

Jerry Murphy Detachment 381

Marine Corps League

Constitution and Bylaws

(Dated: January 2008)

Rev (3)

Jerry Murphy Detachment 381 (01/2008)

Marine Corps League

2002 – 2003

Constitution and Bylaw Committee

Austin C. RISHEL, Chairman

Michael H. CLAGETT, Member

John W. CLEVELAND, Member

Laurel A. HULL, Member

Floyd A. STEPHENS, Jr. Member

This is to certify that this resolution was proposed at a regular meeting of Albuquerque Detachment 381, Marine Corps League held on the 8th day of May 2003, read, debated and adopted by a unanimous vote at a subsequent regular meeting held on the 10th day of July 2003, a quorum being present.

LEO B. MC CANN, Commandant

Jerry Murphy Detachment 381 (01/2008)

Marine Corps League

Constitution and Bylaws

PREAMBLE

In the Name of the beneficent God of all. We who have honorably served, or are now honorably serving our country in the United States Marine Corps, for the common good of this nation and all the nations and people of our world, and in order that the fundamental rights and freedom 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 the wounded and/or disabled Marine and their dependents, and for the further purposes set forth hereinafter, do solemnly and firmly associate ourselves together in a non-profit corporation known as the "Marine Corps League, Incorporated, Jerry Murphy Detachment 381". (01/2008) and ordain and establish this Constitution and Bylaws. (07/2003)

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Article I

NAMES

Section 100 – Name

The name of the Detachment shall be “JERRY MURPHY DETACHMENT 381, MARINE CORPS LEAGUE.” (01/2008)

Article II

PURPOSES

Section 200 – Purposes

The purposes of this organization shall be:

- (a). To preserve the traditions and to promote the interests of the United States Marine Corps.
- (b). To band together those who are now serving or have served honorably in the United States Marine Corps, together in fellowship, so that they may effectively promote the ideals of American freedom and democracy. (07/2003)
- (c). To fit its members for the duties of citizenship and to encourage them to serve as ably as citizens as they served the Nation under arms. (07/2003)
- (d). To hold sacred the history and memory of the men and women 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 service and those who have returned to civilian life.
- (h). To aid voluntarily and to render assistance to all members of the Marine Corps League, as well as to their spouses, orphans, parents, widows and widowers. (07/2003)
- (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.

The further objects and purposes of this organization are: To perpetuate and honor the Memory of those members who have passed on to their eternal rest; whenever and wherever possible to aid, assist and provide for the father, mother and other dependents of deceased **members**; to strive for the passage of legislation favorable to the Marine Corps League, to the United States Marine Corps, to the members of the active service, and to honorably discharged

Members, and to assist in the defeat of legislation unfavorable to them; to foster social and fraternal functions among the members; to urge participation of all members in patriotic, civic, state, or national affairs as are of particular interest to members. (07/2003)

Article III

ELIGIBILITY

Section 300 – Eligibility

(a). Only persons who are serving or who have served honorably in the United States Marine Corps, “ON ACTIVE DUTY” for not less than ninety (90) days and persons who are 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 U. S. Navy Corpsmen 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 Corpsmen shall be eligible for regular membership in this Detachment. (07/2003)

(b). Individuals who meet the National requirements for Associate Member may be accepted as Associate Members of this Detachment. (07/2003)

(c). The method of acceptance for Regular and Associate members shall be by majority vote by show of hands at a regular meeting without regards to race, color, creed or gender of the applicant. (07/2003)

Section 305 – Sponsorship

Any applicant must be sponsored by a Detachment member in good standing.

Section 310 – Credentials Inspection

(a). No prospective member shall be accepted for membership until his/her application has been inspected by the Commandant, Senior Vice Commandant, Adjutant or any Past Commandant. Detachment dues must be paid. (07/2003)

(b). The discharge certificate or DD-214 of all applicants not now serving on active duty shall be provided upon request. Applicants now serving on active duty shall present verification of same. (07/2003)

Section 315 – Membership

No applicant shall be a member of the Detachment until he/she had been duly accepted by the membership, paid all dues required and undergone formal initiation. (07/2003)

Section 320 – Elective Eligibility

All regular Detachment members in good standing shall be eligible to hold elective office. Associate members are not eligible to hold elective office. Associate members are permitted to vote on the Detachment internal affairs, excluding the election of officers. (07/2003)

Article IV

ADMINISTRATION

Section 400 – Administration

The administration and the conduct of business, also the exercise of the power and authority of this Detachment, shall be vested in a Board of Trustees. The Board of Trustees shall consist of the Commandant, Senior Vice Commandant, Junior Vice Commandant, Judge Advocate and Junior Past Commandant. Three (3) members of this Board of Trustees shall constitute a quorum. They shall function between meetings or on regular meeting days when a quorum of the Detachment is not present, or at such time as it is impossible to hold regular Detachment meetings. A written record of all proceedings shall be kept and read at the next following regular meeting. (07/2003)

Section 405 – Expenditures

(a). Any and all money expenditures shall be previously approved by the membership at any regular or special meeting except the Detachment Commandant may authorize the expenditure not to exceed twenty-five (\$25.00) for any one project. Any such expenditure shall be justified and reported to the Paymaster and the membership.

(b). The Detachment Commandant may authorize the expenditure of up to \$100.00, from Detachment Charitable Funds, to relieve an immediate emergency after obtaining approval from a majority of the Board of Trustees. The Trustees may be polled by telephone and/or e-mail. A full report shall be made to the membership at the next regular meeting. (12/2004)

Article V

MEETINGS

Section 500 – Regular Meetings

(a). Regular meetings of this Detachment shall be held once a month or at the convenience of the membership.

(b). The Adjutant shall furnish written and/or verbal notice of all meetings to all members.

Section 505 – Special Meetings

The Commandant shall have the authority to call a special meeting when the necessity arises. Upon written request from any three (3) members in good standing of the Detachment, it shall be mandatory that the Commandant call a special meeting at a proper time within **ten (10)** days following receipt of such request.

Section 510 – Procedures

(a). Robert's Revised Rules of Order shall govern the procedure and form of business except where provided otherwise in the Detachment, Department and National Bylaws.

(b). The Commandant shall be addressed as Sir Commandant or Madam Commandant as appropriate. The conduct of the meeting shall be in a serious manner and order shall be prevail at all times. (07/2003)

Section 520 – Quorum

In order to transact business in the name of “Jerry Murphy Detachment 381” a quorum of six (6) members is required to be present. Two (2) of the above six members shall be officers, one of said two to include the Commandant or Senior Vice Commandant or Junior Vice Commandant.

Article VI

DUES AND ASSESSMENTS

Section 600 – Dues and Assessments

The amount of annual Detachment dues, which shall be collected along with National and Department assessments and dues, shall be decided at a regular meeting. The time limit for collection of dues shall be prescribed by National Headquarters. (07/2003)

Article VII

FAILURE TO ATTEND MEETINGS AND DUTIES OF OFFICERS

Section 700 – Failure To Attend Meetings

Any Officer failing to attend three (3) successive meetings without just cause shall be dropped from office. The Board of Trustees shall recommend a replacement for the office which the Commandant shall appoint for the remainder of that term.

Section 705 – Commandant

It shall be the duty of the Commandant to preside at all meetings, call special meeting as herein prescribed, appoint all committees not otherwise provided for, and such other duties as the good of the Detachment may require. It is also the duty of the Commandant to sit as a member of the Board of Trustees.

Section 710 – Senior Vice and Junior Vice Commandants

It shall be the duty of the Senior Vice Commandant and the Junior Vice Commandant, in that order, to preside at meetings and assume other duties of the Commandant should he/she be unable to function at said meetings or duties, or if called upon to so by the Commandant. The Senior Vice Commandant shall be responsible for all membership recruiting functions and the Junior Vice Commandant shall be responsible for all fund raising activities of the Detachment. The Senior Vice Commandant and the Junior Vice Commandant shall also sit as members of the Board of Trustees. (07/2003)

Section 715 – Adjutant

It shall be the duty of the Adjutant to keep the minutes of all meetings and perform such other duties as are normally assigned to recording secretaries, and which the best interests of the Detachment shall demand. He/she shall hold all records of inventoried property of the Detachment subject to annual audit. The Adjutant shall also sit as a member of the Board of Trustees as an ex-officio member. (07/2003)

Section 720 – Paymaster

(a). It shall be the duty of the Paymaster to keep proper and necessary books of the various accounts of the business of the Detachment and records of all membership accounts. He/she shall, together with the Commandant, hold all securities and monies of the Detachment. He/she shall submit his/her books for audit at the request of the Board of Trustees. In the event the Paymaster and Adjutant are combined in one (1) office, both Section 715 and 720 shall prevail. The Paymaster shall also sit as a member of the Board of Trustees as an ex-officio member. (07/2003)

(b). It shall be the duty of the Paymaster to make a full and complete report of all monies received and expended during his/her term of office at the last business meeting before the installation of officers. (07/2003)

Section 725 – Judge Advocate

It shall be the duty of the Judge Advocate to perform such legal duties as may be assigned to him/her by the Commandant and such other duties as may pertain to his/her office.

Section 730 – Chaplain

The Chaplain shall automatically become the Detachment's Welfare Officer. He/she shall assume also such other duties that the Commandant may assign to that office. The Commandant may appoint as Assistant Welfare Officer. He/she shall report all deaths of Detachment members to the Department Chaplain. He/she shall be responsible for the bible. (07/2003)

Section 735 – Sergeant-at-Arms

It shall be the duty of the Sergeant-at-Arms to assist the Commandant in keeping order at the meetings and to assist in all functions formal or informal. He/she shall also be the Chairman of the House Committee and see that the meeting room and necessary equipment are in readiness for each meeting. He/she is also responsible for the colors, banner, charter and POW/MIA banner. He/she should also be in readiness to assume any duty assigned by the Commandant. (07/2003)

Section 740 – Trustees

It shall be the duty of the Board of Trustees (Audit Committee) to examine the current/outgoing Paymaster's books and accounts periodically, at least annually. In addition the Board of Trustees shall serve as judiciary at Detachment trials and serve as the policy recommending body of the Detachment. (07/2003)

Section 745 – Property

All officers and members will stand ready to turn over any properties belonging to the Detachment upon completion of their term of office or upon request of the Commandant (07/2003)

Article VIII

ELECTIONS AND INSTALLATIONS, CHARGES AND TRIALS

Section 800 – Nomination

The annual nominations of Detachment Officers shall be held at the regular business meeting in September. The Detachment Adjutant shall make note of this in his/her notice of the September meeting to the regular membership. (07/2003)

Section 805 – Election and Installation

The election and installation of Detachment Officer shall be held at the regularly scheduled meeting in October. (07/2003)

Section 810 – Commandant Succession

If nominated and elected, a Detachment Commandant can only succeed him/herself once. (07/2003)

Section 815 – Election Vote

Election shall be by secret ballot or open vote as determined by the membership.

Election shall be by secret ballot or open vote as determined by the membership.

Section 820 – Elected Officers

The following officers must be elected: Commandant, Senior Vice Commandant, Junior Vice Commandant and Judge Advocate. The Commandant shall appoint a Chaplain, Sergeant-at-Arms, Adjutant, Paymaster or Adjutant/Paymaster and such other officers as necessary. (07/2003)

Section 825 – Board of Trustees

The Board of Trustees shall consist of the elected officers and Jr. Past Commandant. (07/2003)

Section 830 – Delegate Expenses

A sum not to exceed one hundred dollar (\$100.00) may be appropriated annually, per delegate, for expenses to all conventions. The sum shall be determined by the Detachment membership.

Section 835 – Delegate Elections

Delegates to the National or Department Conventions shall be elected at a regular business meeting of the Detachment before the Convention date. The Detachment Commandant shall be Chairperson of the Delegation and he/she shall appoint a Co-Chairperson.

Section 840 – Charges Against Accused

Charges shall be preferred against any accused member, trials conducted and penalties imposed in the same manner as prescribed in the Bylaws of the Marine Corps League.

Article IX

POLICY

Section 900 – Policy

(a). The supreme power of the Marine Corps League shall be vested always in its membership functioning through Delegates at all National Convention.

(b). The Detachment 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 biased 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. (07/2003)

(c). Nothing in the preceding subsection shall prohibit this Detachment or any subdivision thereof, from participating in political issues affecting the welfare of the United States Marine Corps, the national security of our Nation, or any veterans' claims for justice arising from service in the Armed Forces of the United States of America.

Article X (07/2003)

GENERAL

Section 1000 – Amending Bylaws (07/2003)

To amend these Bylaws, a two-thirds vote of the members present at such business meeting is necessary. Also it is necessary to notify the membership on the regular notices sent out by the Adjutant at least ten (1) days prior to the meeting that a change in the Bylaws is to be voted upon at the said meeting and the nature of the proposed changes. Such amendments to the Bylaws are to become operative following the second reading and a two-thirds affirmative vote of the members present.

Section 1005 – Officer Vacancies (07/2003)

In the event of a vacancy in the Commandant's chair, the Senior Vice Commandant will finish the unexpired term of office and the Junior Vice Commandant will fill the unexpired term of office in the Senior Vice Commandant's chair. An election shall be held immediately to fill the unexpired term of the Junior Vice Commandant.

Section 1010 – Audit Committee.(07/2003)

The Commandant shall appoint a Audit Committee (From the Board of Trustees) to audit the Paymaster records at least annually and prior to the installation of the incoming or re-appointed Paymaster.