

# Detachment By-Laws

## Cherry Point Detachment #1067, Marine Corps League

### PREAMBLE

In the name of the Beneficent GOD of all, we, who have honorably served, or now serving our country in the United States Marine Corps for the common good of this nation, and all the nations and peoples of this world, and in order that fundamental rights and freedoms of every person may be preserved, to foster interest in the affairs of the United States Marine Corps, to protect and advance the welfare of wounded or disabled Marines and their dependents, and for the further purposes as set forth hereinafter, do solemnly and firmly associate ourselves together in a non-profit corporation known as the "CHERRY POINT DETACHMENT #1067, MARINE CORPS LEAGUE, INCORPORATED" and do ordain and establish this constitution.

10.10 NAME – The name of this association shall be the "CHERRY POINT DETACHMENT of the MARINE CORPS LEAGUE".

### 10.15 PURPOSE

The purposes for which the Detachment was formed are:

1. To preserve the traditions and promote the interests of the United States Marine Corps.
2. To band those now serving in the United States Marine Corps and those honorably discharged together in fellowship so that they may effectively promote the ideals of American democracy and freedom.
3. To fit its members for duties of citizenship and encourage them to serve as ably as citizens as they have served under arms.
4. To hold sacred the history and memory of the men and women who have given their lives in the cause of freedom.
5. To foster love for the principles which they have supported by blood and valor since the founding of the Republic.
6. To voluntarily aid and render assistance to all Marines and FMF Navy Corpsmen, as well as, their widows and orphans.
7. To perpetuate the history of the United States Marine Corps and appropriately observe the anniversaries of historical occasions of particular interest to Marines.

The detachment is not formed for profit, but it is formed for promoting the ideals and purposes set forth above. Any net earnings shall be devoted exclusively to operational,

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charitable, educational, and recreational purposes, as defined by state and local statutes and as set forth in the National By-Laws of the Marine Corps League.

10.20 POLICY – The CHERRY POINT DETACHMENT (known hereafter as the detachment) of the Marine Corps League shall never take part in any labor or management dispute or issue, and it shall be ever non-sectarian, non-political, and non-partisan; nor shall it be based on the grounds of 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 the basis for special consideration or preferment.

### 10.30 MEMBERSHIP ELIGIBILITY

- a) REGULAR MEMBERSHIP - Only persons who are serving or have served honorably in the United States Marine Corps, "ON ACTIVE DUTY" for not less than ninety (90) days and persons who serving or who have served in the United States Marine Corps Reserve and have earned no less than ninety (90) Reserve Retirement Credit Points and US Navy Corpsman who have trained with Marine FMF Units in excess of ninety (90) days and earned the Marine Corps Device (clasp) worn on the Service Ribbon and those who earn the Warfare Device authorized for FMF Corpsman shall be eligible for regular membership in the Marine Corps League. Additionally, some Korean War Era Marines who were ordered to active duty prior to Recruit Training or Officer Training and subsequently received an Honorable Discharge prior to completion of ninety (90) days Active or Reserve duty, shall be deemed eligible for Regular Membership. Nothing in Section 600(a) of the National By-Laws shall be deemed to be retroactive prior to August 10<sup>th</sup> 2002 to affect current Regular Members. Honorable Service will be determined by the most recent DD-214 or Certificate of Discharge that the applicant received.
- b) ASSOCIATE MEMBERSHIP: Those individuals not qualified for regular membership in the Marine Corps League who espouses the principals and purposes of the Marine Corps League as contained in its Congressional Charter may upon application to the Detachment be accepted for associate membership. Associate members will pay dues in the same amounts as prescribed for regular members. National Headquarters will issue a pin and membership card indicating "Associate Member". Such members ARE NOT authorized to wear the Eagle, Globe and Anchor emblem but MAY wear the ornament device and lettering approved by National Headquarters for associate members on uniforms and cover. An associate member shall be entitled to the rights, privileges, and benefits of a regular member, however, such member shall NOT vote on a membership application, election of Officers, or hold an elective office. Associate

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members may hold an appointed office at the discretion of the Detachment Commandant. The Detachment Commandant may allow Associate members to vote on its internal affairs provided such vote does not affect a policy of the Marine Corps League.

- c) HONORARY MEMBERSHIP: At the discretion of the Detachment Commandant an honorary membership in the Detachment may be awarded to those persons who have been of extraordinary service to the Nation, to the Community, to the United States Marine Corps, or the Marine Corps League. Honorary members are NOT entitled to the rights, privileges and benefits available to other members. Payment of dues is not required and such membership will not be entitled to the official publication of the Marine Corps League.

20.10 POWERS – The supreme legislative power of this detachment is vested in the members of the detachment and the officers duly elected by the members of the detachment.

20.20 VOTE – The majority of eligible votes of a quorum in the detachment meeting will carry most measures or decide most issues that do not take away rights from its members. Only members in good standing with paid up dues shall be allowed to vote. Any business conducted and/or voted upon shall be considered legal and binding on the membership.

20.40 RULES – The National By-Laws of the Marine Corps League, the By-Laws of the Department of North Carolina, these Detachment By-Laws, Administrative Procedures, and the latest edition of Robert's Revised Rules of Order shall govern the procedure of the detachment meeting.

20.50 NOMINATING COMMITTEE – The nominating committee should consist of three regular members who are not currently elected officers, in good standing, selected and approved by the membership at the October meeting. The duty of the nominating committee is to find the best qualified, in good standing, and willing to serve candidates for each elected and appointed office. The nominating committee should follow Robert's Rules of Order.

20.51 REPORT OF NOMINATING COMMITTEE – The nominating committee will present its report to the detachment during the January meeting, prior to election of officers, not precluding nominations from the floor. Upon accepting a nomination for the office of commandant, that nominee should present a proposed slate of appointed officers to the nominating committee.

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20.52 ELECTIONS – Election of officers will be held annually, at a regularly scheduled meeting in January. Installation of officers must take place no later than the last day of the following month after the election.

20.53 ELECTED OFFICERS -The Officers to be elected by the detachment shall be the Commandant, Senior Vice-Commandant, Junior Vice-Commandant, Judge Advocate, and Adjutant or Adjutant/Paymaster if those billets are combined.

20.54 REPORT OF OFFICER INSTALLATION – Report of Officer Installation must be forwarded to National Headquarters, the Division Vice-Commandant, and the Department Adjutant within fifteen (15) days of the installation.

20.55 ELECTED OFFICER TERMS – Newly elected and appointed officers shall begin their terms immediately following installation of officers and last a period of one year, until the next election and installation of officers. The detachment commandant may serve two (2) consecutive years, if elected, but must serve as the detachment past commandant for at least one year before being nominated and elected for commandant again.

20.56 VACANCY IN DETACHMENT OFFICERS – In the event a vacancy in one of the detachment officers, by death, transfer, or failure to attend three consecutive meetings of the detachment, the Commandant is authorized to appoint a successor to serve until the next regular election of officers is held and at which time the vacancy will be filled at such election. The appointment will stand only upon approval of the detachment at a regularly scheduled meeting.

### **20.60 DUTIES & RESPONSIBILITIES OF ELECTED OFFICERS**

20.61 COMMANDANT - It shall be the duty of the Commandant to preside at all meetings, to observe and enforce the observance of the provisions of the constitution and by-laws, to make and promulgate such orders as may be necessary for the proper administration of the affairs of the detachment, to countersign checks for disbursement made by the detachment and to perform such other duties as provided for in the constitution and by-laws of this detachment. He/she shall be prepared to surrender all books, records and other property of the detachment for which the office is charged to the duly elected successor.

20.62 SENIOR VICE-COMMANDANT – It shall be the duty of the Senior Vice-Commandant to be chairman of the membership committee. He/she shall perform such duties as may be assigned by the Detachment Commandant, and in the event a vacancy occurs in the office of the Commandant, be prepared to assume that position. The Senior Vice-Commandant may also have the authority to countersign checks. He/she shall be prepared to surrender all books,

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records and other property of the detachment for which the office is charged to the duly elected successor.

20.63 JUNIOR VICE-COMMANDANT - It shall be the duty of the Junior Vice-Commandant to assist the Senior Vice-Commandant in procuring members and to direct preparation for all social entertainment as chairman of the Entertainment Committee. He/she shall be prepared to surrender all books, records and other property of the detachment for which the office is charged to the duly elected successor.

20.64 JUDGE ADVOCATE – It shall be the duty of the Judge Advocate to act as legal counsel for the Detachment and to render opinions on all questions of law that may arise concerning interpretation of any of the By-Laws of the Detachment. The Judge Advocate shall be prepared to surrender all books, records and other property of the Detachment for which the office is charged to the duly elected and qualified successor.

20.65 ADJUTANT - It shall be the duty of the Adjutant to keep proper and necessary records of all business of the detachment. The Adjutant shall keep minutes of the meetings and perform such duties as are usually assigned to a recording secretary. He/she shall be prepared to surrender all books, records and other property of the detachment for which the office is charged to the duly appointed successor.

### **20.70 DUTIES & RESPONSIBILITIES of APPOINTED OFFICERS**

The Commandant of the detachment shall appoint the following Officers: Paymaster, Chaplain, Sergeant-at-Arms, Web Sergeant, Quartermaster, Historian, Newsletter Editor, Public Affairs Officer, and such other officers as deemed necessary to carry out detachment programs.

20.71 PAYMASTER - It shall be the duty of the Paymaster to hold all monies and securities of the detachment, to disburse monies which have been approved by the detachment, to keep a correct record of all financial transactions, to deposit all monies and securities in the financial institution designated by the detachment, and to countersign all detachment checks in the name of the detachment. The Paymaster shall be guided in the performance of his/her duties by close adherence to the preceding paragraph 30.40 FINANCES of these Detachment By-Laws. He/she shall be prepared to surrender all books, records, funds, and other detachment property to the duly appointed and qualified successor.

20.72 CHAPLAIN – It shall be the duty of the Chaplain to perform such duties of a spiritual nature as are customarily performed by members of the clergy and as are required by the rituals of the National By-Laws.

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20.73 SERGEANT-AT-ARMS - The Sergeant-at-Arms shall preserve order and perform such other duties as directed by the Commandant and required by the rituals of the National By-Laws.

20.74 HISTORIAN – It shall be the duty of the Historian to maintain a record of the detachment achievement and history. The Historian shall be prepared to surrender all photographs, papers and documents to the duly appointed successor.

20.75 QUARTERMASTER – It shall be the duty of the Quartermaster to maintain a record of detachment property and track the location of gear.

21.00 DETACHMENT STAFF – The Detachment Staff shall consist of the elected officers, the immediate Past Detachment Commandant, and the Paymaster which shall serve as the detachment’s board of trustees.

30.10 CONDUCT OF BUSINESS – The detachment officers may transact detachment business by mail, telephone, e-mail, or by other means between regular meetings.

30.15 ELECTRONIC VOTING – The detachment staff may entertain motions from the membership outside of normal business meetings so long as Robert’s Rules of Order are adhered to. A formal motion must be introduced, properly seconded, and provided to the Adjutant for recording purposes. A suitable period of discussion will be permitted before a vote is called for. All members must be provided a reasonable opportunity to participate in the discussion and participate in the vote. The Adjutant will include these measures in the minutes of the next detachment business meeting. A quorum of no less than what is required at a regular business meeting will decide the motion.

30.20 DETACHMENT MEETINGS – ~~Detachment meetings will be held on the third Tuesday of each month at 1900 hours.~~ The Commandant is responsible to ensure that members are sent notification of meetings at least ten (10) days prior to the meeting date via e-mail message or phone. Regular meetings will be conducted at a place designated by the Commandant.

30.30 SPECIAL STAFF MEETINGS – Special Staff meetings may be held at the discretion of the Commandant. Matters of business planned and/or proposed that affect the detachment must be reported to the membership at the next regular meeting, and must be incorporated into the Adjutant’s written record of the minutes of the meeting.

30.31 QUORUM – A minimum of two (2) elected officers and five (5) additional members in good standing who were notified of the regularly scheduled meeting and are present shall constitute a quorum, without a quorum, business cannot be conducted.

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30.40 FINANCES – The paymaster is directly responsible and accountable for all financial transactions necessary for the operation of the detachment. Funds collected in the performance of his duties will be deposited in a timely manner in the financial institution designated by the detachment. All disbursements above one thousand dollars (\$1,000) will be countersigned by the Commandant or the Officer designated to sign in his absence.

Appropriate accounting records will be maintained and will all disbursements supported by appropriate documentation. These records will be audited not less than annually as required by Para. 80.10 herein. Disbursement of detachment funds is authorized under the following circumstances:

- A. Any disbursements directed by a majority vote of the membership at a regularly scheduled meeting.
- B. Payment of Department and National dues to include life members.
- C. Procurement of supplies, postal expenses and copy services necessary for the operation of the Paymaster's Office.
- D. In the case of deceased members, a floral display, or donation to a designated charitable organization on behalf of the detachment, not to exceed fifty dollars (\$50.00).
- E. When special circumstances require the disbursement of funds between meetings, the Paymaster must obtain the approval of the Commandant and one other elected officer. Monthly, at the regularly scheduled meeting, the Paymaster will report to the detachment in writing a comprehensive report on all funds in his/her custody and a record of all funds received and expended. In the month of July, the Paymaster will prepare and submit an annual report on all transactions and account balances from the preceding fiscal year, ending 30 June.
- F. The Commandant or his/her designated representative is authorized to be paid the below listed portions of expenses when attending official Marine Corps League Department Conventions or Quarterly Meetings. The paymaster is authorized to reimburse said expenses, upon receipt of proof of expenses, not to exceed the amounts indicated below, provided funds are available.
  - a. Department of North Carolina Convention: One hundred dollars (\$100.00)
  - b. Department of North Carolina Quarterly Meeting: One hundred dollars (\$100.00)
  - c. Round trip mileage at the rate of twenty-seven cents (\$.27) per mile for travel via privately owned vehicle, *(not to exceed one hundred dollars (\$100.00) when attending these functions).*

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30.50 CONDUCT OF MEMBERS AT MEETINGS – Members shall maintain proper decorum during the meeting. No alcoholic beverage shall be consumed during the meeting. All members shall respect the rights of others and refrain from speaking when another member has the floor. Members should stand when speaking and sound off in a loud military manner.

30.60 CUSTODY OF DETACHMENT PROPERTY – The Commandant is responsible for all funds and other property of the detachment. Custody of funds will be delegated to the Paymaster and custody of other property will be delegated to the Quartermaster who will account for the location of all detachment property.

30.70 STANDING COMMITTEES - The Detachment Commandant shall have the power to appoint, by and with the approval of the membership, such standing committees as he/she may deem necessary to properly carry out the work of the detachment.

- a) Young Marines
- b) Scouting
- c) Fundraising
- d) Rifle/Pistol Team
- e) Color Guard
- f) Scholarship
- g) Membership
- h) US Marine Corps Birthday

50.10 DUES – The detachment shall set the cost of its annual renewal and/or new member dues at the January detachment meeting. The renewal dues must be included on the Report of Officer Installation. If no increase is voted upon, the dues will remain the same as the previous year. Dues will be submitted to the Paymaster in check, cash, or money order, made payable to Cherry Point Detachment #1067. Membership dues should be submitted to the Paymaster no later than the last day of the month of each member's membership card expiration date.

50.20 LIFE MEMBERS - Regular or Associate Member in good standing may become a Life member upon payment of fees established by the National Convention. (Ref. Art. 6, Section 645 of National By-Laws). Members must be current on membership dues to be eligible to apply for Life Membership.

60.10 DELINQUENT MEMBERS - A member shall be identified as delinquent whenever members' dues are not paid and transmitted on or before expiration date, as shown on member's card. Such member shall be dropped from membership rolls after one year of delinquency. Reinstatement may be achieved only through the processing of a standard application as a new member. (Ref. Art. 6 Section 620 of National By-Laws).



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60.20 CHARTER MEMBERS - Those who signed the original Detachment Charter shall be referred to as Charter members.

70.10 FUND RAISING - All funds raised by the detachment must be utilized for the good of the detachment as a whole or for non-profit organizations, with no one individual profiting therefrom. All funds collected for a specific charity, cause, or purpose must be deposited and retained for that specific charity, cause, or purpose until expended or the detachment approves a formal motion to reallocate those funds.

80.10 AUDIT - Audit of the detachment accounts, funds, receipts, and records may be conducted at any time when so directed by the Commandant or when the membership believes that an audit would be in the best interests of the detachment. An Audit Committee will be appointed by the Commandant from the membership at large but exclusive of the detachment elected officers. An audit will be conducted semi-annually in the months of January and July. The January audit must be conducted prior to installation of new detachment officers. The July audit must be conducted to verify the year-end tax-related and financial reports.

80.20 FISCAL YEAR - For accounting purposes only, the fiscal year of the detachment shall begin on the first day of July of each year and end on the last day of June of the following calendar year.

90.10 AMMENDMENTS - These By-Laws, or any provision therein, may be revised, repealed or amended by a two-thirds (2/3<sup>rds</sup>) vote of the members present at a regularly scheduled detachment meeting, provided the proposed revision, repeal or amendment is not in violation of the DEPARTMENT or NATIONAL BY-LAWS, or Administrative Procedures and is in accordance with Detachment By-Law Article 20.40.

WE CERTIFY that these By-Laws were approved by the CHERRY POINT DETACHMENT #1067 in the 9 October 2012 scheduled meeting in Havelock, North Carolina.

Revised 21 January 2016 during Cherry Point Detachment #1067 business meeting, struck out sentence in section 30.20 to eliminate specific day & time for business meetings.

# CERTIFICATION

Cherry Point Detachment 1067

Marine Corps League  
Department of North Carolina

We hereby signify that these By-Laws were reviewed  
and approved by a proper vote by a quorum of the membership

of the Cherry Point Detachment # 1067

Marine Corps League

Department of North Carolina

On the 21st day of January, 2016.

Scott L. Shermeyer 1/21/16  
Detachment Commandant Date

J/O 1/24/16  
Detachment Judge Advocate Date

[Signature] 1/21/16  
Detachment Adjutant Date

J/O 1/21/16  
Det. By-Laws Committee Chair Date

## Endorsement

I have reviewed these revised By-Laws and find that they adhere to National and Department  
MCL By-Laws

Scott L. Shermeyer

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Judge Advocate - Department of North Carolina, Marine Corps League Date