Members**

- a. A member shall be considered as delinquent whenever their dues are not paid and transmitted prior to the expiration date on their membership card.
- b. A member in delinquent status shall be retained not more than one (1) year. A member may pay all fees required within this time frame and retain membership.
- c. A member in delinquent status for one (1) year will be dropped from membership rolls. Reinstatement shall be treated as a new member, including initiation fees.

**3.5 Good Standing All members shall be considered in good standing except:**

- a. Required dues not paid prior to expiration date on card that is issued to member from National Headquarters.
- b. In arrears or indebted to National, Department or Detachment/Corporation.
- c. Under suspension as provided in Chapter Nine (9) of National Administrative Procedure.

**3.6 Transfers**

Any member may transfer from this Detachment to another without additional dues or fees, and upon approval from the gaining Detachment. A statement from the Detachment Adjutant/Paymaster shall be issued certifying that the transferee has no outstanding debts or obligations and is in good standing at the time of request.

**Chapter Four**  
**Meetings**

**4.1 Board of Trustees**

Meetings shall be held as often and at a place and time as called for by the Commandant. A quorum of officers must be present to conduct Detachment business. A “quorum” is defined as a simple majority.

**4.2 Membership**

- a. Meetings shall be held on the 2<sup>nd</sup> Tuesday of the month at 0900 hours. Members will be notified by phone or in writing of all changes to that date and time.
- b. A simple majority of members in good standing present is required to conduct Detachment business; one of which shall be the Commandant, Senior Vice Commandant or Junior Vice Commandant.

**4.3 Special Detachment or Board Meetings**

- a. A special meeting may be called at any time upon concurrence of a quorum of the Board of Trustees. All involved (board or membership) members must be notified by phone or in writing no less than ten (10) days prior to the special meeting.
- b. The Annual Corporation meeting (Board of Trustees) shall be held in April.

## **Chapter Five**

### **Dues**

- 5.1 The Board of Trustees shall periodically review the amount of dues required and recommend any change, if required, to the general membership for their approval, at a monthly meeting. The annual dues will include: National Marine Corps League Dues and Department of Idaho Dues.
- 5.2 The Detachment membership will set the amount of dues to be charged and collected annually from its members, and may receive material or financial contributions to be utilized in carrying out the purpose of the Detachment
- 5.3 A minimum of thirty (30) days written notice to the members is required prior to any vote on dues changes.
- 5.4 Delinquent members are described in Chapter 3, Section 3.4.

## **Chapter Six**

### **Bills/Expenditures/Checks**

- 6.1 Bills of a routine and recurring nature shall be paid without prior approval, however such expenditures must be reported at the next meeting.
- 6.2 The board of Trustees may approve an expenditure of funds, not to exceed two hundred fifty dollars (\$250.00) per month under emergency or unusual conditions. Such transactions must be reported at the next regular meeting.
- 6.3 All Detachment checks must be signed by one (1) of the following: Adjutant/Paymaster, Commandant, Senior Vice Commandant or Junior Vice Commandant, in this order
- 6.4 The Bank issued Credit Card for the Detachment, shall remain in the custody of and be used solely by the Adjutant/Paymaster for Detachment purposes only.

## **Chapter Seven**

### **Fund Raising**

- 7.1 The Detachment may hold fund raisers provided that:
  - a. All net proceeds raised be for the sole benefit of the Detachment.
  - b. They do not violate Federal, State or Local laws.
  - c. They will not discredit the honor of the Marine Corps League.
  - d. All funds and receipts must be turned in to the Paymaster at the earliest possible time, but not later than five (5) business days after the conclusion of the specific fund raising event.
  - e. The Adjutant/Paymaster shall deposit all receipts with the designated financial institution at the earliest possible time, but not later than five (5) business days after receipt.

## **Chapter Eight**

### **Subsidiary Organizations**

- 8.1** Recognized subsidiary organizations shall be the same as recognized by National Headquarters of the Marine Corps League.

**Chapter Nine**  
**Grievances/Complaints**

- 9.1** If an individual member considers that there is a wrongdoing within the Detachment, the individual may proceed in accordance with Section 901 of the Administrative Procedures portion of the By-laws of the Marine Corps League. Any officer of the Detachment will provide the referenced material to the requesting party within a reasonable period of time in a courteous manner and without prejudice.

**Chapter Ten**  
**Dissolution**

- 10.1** **Dissolution**  
In the event of the termination and/or dissolution of this Detachment, any funds or property, real or personal, remaining after the payment of approved debts or expenses, shall be transferred to and become the property of the National Organization of the Marine Corps League.

**Chapter Eleven**  
**By-laws Committee and Amendment to By-laws**

- 11.1** The Commandant shall appoint an annual By-laws Review Committee who will recommend any necessary changes to the By-laws.
- a.** Any change or revision must be presented to the Board of Trustees and reviewed by the Detachment Judge Advocate. They must be in written form and have an explanation of the change or revision.
  - b.** Upon review by and with an opinion from the Detachment Judge Advocate, the proposal must be presented to the membership. A minimum of thirty (30) days written notice to the members is required prior to presentation and voting on any By-laws and Administrative Procedures changes.
  - c.** By-laws may be amended or revised by two-thirds (2/3) vote of those present at a monthly or special meeting.

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Submitted by: Everett Wood, Detachment Judge Advocate  
By-laws Committee Chairman

Approved by Membership vote and enacted

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Commandant Signature