



**DEPARTMENT OF WEST VIRGINIA**  
**BYLAWS AND ADMINISTRATIVE PROCEDURES**

2024 EDITION

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**DEPARTMENT BYLAWS**

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**DEPARTMENT OF WEST VIRGINIA**

**BYLAWS**

**ARTICLE ONE**

**DEPARTMENT CONVENTIONS**

**SECTION 100 - AUTHORITY** - The supreme legislative and policy making power of the Department of West Virginia, Marine Corps League shall be vested in a Department Convention composed of the paid up, in good standing, active members of the Department of West Virginia at the Department Convention subordinate to the National Convention. The Department Convention may adopt or revise Department Bylaws and Administrative Procedures, which are not inconsistent with the National Charter or the National Bylaws and Administrative Procedures on file at National Headquarters.

**SECTION 101 - COMMITTEES - DEPARTMENT CONVENTION** - The Department Convention Administrative Committees shall be Credentials, Bylaws Committee and Rules Committee.

**SECTION 102 - CONVENTION COMMITTEE** - The Department Commandant shall appoint a Convention Committee consisting of not less than three (3) members, whose duties it shall be to select the time and place of the next Department Convention. This selection may be in advance of the following Convention.

**SECTION 103 - TIME AND PLACE - DEPARTMENT CONVENTION** - The Department Convention shall be held between May 1st and July 15th each year. Bids for each Department Convention shall be made at any Department Meeting. Only the Detachment Commandant shall have the authority to bid for the next Department Convention. In the absence of satisfactory bids, the Convention Committee shall determine the date and location of the next Convention. In the event that the Convention Committee reaches no decision, the final decision will then be left to the Department Board of Trustees. This final decision shall be made no later than the Mid-Winter Meeting of the Department prior to the Convention.

**SECTION 104 - CONVENTION PROCEDURE** - Immediately preceding the convening of each Department Convention, the Department Commandant and the Department Board of Trustees shall determine and establish the sequence and procedure with which the business of the Convention shall be conducted in conformity with the National Bylaws and the Department Bylaws. This can be accomplished by, but not limited to, a meeting, e-mail, conference calling via telephone, etc.

**SECTION 105 - CREDENTIALS COMMITTEE – DELEGATES (MEMBERS) REQUIREMENTS**

(1) All Delegates desiring to attend the business sessions of the Department Convention must possess and show to a member of the Credentials Committee, a valid paid-up membership card of the Marine Corps League or if no valid card then have the Department Adjutant/Paymaster or Detachment's Commandant or Detachment's Adjutant/Paymaster verify that their dues transmittal has been submitted.

(2) Registration Fees at the Department Convention shall be seven (\$7.00) dollars. Advance registration fees shall be five (\$5.00) dollars provided that the Hosting Detachment Adjutant/Paymaster receives such fees not later than fifteen (15) days prior to the opening of the Department Convention.

**SECTION 106 - VOTING -**

(1) Each delegate complying with Article 1, Section 105 is entitled to cast one (1) vote and shall be physically present to cast that vote. A fifty(50) percent plus one (1) vote by the Delegates voting shall carry any measure and decide any issue, and election of department officers unless otherwise noted in the Department Bylaws and Administrative Procedures.

- (2) A roll call vote may be required and recorded upon the request of any ten (10) registered and approved Delegates.
- (3) The Department Commandant, being a registered and approved Delegate, may cast a vote.
- (4) In the event of challenge by a registered and approved Delegate, each Delegate shall rise, if not restricted by physical impairment, and be identified before casting their vote.

**SECTION 107 - ELECTIVE OFFICERS** - The Department Officers to be elected by each Department Convention shall be: Department Commandant, Department Senior Vice Commandant, Department Junior Vice Commandant and Department Judge Advocate.

**SECTION 108 - NOMINATIONS** -

(1) The Nominating Committee shall present to the Convention a proposed slate of officers for the ensuing year. Nominations, other than those recommended by the Nominating Committee, shall be accepted from the Convention floor. Each nomination for an elective Department Office shall be made from the floor the day on which the elections are to be held. Each nominee shall be a regular member in good standing actively involved in the Department of West Virginia Marine Corps League at the time of their nomination. Each nominee, when called upon, shall rise, if not restricted by physical impairment, and state to the Chair that if elected they will accept the office and serve faithfully and to the best of the nominee's ability during the term to which elected. Any nominee who is not present will be accepted provided that they have previously placed their name in nomination in a letter which has been received by the Department Nominating Chairman prior to the start of the Convention. However, all nominees must be physically present on the floor when elections are conducted.

(2) In order for a member to be eligible for Department office, the member must have attended at least fifty (50) percent of the regular Department Meetings from the previous Department Convention to the present Department Convention or have attended the previous Convention. The member must have been physically present at the meeting.

- (a) If no member who meets the above attendance requirements will accept the nomination for an elected office, then a motion may be made to open up the nomination to all registered regular Department members physically present. This motion must pass by a two-thirds vote.

(3) The election of officers shall not begin until the election tellers advise the chair that they are prepared to supervise the elections. When it is so advised, the chair shall then call for the "election of officers". Upon such announcement, the chair shall not accept or entertain any issue, question, or subject, which is not strictly related to the vote being conducted. Without explicit permission of the chair, a voting member shall not be allowed to enter or leave the convention floor until the vote in progress is concluded.

**SECTION 109 - ELECTIONS** -

(1) The election of officers shall be the last order of business of the Department Convention. All elections shall be conducted and supervised by an Election Committee composed of one (1) Judge and two (2) Tellers. The Department Commandant shall appoint the Election Committee by selecting two (2) regular members to supervise and correctly tally the votes cast and one (1) Past Department Commandant to supervise and conduct the elections. The two (2) regular members shall be known as tellers.

(2) A majority of the votes cast is required to elect Department Officers. When a simple majority is not obtained on the first ballot, a second ballot will immediately follow after a caucus not to exceed five (5) minutes. Should a majority fail to materialize on the second and successive ballots, the candidate with the least votes shall be dropped as a contender (after each ballot) until a simple majority is achieved.

**SECTION 110 - TERM OF OFFICE** -

(1) The Department Commandant shall be elected for one (1) term of office and shall be eligible to succeed themselves for one (1) additional term. Said term of office shall be from the Annual Department Convention of their election until the installation of their duly elected successor at the next Annual Department Convention. After skipping at least one (1) term a member is eligible to run for Department Commandant again. Moving up from the Senior Vice Commandant or Junior Vice Commandant to finish the term of a missing Commandant will not count as a term in office as Commandant.

(2) All other elective officers shall be elected for one (1) term and may succeed themselves. Said term of office shall be from the Annual Department Convention of their election until the installation of their duly elected successors at the next Annual Department Convention.

**SECTION 111 - QUORUM** - The minimum number required to transact the regular and legal business of a Department Convention or any department meeting shall be the registered and approved Delegates in good standing of the Department of West Virginia.

**SECTION 112 - RIGHT TO SPEAK** - All registered Delegates, when recognized by the Chair and not so expressly prohibited by the Department and National Bylaws and Administrative Procedures, shall have the right to speak on any subject and all issues brought to the Convention for its consideration. The Chair may grant each registered Department member, in good standing, the floor.

**DEPARTMENT OF WEST VIRGINIA**

**BYLAWS**

**ARTICLE TWO**

**OFFICERS**

**SECTION 200- COMPOSITION** - The Department of West Virginia Board of Trustees shall be composed of the following:

- (1) Department Commandant
- (2) Department Senior Vice Commandant
- (3) Department Junior Vice Commandant
- (4) Department Judge Advocate
- (5) Department Junior Past Commandant

**SECTION 201 - OFFICERS** - The Commandant shall appoint with the approval of the Department Convention or Board of Trustees an:

- (1) Adjutant, Paymaster, or Adjutant/Paymaster
- (2) Chaplain
- (3) Sergeant-at-Arms
- (4) Chief of Staff
- (5) Legislative Officer
- (6) Service Officer
- (7) Historian
- (8) Aide-de-camp

The Department Commandant shall also appoint with the consent of the Department Convention or Board of Trustees other such officers as may be authorized by these Bylaws. The report of Officer Installation - Department must be filed with National Headquarters NOT LATER THAN JULY 31<sup>st</sup> ANNUALLY.



**DEPARTMENT OF WEST VIRGINIA**

**BYLAWS**

**ARTICLE THREE**

**DUTIES OF OFFICERS**

**SECTION 300 - COMMANDANT** - It shall be the duty of the Commandant to preside at the Department Convention, at all regular Department meetings, at all meetings of the Department Board of Trustees and at any other Department meeting. The Department Commandant together with the Board of Trustees shall have direction and control of the executive and administrative affairs of the Department of West Virginia between department conventions. In addition, the Department Commandant shall:

(1) With the Department Paymaster or Adjutant/Paymaster (as applicable) or written appointed custodians, have custody of all funds and property of the Department of West Virginia, subject to the supervision of the Board of Trustees. The Department of West Virginia Commandant may assign the care, custody of the Department funds to deposit and or withdraw funds for the good of the Department. The letter of authorization shall be maintained with the Department Financial records for audit purposes.

**SECTION 301 - SENIOR VICE COMMANDANT** - It shall be the duty of the Senior Vice Commandant to give assistance to the Commandant, and during the absence or illness of the Commandant, to perform the duties of that office. It shall be the duty of the Senior Vice Commandant to acquire a working knowledge of the National Bylaws and Administrative Procedures of the Marine Corps League and the Department of West Virginia.

**SECTION 302 - JUNIOR VICE COMMANDANT** - It shall be the duty of the Junior Vice Commandant to create and promulgate such membership incentives and programs that will produce enthusiastic response resulting in continuous membership growth and retention of department members. In the absence and/or illness of the Commandant and the Senior Vice Commandant it shall be the duty of the Junior Vice Commandant to perform the duties of that office. It shall be the duty of the Junior Vice Commandant to acquire a working knowledge of the National Bylaws and Administrative Procedures of the Marine Corps League and the Department of West Virginia.

**SECTION 303 - JUDGE ADVOCATE** - It shall be the duty of the Judge Advocate to act as legal adviser to the Department, interpreting the National Bylaws and Administrative Procedures, the Department Bylaws and Administrative Procedures. They shall advise, construe, counsel, and render opinions on questions of law and procedure to the Department Commandant, Department Board of Trustees, and Detachments when so required in the manner outlined hereafter:

(1) At the Department Convention, upon the request of an approved Delegate, through the chair, the Department Judge Advocate shall render an opinion on law and procedure to the chair, where upon the chair will rule on the opinion and the question, which ruling shall be final

(2) Unless appealed by an approved delegate, whereupon the Department Judge Advocate will put the question "shall the ruling of the chair be sustained?" A hand vote of approved delegates will be called, and two-thirds (2/3) of the total vote will be required to reverse the ruling of the chair.

(3) At the Department Staff meetings, the same procedure shall apply, and two-thirds (2/3) of the Department Board of Trustees present and voting will be required to reverse the ruling of the chair.

(4) Questions of law and procedure pertaining to the Department, the Judge Advocate shall rule in writing, providing copies of the ruling to the parties and to the Department Commandant, and such ruling shall be binding unless and until reversed by the Department Board of Trustees.

(5) The Department Judge Advocate shall not hold the office of Judge Advocate in their Detachment. If this were the case, then resignation from the lower office shall be required upon being sworn into the Department office.

**SECTION 304 - PAYMASTER** - Shall:

(1) Serve as the department's treasure, and in that capacity, shall be directly responsible to the Department's Board of Trustees.

(2) Cause to be kept all proper and necessary books for the recording of all the financial business of the Department of West Virginia.

(3) Receive all monies, keeping a record of their sources and purposes and shall deposit said monies, in an approved and federally insured accounts, including, but not limited to, a checking account. All monies deposited shall be in the name of the Marine Corps League.

(4) Provide such assistance to the Audit Committee to ensure the annual audit of the Department of West Virginia is completed no later than one (1) day prior to the Department Convention.

(5) Provide such assistance to the Budget Committee to ensure the annual budget is completed before the annual Department Convention.

**SECTION 305 - ADJUTANT** - shall be the recording secretary of the Department meetings and affairs. Support the department officers through correspondence, documentation, written communication, media releases and other staff assistance as may be directed by the Department Commandant. In addition the Department Adjutant shall:

(1) Keep a transcribe complete and accurate record of the business meetings at all board meetings, department meetings and the department convention for a permanent record for a period not exceed three (3) years.

(2) Assist the Department Commandant in preparing agendas for all business meetings and department convention.

(3) Maintain and publish a Department Directory which shall contain:

- a. Listing of department officers and board of trustees
- b. Past Department Commandants
- c. Past Marine of the Year
- d. All detachment officers by detachment

**SECTION 306 - CHAPLAIN** - Shall perform such duties of a spiritual nature as are customarily performed by members of the clergy and required by the National and Department Bylaws and Administrative Procedures of the Marine Corps League. The Department of West Virginia Chaplain shall be responsible for and have charge of arranging and conducting a nondenominational memorial service at each Department Convention, including, but not limited to the reading of Department of West Virginia Marine Corps League members deceased during the current year. The activities of the Department of West Virginia Marine Corps League Chaplain require duties specifically assigned in the Ritual and the Commandant may assign such other functions within the category of that office.

**SECTION 307 - SERGEANT-AT-ARMS** - Shall preserve order at the Department Convention and at all Department meetings, to keep an attendance roster of all meetings and to perform such other functions within the category of that office as may be assigned by the Commandant. The Department of West Virginia Sergeant-at-Arms is empowered to deputize such Deputy Sergeants-at-Arms as may be necessary for the proper performance of their duties. In addition, the Department Sergeant-at-Arms shall:

(1) Take custody of all department property (Colors, Charter, Gavel, Bible, etc.) and shall ensure that such properties are present and in their proper place at all conventions, staff meetings, and as may be directed by the Department Commandant.

**SECTION 308 - CHIEF OF STAFF** - Shall perform as a Staff Officer, coordinating staff functions and planning for the Department Commandant and assuming other administrative tasks as assigned by the Commandant.

**SECTION 309 - JUNIOR PAST COMMANDANT** - Shall be a full voting member of the Department of West Virginia Board of Trustees and assist the Department Commandant as may be requested in the best interest of the Department of West Virginia

**SECTION 310 - AIDE-DE-CAMP** - It shall be the duty of the Aide-de-Camp to aid the Department Commandant and the other Department Officers as may be assigned by the Department Commandant.

**SECTION 311 - LEGISLATIVE OFFICER** - It shall be the duty of the Legislative Officer to maintain contact with the State Legislative and with the State Representatives in Congress in regard to legislative matters affecting the interest and welfare of Marines and to keep the Department Staff informed on this subject by means of reports at meetings.

**SECTION 312 - SERVICE OFFICER** - It shall be the duty of the Service Officer to supervise and direct all contacts by the Department, with the United States Rehabilitation Office, the Veterans Administrative and other facilities where Marines are hospitalized, to assist Marines who contact the Department to prepare and file government claims forms with the Veterans Administration and to perform such other functions within the category of that office as may be assigned by the Commandant, and to surrender to the duly appointed and qualified successor in office all records and property entrusted to the office.

**SECTION 313 - HISTORIAN** - Shall under the direction of the Board of Trustees, assemble and maintain a record of the Department of West Virginia history and achievements. To perform such other functions as may be assigned by the Board of Trustees.

**SECTION 314 - PUBLIC RELATIONS** - Shall disseminate information of the Marine Corps League to all media and to perform such other functions within the category of that office as may be assigned by the Commandant.

**SECTION 315 - VAVS OFFICER** - It shall be the duty of the Department of West Virginia Veterans Administration Volunteer Service (VAVS) Officer to:

- (1) Maintain close contact with the Veterans Administration VAVS Staff for the purpose of keeping abreast of changes in policies pertaining to VAVS.
- (2) Promulgate the objectives of the VAVA Program and cultivate the interest of constituent detachments in their participation in the VAVS Program at VA Medical Centers, hospitals, etc. within their locale.
- (3) Guide and instruct Detachment VAVS Representatives in the proper conduct of their functions related to the VAVS Program. Receive recommendations from Detachments of members willing to serve in the VAVS Program, and as appropriate request VAVS certification for required representatives and deputies, and to perform such other functions within the category of that office as may be assigned by the Commandant.

**SECTION 316 - BOARD MEETINGS** - The Department of West Virginia Board of Trustees and staff members may meet during the months of March (Spring Board of Trustees & Staff Meeting), July (Summer Board of Trustees & Staff Meeting) and November (Fall Board of Trustees & Staff Meeting).

- (1) Having the meeting and the date and time of the meeting will be at the discretion of the Department Commandant. The Department Commandant's choice not to have a meeting may be overridden by a 2/3 phone or email vote of the Board of Trustee with such vote being conducted by the Department Adjutant or by the Department Sr Vice Commandant if the Adjutant is not available.
- (2) The meeting will be at a location chosen by the Department Time and Place Committee and approved by the Department Board of Trustees. Any rental fees must be included in the vote on the location. The vote will be a simple majority phone or email vote conducted by the Department Adjutant or by the Department Commandant if the Adjutant is not available.
- (3) The meeting may be canceled by a 2/3 phone or email vote of the Board of Trustee with such vote being conducted by the Department Adjutant or by the Department Commandant if the Adjutant is not available.
- (4) A quorum will be at least 10 members in attendance. Of that 10 members 3 must be Board of Trustee members and 3 must be staff members. Attendees holding more than one Board and staff position will only count as one member in attendance using their most senior position. Meetings will be conducted according to ritual.
- (5) Any rental fees and food expenses will be paid by the Department.
- (6) This is not a Detachment sponsored function and as such will not require participation from any Detachment near the meeting place. No cost will be incurred by or reimbursed to any Detachment for these meetings.
- (7) Detachment Commandants, officers and other members may attend these meetings if they desire but are not required. Reports from each Detachment are not required but may be given, if time allows, and at the discretion of the Department Commandant.

**SECTION 317 - VOTING** - A quorum will be the presence of three (3) or more members of the Department Board of Trustees. Each member of the Department of West Virginia Board of Trustees shall have one (1) vote. There shall be no proxy voting. The Department Judge Advocate shall abstain on all matters wherein the Department Judge Advocate has rendered an official opinion.

(1) Between Department Conventions, in compliance with the provisions of the National Bylaws and Administrative Procedures and the directives and mandates of the Department Convention, the powers and authority of the Department Board of Trustees shall be to conduct business at any regular or special meeting, or by email or by telephone. They can suspend or revoke for cause a charter granted a Detachment and shall be implemented in accordance with the National Bylaws and Administrative Procedures.

(2) All business by email or telephone requiring a "Yes or No" vote shall be handled routinely by the Department Adjutant, calling or emailing each Board Member individually, identically stating the question(s) to be considered, and asking for a "Yes or No" vote. The Department Adjutant may tape record each call and vote for the record. Failure to respond with a vote upon telephone or email request within 24 hours shall be recorded as NOT voting. If the Adjutant is unavailable to conduct a vote then the Commandant or his Designee may conduct the vote and report the results to the Adjutant.

(3) Upon request by a Department Board of Trustee Member, a specific time extension up to 24 hours may be granted within which the member must call or email back to cast their vote.

(4) The results of each email or telephone balloting shall be made available by email to the Department Board of Trustees within two (2) business days after compiling the vote. The results of such vote shall be read at the next staff meeting by the Adjutant. It will also be read by the Adjutant at the next regular Department meeting or the next Department Convention.”

**DEPARTMENT OF WEST VIRGINIA**

**BYLAWS**

**ARTICLE FOUR**

**DEPARTMENT**

**SECTION 400 - BYLAWS** - The Department Convention shall adopt Department Bylaws and Administrative Procedures, which are not inconsistent with the National Charter or the National Bylaws and Administrative Procedures. Revisions, corrections, etc. shall be made to the Department of West Virginia Bylaws and Administrative Procedures Committee as stipulated in the Administrative Procedures, Section 205(2).

**SECTION 401 - ELIGIBILITY OF OFFICERS** - All Officers, both elected and appointed, shall be members in good standing in the Department of West Virginia. All officers shall attend one (1) of the regular Department of West Virginia meetings and at least one (1) of the Department of West Virginia Staff meetings to remain in office. Associate members may serve in appointive offices only.

**DEPARTMENT OF WEST VIRGINIA**

**BYLAWS**

**ARTICLE FIVE**

**DETACHMENTS**

**SECTION 500 - BYLAWS** - Each Detachment's Bylaws and Administrative Procedures shall be filed with the Department Judge Advocate and Department Adjutant.

**SECTION 501 - OFFICERS** - Officers, both elected and appointed, may be selected by the Detachment Members as they desire.

**SECTION 502 - ELIGIBILITY AND TERM LIMITS** - Detachments shall have the sole right to establish term limits on its officers, both elective and appointive. Detachments wishing to exercise this option must do so by a provision in their Bylaws.

**SECTION 503 - ELECTIONS, INSTALLATION OF OFFICERS** - The Report of Officer Installation form will be forwarded to the Department Adjutant within fifteen (15) days of the Installation, even if the Officers did not change.

**SECTION 504 - DEFAULT** - A Detachment, which is in default of monies from any source due the Department of West Virginia and such debt has not been satisfied or fails to report its Detachment Report of Officer Installation prior to the annual Department Convention will not be recognized on the floor of the Department Convention.

**SECTION 505 - CHARTER SUSPENSION, REVOCATION -**

- (1) The charter of a Detachment may be suspended or revoked by the Department for:
  - a. The persistent failure to promptly forward funds due to the Department body;
  - b. Willful violation of the Department Bylaws and Administrative Procedures;
  - c. Other violations as listed in the National Bylaws and Administrative Procedures.

**SECTION 506 - INSTALLING OFFICERS** - Installation of Detachment Officers shall be recognized provided that all officers to be installed are members in good standing and that there are at least fifteen (15) paid up members in good standing on the Detachment roster. It is the responsibility of the Installing Officer to ensure the submission of the Detachment Report of Officer Installation is completed and sent to national via the chain of command.

**SECTION 507 - JURISDICTION** - Detachments bearing a County Designation in the Detachment name shall have jurisdiction only within the municipality in which the Detachment is chartered.

**SECTION 508 - DETACHMENT AUDITS AND REPORTS** - An annual audit of detachment finances will be conducted prior to the annual installation of officers. The Audit Committee will consist of no less than three members in good standing within the detachment. The Audit Committee members attesting to the accuracy of the report will sign a written statement showing the total income and total disbursements for the year prior to the elections. This report, along with a copy of the monthly minutes of the meetings shall be forwarded to the Department Commandant no later than 10 days after the installation of officers. Failure to conduct an annual audit and/or forwarding this report with the minutes to the Department Commandant within the time frame of this section would give the Department Commandant authority to conduct an investigation/audit of the Detachment's financial situation using Department Officers so appointed. Monthly audits can be conducted and be combined to satisfy the annual audit required by this section.

**DEPARTMENT OF WEST VIRGINIA**

**BYLAWS**

**ARTICLE SIX**

**FINANCES**

**SECTION 600 - REVENUE** - The revenue of this Department shall be derived from the per capita dues as provided for in these Bylaws and from such other sources as may be properly established at the Annual Department Convention or at regular meetings of the Department Board of Trustees.

**SECTION 601 - BUDGET** - It shall be the responsibility of the Department Paymaster to submit annual Department operating budget at the Department Convention for the acceptance of the Delegates.

**SECTION 602 - FISCAL YEAR** - The Fiscal Year shall end at the close of business on June 30th of each year.

**SECTION 603 - DISBURSEMENT OF FUNDS** - Disbursement of Department funds shall be made only in accordance with authorization voted upon at the annual Department Convention. Line item expenditures shall not exceed the authorized budget voted upon and passed at the annual Department Convention unless so authorized by three-fourths (3/4) the Board of Trustees.

**SECTION 604 - ANNUAL** - The annual per capita dues shall be provided for by the National Bylaws and Administrative Procedures plus an additional Department per capita dues as determined by the Department Convention. The sum of these two accounts shall be forwarded with every membership application or renewal thereof by each Detachment Paymaster directly to the Department Paymaster who will remit the National per capita dues in each instance to the National Paymaster. The current annual per capita of \$5.00 was passed at the Annual Convention in Wheeling West Virginia in 2002. Effective date of the change is 1/1/2003.

**SECTION 605 - REFUNDS** - A member resigning from membership shall not be entitled to any refund of per capita dues paid.



**DEPARTMENT OF WEST VIRGINIA**

**BYLAWS**

**ARTICLE SEVEN**

**MISCELLANEOUS**

**SECTION 700 - MEMBERSHIP ELIGIBILITY** - Membership in the Department of West Virginia Marine Corps League shall only be members in good standing of Marine Corps League Detachments located in the Department of West Virginia Marine Corps League jurisdiction.

**SECTION 701 - EMPLOYEE IDENTIFICATION NUMBER (EIN)** - The Department of West Virginia Marine Corps League and any Detachment in the Department shall not utilize the EIN number of the National Marine Corps League as their own.

**SECTION 702 - AMENDMENTS -**

(1) The Department of West Virginia Bylaws and Administrative Procedures shall be revised, amended or repealed by a majority vote of the properly registered and approved delegates voting at the annual Department Convention, provided that the proposed revision, amendment or repeal is submitted to the Department Judge Advocate no later than March 1 prior to the annual Department Convention at which said proposal is to be considered to ensure said proposed revision, amendment or repeal is in compliance with the National Bylaws and Administrative Procedures. Submission of proposed revisions, amendments or repeals shall be typed, will be in the exact wording intended and will be submitted printed on plain white paper or submitted as a PDF document by email to the Judge Advocate. Email submissions will be one (1) amendment per email.

(2) To avoid possible confusion, each submission will address only one section. However, if the proposal incorporates a revision, amendment or repeal that will interact with any other sections, the change or corrected wording of those sections will be included in the single submission.

(3) The Department Judge Advocate will distribute copies of each proposal, without personal comment, to each existing Detachment Commandant, each member of the Department Board of Trustees, each Past Department Commandant and the Department Web Sergeant no later than April 1 prior to the Department Convention at which the proposal is to be considered. The distribution will be by email in PDF format if the recipient has email otherwise they must be mailed a printed copy. The list of proposed changes IN PDF format will also be posted on the Department Website by the Department Web Sergeant upon receipt from the Department Judge Advocate.”

**SECTION 703 - EFFECTIVE DATE** - Each revision, amendment or repeal of a provision of the Department Bylaws which is approved at a Department Convention, shall become effective upon the close of the Department Convention at which it is approved.

**SECTION 704 - BYLAWS DISTRIBUTION** – The most current DEPARTMENT OF WEST VIRGINIA BYLAWS AND ADMINISTRATIVE PROCEDURES and any published changes will be made available on the Department web site for all Marine Corps League members. A copy of this document will be emailed to the National Judge Advocate. Any Department member can contact the Department Adjutant and request a printed copy at a cost of \$5.00 to cover printing and postage.

**SECTION 705 - VALIDITY** - Checks drawn against Department funds shall be valid only if they cover disbursement authorized as provided in Section 603 hereof and shall bear jointly the signatures of the Commandant and Paymaster.

**SECTION 706 - ASSESSMENTS** - This Department upon a Detachment shall levy no assessments.

**SECTION 707 - FINANCIAL OBLIGATION** - No Officer or member of the Department of West Virginia, Marine Corps League shall obligate this Department financially in any manner whatsoever without the prior consent of the Department Convention or the Department Board of Trustees, reference Department Bylaws, Section 603.

**SECTION 708 – COMMANDANT TRAVEL EXPENSES** - As the Department Commandant attends the National Convention, the Mid-Winter Conference, the Mideast Conference and the Modern Day Marine Expo and other National and Mideast functions to represent the Department of West Virginia. The Department will reimburse the Department Commandant if requested for the following costs of attending these events: hotel room, registration fee, banquet cost, mileage from the Commandants home to the hotel and back home or if flying then airfare. Any other costs will be covered by the Commandant. Mileage paid will be calculated by the Department Paymaster using Google Maps to get the distance in miles from the Commandants home to the hotel and back home. The mileage rate will be the IRS standard mileage rate for charitable organizations on the dates traveled. Travel to in state Veterans events by the Commandant while in uniform and representing the Department including visiting the Detachments may be reimbursed mileage only at the Commandants request if the roundtrip mileage exceeds 150 miles. Mileage will be paid at the IRS rate as shown above.

(1) If the Commandant cannot attend the Convention or Conference and appoints a member who is attending to represent the Commandant then the Department will reimburse that member for their expenses as the Commandant. The substitution must be approved beforehand by a 2/3 vote of the Department Board of Trustees or the Department Convention.

**SECTION 709 – FINANCIAL ASSISTANCE** -

(1) When the Department of West Virginia MCL is informed that a disaster occurred or a member or veteran is in distress within the State of West Virginia, the Department Commandant will immediately contact the closest Detachment Commandant to the member or veteran in distress and ask that detachment for support for said member or veteran.

(2) The Detachment Commandant will make inquires to gain more information and verify character of honorable service of the veteran if the veteran is not a member of the Marine Corps League prior to granting support. The Detachment Commandant will report back to the Department Commandant in a timely manner to report on what support was rendered to the Member or Veteran and follow up with the Department if more support is needed.

(3) If it is determined by the Detachment Commandant that additional financial support or manpower is required to support said member or veteran in distress, the Department Commandant will call for a Department Board of Trustees meeting either by ZOOM or conference call to discuss the issue and make recommendations on how the Department will proceed with additional support.

(4) The Department Board of Trustees may consider recommending that the Department contact additional Detachments within the Department for additional support. A brief explanation of the request for support will be stated. A bonified Point of Contact with phone number, email and or mailing address will also be stated when contacting additional support from multiple Detachments.

(5) The level of support and or amount of monetary funds per detachment will be solely up to the Detachment Board of Trustees and or Detachment Membership. Detachment Commandants are tasked to report back to the Department Commandant in a timely manner and state what type of support was rendered.

(6) The Department Board of Trustees may recommend that funds from the Department's general account be donated to support a MCL Member, Detachment, Department, Division, Marine or Veteran in distress outside the State of West Virginia with a monetary amount not to exceed \$500.00 if funds are readily available in the Department's General account. A Department Board of Trustees vote will be required to make this type of Department donation and the Department Adjutant will record the vote and announce the vote at the next Department meeting. The Department Commandant or Designee may make the vote if the Adjutant is not available and report the results to the Adjutant.

(7) The Marine Corps League Foundation will be recommended by the Department to a League member that experiences an astronomical loss of home, belongings, or a personal tragedy as necessary.





**MAY 2024 EDITION**

**DEPARTMENT OF WEST VIRGINIA**

**ADMINISTRATIVE PROCEDURES**



**DEPARTMENT OF WEST VIRGINIA**

**ADMINISTRATIVE PROCEDURES**

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**DEPARTMENT OF WEST VIRGINIA**

**ADMINISTRATIVE PROCEDURES**

**CHAPTER 1**

**GENERAL**

**SECTION 100 - NAME AND PURPOSE** - The name of the corporation is the Department of West Virginia Marine Corps League Incorporated and is a non-profit corporation. The purposes for which the corporation is formed are as outlined in the National Bylaws and Administrative Procedures.

**SECTION 101 - LOCATION** - the Department Board of Trustees shall establish The Department Headquarters and Business Office of this organization.

**SECTION 102 - CORPORATE SEAL** - The corporate seal of the Department of West Virginia shall be round in shape with a simulated rope on the outer diameter of the seal. It shall contain, in the center thereof, a replica of the United State Marine Corps Emblem surrounded by the words "Department of West Virginia" around the top and "Marine Corps League" around the bottom within the border of two narrow rings, with two stars centered between the words "Virginia" and "League" and two stars centered between the words "Marine" and "Department". See Enclosure (4) Department of West Virginia Administrative Procedures.

**SECTION 103 - POLICY** -

(1) The supreme power of the Department of West Virginia shall be vested always in its membership functioning through delegates at all department conventions; executive and administrative powers only will be delegated to its Board of Trustees.

(2) The Department of West Virginia 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.

(3) Nothing in the preceding subsection shall prohibit a member of the Department of West Virginia 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. As a matter of MCL policy, Marine Corps League members cannot wear any part of the League uniform or identify themselves as members of the MCL, and while wearing the uniform cannot sponsor a political club, participate in any TV or radio program, or group discussion that advocates for or against a political party, candidate or cause, give interviews to the press or speak at any event, rally, meeting or gathering promoting a political candidate, movement or activity. The membership cannot give the impression that the League supports or opposes any one candidate or political party.

**SECTION 104 - ORGANIZATION** - The constituted bodies of the organization shall be:

(1) The Department Organization shall be known as the Department Convention, Marine Corps League.

(2) Subordinate local organizations located anywhere in the boundaries of the State of West Virginia, to be known as Detachments.



**DEPARTMENT OF WEST VIRGINIA**

**ADMINISTRATIVE PROCEDURES**

**CHAPTER 2**

**DEPARTMENT CONVENTIONS**

**SECTION 200 - MEETINGS** - The Department Convention shall be convened once each calendar year between May 1 and July 15, unless prevented by national emergency or other unpreventable cause.

**SECTION 201 - TIME AND PLACE** - The time and place of each Department Convention shall be decided by the delegates present and voting at a Department Convention one (1) year in advance minimum, provided that, in an emergency, the present and voting delegates may assign this duty to the Department Board of Trustees.

(1) In the event a detachment, which has committed itself to host a convention and decides not to host such convention, then the Department Board of Trustees shall automatically assume the executive duty of selecting an alternate location. Without requirement of above referenced vote, this action is subject to ratification at the next business meeting.

(2) Each detachment shall be provided written notification by the hosting detachment of the date and location of each pending convention at least 6 months prior to the opening of the convention. Information shall include, but not limited to, the cost of hotel rooms and at least one alternate hotel for the overflow of delegates, Banquet prices including menu.

**SECTION 202 - PROCEDURES** - Immediately preceding the convening of each Department Convention, the Department Commandant and the Department Board of Trustees will determine and establish the sequence and procedure for the conduct of business at the convention, provided such determination is in conformity with the National and Department Bylaws and Administrative Procedures.

**SECTION 203 - RULES OF ORDER** - The Department Judge Advocate shall read the Convention Rules of Order aloud at the start of each convention. However, a motion by a registered and approved delegate to suspend the reading of the Rules of Order may be made, and passed by a majority vote of registered delegates present. (See Enclosure (3)).

**SECTION 204 - INSTALLATION** - The installation of department officers shall be conducted with formal ceremony at the closing of the Department Convention. The Department Commandant-elect shall select the installing officer, as directed in the National Bylaws and Administrative Procedures.

**SECTION 205 - CONVENTION ADMINISTRATIVE COMMITTEES** - The duties of the Department Convention Administrative Committees are:

(1) Credentials Committee shall:

a. Examine the credentials of each delegate by ensuring each member possesses a current Marine Corps League membership card or they have been vouched for at registration. Verify that they have a valid convention registration card upon entering the convention floor.

a. Compile a continuing list of all registered and approved delegates. The list shall be available upon request of the chair and shall be present as part of the committee's final report to the Department Convention.

(2) Bylaws and Administrative Procedures Committee shall receive and consider all properly written proposed changes to the Department Bylaws and Administrative Procedures. Properly submitted recommendations to the Department of West Virginia Bylaws and Administrative Procedures shall be made to the Department Bylaws and Administrative Committee no later than March 1 prior to the annual

Department Convention. Requirements of a properly written Department Bylaws and Administrative Procedures change shall be:

- a. Typed, printed on plain white paper or submitted as a PDF document via email
- b. Stating Bylaw/AP Section number, sub-section number, etc. affected using current exact wording
- c. Address only one (1) section. See Bylaws Section 702(2)
- d. Recommended change to the Bylaw/AP using exact wording of change
- e. Rationale for change to the Bylaw/AP

A revision encompassing the entire Bylaws and Administrative Procedures shall not be bound by the aforementioned requirements. The committee, by majority vote, shall either approve or disapprove all properly written Department Bylaws and Administrative Procedures proposed changes. The chairman will report the committee's recommendation to the Department Convention for its consideration and action. The Department Judge Advocate shall be the chairman of the committee.

Changes submitted that are not properly written according to the above rules will be returned to the submitter upon receipt with comments as to why it was rejected. They may be rewritten and resubmitted as long as they are received by March 1.

(3) Rules Committee shall study the rules of the convention employed at prior convention(s) and determine the need for additional rules or revision thereof, for recommendation to the convention for application during the specific convention.

(4) Bids for Department Convention: Any detachment may make a formal bid for a Department Convention. Such bid shall be filed with the Time and Place Committee a minimum of one (1) year or more in advance of said conference requested. Only a Detachment Commandant may place the bid to the Time and Place Committee.

**DEPARTMENT OF WEST VIRGINIA**

**ADMINISTRATIVE PROCEDURES**

**CHAPTER 3**

**DEPARTMENT STAFF**

**SECTION 300 - APPOINTED OFFICERS, CHAIRPERSON AND COMMITTEE MEMBERS**

**TERM** - All appointed officers, committee chairperson, and committee members shall, unless specified in the Department Bylaws and Administrative Procedures, serve at the pleasure of the Department Board of Trustees. Appointees shall surrender to the duly appointed successor all books, records, and other property, which has been entrusted to them.

**SECTION 301 - STANDING COMMITTEES AND DUTIES** - The Department Standing Committees and their duties are as follows:

(1) **Budget and Finance Committee** – It shall be the duty of the Budget and Finance Committee to prepare and present to the Department Convention a financial program and budget for the conduct of business and affairs of the department for the ensuing year and to make recommendations concerning ways of increasing the funds of the Department.

- a. The Budget and Finance Committee shall consist of a minimum of three (3) members.
- b. The Department Paymaster or Adjutant/Paymaster shall be the chairman of the committee.
- c. The Department Commandant with the advice and consent of the Department Board of Trustees shall appoint the remaining members.

(2) **The Time and Place Committee** – shall determine the location and date of the regular department meetings. Fall Conference and Mid-Winter Conference no later than 1 August of each year. Location and dates are subject to change/modification due to weather and national emergencies. Notification of all changes to locations and dates shall be immediately sent, expeditiously, to each Detachment Commandant within the Department of West Virginia.

- a. The Time and Place Committee shall consist of a minimum of three (3) members.
- b. The Department Senior Vice Commandant shall be the chairman of the committee.
- c. The Department Commandant with the advice and consent of the Department Board of Trustees shall appoint the remaining members.

(3) **The Department Awards Committee** - The Awards Committee shall consist of a minimum of three (3) members.

- a. The Department Commandant shall appoint the chairman of the society.
- b. The Department Commandant with the advice and consent of the Board of Trustees shall appoint the remaining members.
- c. The following are the Department Awards that are presented during the Department Convention. The deadline for submission is March 30.

**Department Heart and Soul Award** is presented in recognition of this Marine Corps League member's outstanding spirit and enhancement of the mission and principles of the U. S. Marine Corps and Marine Corps League from May \_\_\_\_\_ to March \_\_\_\_\_

**Commandant of the Year Award** is presented in recognition of this Marine Corps League member's outstanding leadership and guidance in meeting all department and national guidelines, policies and procedures from May \_\_\_\_\_ to March \_\_\_\_\_

**Department Community Award** is presented in recognition of this Detachment's or Detachment's Marine Corps League member for outstanding public relations contributions and community involvement from May \_\_\_\_\_ to March \_\_\_\_\_

**Department Americanism Award** is presented in recognition of promoting patriotism, citizenship, participating in parade activities, and observing all traditions of U.S. Marine Corps and Marine Corps League from May \_\_\_\_\_ to March \_\_\_\_\_

**Department Adjutant/Paymaster Award** is presented in recognition of this Marine Corps League member's outstanding administrative and fiscal practices and procedures in the Marine Corps League from May \_\_\_\_\_ to March \_\_\_\_\_

**Department Service Officer Award** is presented in recognition of this Marine Corps League member's outstanding service performance and volunteer work to veterans and their dependents from May \_\_\_\_\_ to March \_\_\_\_\_

**Department Newsletter Award** is presented to Detachment \_\_\_\_\_ in recognition for publishing an outstanding newsletter that conforms to the National Newsletter guidelines from May \_\_\_\_\_ to March \_\_\_\_\_

**Department Commendation Award** is presented in recognition for displaying outstanding principles and purposes of the U. S. Marine Corps and Marine Corps League from May \_\_\_\_\_ to March \_\_\_\_\_

**Department Recruiter of the Year Award** is presented in recognition to this Marine Corps League member for recruiting the highest number of new Marine Corps League members for the period May \_\_\_\_\_ to March \_\_\_\_\_

d. The Awards Committee shall distribute, receive, and examine all recommendations for completeness and eligibility. The Committee shall consider all submitted recommendations and do the following:

1. Inform all Detachments Commandants and Adjutants the correct mailing address to submit award nominations. Email is the preferred information distribution mode.
2. Observe strict adherence to eligibility and compliance
3. Decisions of the Awards Committee are final
4. Reserves the right not to select an award due to noncompliance and/or fraudulent statements

(4) Scholarship Committee

a. Name - The name of the Department of West Virginia scholarship shall be the "Department of West Virginia Marine Corps League Hershel Woody Williams Scholarship Foundation". The Committee shall consist of a minimum of three (3) members.

b. The Department Commandant with the advice and consent of the Department Board of Trustees shall appoint a chairman of the committee. Honorary voting members of the Scholarship committee shall be Hershel W. "Woody" Williams.

c. The Department Commandant with the advice and consent of the Department Board of Trustees shall appoint the remaining members.

1. Eligibility - Scholarships shall be awarded based upon the following criteria:

(a) Child, grandchild, stepchild or adopted child of a Marine who lost their life in the line of duty or

(b) Child, grandchild, stepchild or adopted child of a Department of West Virginia Marine Corps League or Marine Corps League Auxiliary active member in good standing or

(c) A member in good standing or spouse of a member in good standing in the Department of West Virginia Marine Corps League

2. Requirements - All applicants shall comply with the following requirements:

(a) Complete and sign the application and ensure all the required supporting documents are enclosed in a single package.

(b) Provide a letter of recommendation from the following:

(1) High School Students: A high school administrator

(2) College Students: College Instructor or Adviser

(c) Transcript of student's entire high school grades to date

(d) Transcript of student's entire college grades to date

(e) Proof of acceptance by an educational institution of higher learning or recognized trade school prior to awarding of scholarship

(f) Provide a brief, handwritten, life history to include high school honors, school, community, church, extracurricular activities and goals. (Limit one (1) handwritten page).

(g) Have a minimum of 3.0 cumulative grade point average

(h) Ensure that your application has been completed and all required signatures affixed.

(i) Incomplete packages will not be considered

(j) All packages must be postmarked by March 15<sup>th</sup> of the award year

d. The Scholarship Committee shall distribute, receive, and examine all nominee applications for completeness and eligibility. The committee shall consider all eligible applicants and do the following:

1. Inform all detachments by first class mail, the correct mailing address to submit scholarship applications

2. Observe strict adherence to eligibility and compliance
3. Decisions of the Scholarship Committee are final
4. Reserves the right not to award a scholarship

e. Detachment Commandants, Paymasters or Adjutant/Paymaster shall

1. Ensure the sponsoring member is a member in good standing of the Marine Corps League, Department of West Virginia

2. Provide all of the sponsor data indicated; relationship, name, member number

Note (1): Testimonials of the sponsor detachment are not solicited, nor will the committee consider them.

3. Shall sign all applications of scholarship, prior to submission or Adjutant/Paymaster (as applicable) stating the applicant is eligible. In the event the Detachment Commandant, Adjutant/Paymaster or Paymaster is the sponsor, the Senior Vice Commandant shall sign for eligibility.

4. Provide the detachment name, number, and address

f. Duties - The Scholarship Committee shall:

1. The chair of the Scholarship Committee shall receive all application packages from the detachments. The committee chair will open each packet when received and try to ensure that all required documents are included and correct. If anything is missing or incorrect, the applicant will be notified and allowed to send in the missing or corrected documents. The missing or corrected documents may be submitted by mail or email to the committee chair. Mailed documents must be postmarked by March 15<sup>th</sup> of the award year. Emailed documents must be received before midnight on March 15<sup>th</sup> of the award year.

2. Judge each application received from each detachment of the Department of West Virginia and attests by the signature of each member of the committee present the nominee application was discussed and judged.

g. Responsibilities – The Chairman of the Scholarship Committee shall:

1. Chair all meetings of the committee.

2. In the event the chairman of the committee is unable to perform the duties of the chairman due to absence, illness, or any other reason, an elected trustee, in succession, will chair the committee.

3. The chairman shall inform all detachments, by first class mail, the correct mailing address to which to submit the scholarship applications

4. Return to the detachments, by first class mail, the application of each applicant with the required signatures affixed.

5. Present the scholarship recipients at the appropriate time during the Department Convention Banquet.

h. Scholarship Award – The Scholarship Award – The scholarship award shall be based upon the funds available in the Marine Corps League, Department of West Virginia, Hershel “Woody” Williams Scholarship Foundation. No scholarships shall be awarded if available funds within the scholarship account are less than \$2,000.00. The Scholarship committee with the advice and consent of the Board of Trustees shall be the sole judge of the award amount based upon available funds.

i. A Member in Good Standing, as used in this section, shall be interpreted as a regular or associate member of the Marine Corps League who is in compliance with the National Bylaws and Administrative Procedures rules for “Good Standing”.

(5) Membership and Retention Committee – It shall be the duty of the Membership and Retention Committee to conduct a program to help retain the membership of the department and to further its growth through the organization of new detachments.

a. The Membership and Retention Committee shall consist of a minimum of three (3) members.

b. The Department Junior Vice Commandant shall be the chairman of the committee.

c. The Department Commandant with the advice and consent of the Department Board of Trustees shall appoint the remaining members

(6) Nominating Committee – Shall present to the convention a proposed slate of elective officers for the ensuing year.

a. The Nominating Committee shall consist of a minimum of three (3) members.

b. The Department Senior Vice Commandant shall be the chairman of the committee.

c. The Department Commandant with the advice and consent of the Department Board of Trustees shall appoint the remaining members.

(7) Audit Committee – It shall be the duty of the Audit Committee to examine the financial records of the department annually, to be completed not later than one day before the opening business day of the Department Convention.

a. The Audit Committee shall consist of a minimum of three (3) members.

b. The Department Commandant with the advice and consent of the Department Board of Trustees shall appoint a Detachment or Past Detachment Commandant as a chairman of this committee and the remaining members.

(8) Marine of the Year Society, Associate Member of the Year Society

a. Composition - The Department of West Virginia Marine of the Year Society shall be comprised of all past recipients of the Department of West Virginia Marine of the Year Society in attendance at the annual Department of West Virginia Marine of the Year Society meeting. The Department of West Virginia Associate Member of the Year Society shall be comprised of all past recipients of the Department of West Virginia Associate Member of the Year Society in attendance at the annual Department of West Virginia Associate member of the Year Society meeting.

1. The Department Marine of the Year or the Associate Member of the Year Society meeting shall have no less than three (3) members in attendance to select a new Marine of the Year or Associate Member of the Year. The President of the Marine of the Year Society (MOYS) or Associate Member of the Year Society (AMOYS) shall personally contact all members of the MOYS or AMOYS specifying the date, time and place of the Selection Committee for the current year. Until the AMOYS have at least three (3) members, the MOYS and the existing AMOYS shall jointly select the AMOY recipient. The President shall also make a note of the calls. All members not able to attend shall so advise the President.

2. The President of the MOYS shall be the recipient of the MOY Award two years prior to the current annual meeting. The President of the AMOYS shall be the recipient of the AMOY Award three years prior to the current annual meeting

3. Each member must be a member in good standing of the Marine Corps League and the Department of West Virginia.

b. Nominations - A letter of nomination for the Department Marine of the Year or Associate Member of the Year Award shall be submitted in the following manner

1. Letters of nominations will only be accepted from Detachment under the jurisdiction of the Department of West Virginia Marine Corps League.

2. All letters of nomination shall contain a statement of certification from the Detachment Commandant and Adjutant/Paymaster (or Adjutant) confirming the nominee, for the Department of West Virginia Marine of the Year or Associate Member of the Year, was approved by the detachment by a majority vote. (In the event the nominee is the Detachment Commandant, the Detachment Senior Vice Commandant and the Adjutant/Paymaster (or Adjutant) shall sign the letter of nomination. In the event the nominee is the Detachment Adjutant/Paymaster (or Adjutant), the letter of nomination shall be signed by the Detachment Commandant and the Senior Vice Commandant.

3. Each letter of nomination submitted shall be placed in a sealed envelope and addressed to the "President, Department of West Virginia Marine of the Year" or "President Department of West Virginia Associate Member of the Year", at the new address stipulated annually by the new President of the Marine of the Year or Associate Member of the Year Society. It shall be sent to the Society President by first class mail, with letters "MOY or AMOY" written on the rear of the envelope and post marked no later than March 1st prior to the annual Department Convention.

c. Contents – All letters of nomination shall contain the following:

1. State that the nominee has been a member in good standing for minimum of two (2) years and has maintained a minimum of 50% attendance rate at the Detachment meetings.

2. Has held, or is holding, an elective or appointed office for MOY and an appointed office for AMOY in their detachment or the department



3. The Department of West Virginia Marine of the Year or Associate Member of the Year Society shall not accept any nomination, which was not submitted or does not contain the stipulated information herein.

d. Duties - The Department of West Virginia Marine of the Year or Associate Member of the Year Society shall:

1. Receive all the detachment's sealed letters of nomination from the president of the Department Marine of the Year or Associate Member of the Year Society. These sealed letters of nomination shall remain sealed until the Department Marine of the Year or Associate Member of the Year Society meeting prior to the annual Department Convention.

2. A discussion on the merits of the letters and the nominees shall be made on each nominee, one by one, prior to voting on one (1) Marine of the Year or Associate Member of the Year.

3. Each member of the Society shall sign their name on the backside of each letter of nomination. The signature of the Society member attests they have read the letter of nomination in its entirety and the nominee and letter is in compliance with the Department of West Virginia Administrative Procedures.

e. The President will chair all meetings of the Society. In the event the President of the Society is unable to perform the duties of the president due to absence, illness, or any other reason, the Junior Past President, in succession, shall perform the duties of that office.

1. The President shall inform all Detachment Commandants, by first class mail, the correct mailing address to which to submit their Department Marine of the Year or Associate member of the Year nomination Return to the Detachment Commandant, by first class mail, the resume of each nominee with the required signatures affixed no later than 15 days after the annual Department of West Virginia Convention.

2. Read the nominee's resume before presenting the Department Marine of the Year or Associate Member of the Year recipient at the closing banquet of the Department Convention.

3. The President of the Society shall present the Department Marine of the Year or Associate Member of the Year Award to the recipient at the closing banquet of the Department Convention.

4. Order or purchase the Marine of the Year or Associate Member of the Year Award.

5. The Department of West Virginia Marine of the Year or Associate Member of the Year Society shall meet no later than April 1<sup>st</sup> of each year. No meeting of the Department of West Virginia Marine of the Year or Associate Member of the Year Society shall be called during an open session of the Department Convention or any Department Staff Meeting. 5/21/22

(9) Bylaws Training Committee

a. It shall be the duty of the Bylaws Training Committee to prepare and conduct bylaw training classes at the Department Convention and the regular Department meetings. Attendees should be any current officer or any member that is seeking an office with the detachments and in the Department of West Virginia for the current year.

b. The Bylaws Training Committee shall consist of a minimum of 5 instructors.

c. The Department Judge Advocate shall be the chairman of the committee.

d. The Department Commandant with the advice and consent of the Department Board of Trustees shall appoint the remaining members.

**DEPARTMENT OF WEST VIRGINIA**

**ADMINISTRATIVE PROCEDURES**

**CHAPTER 4**

**DETACHMENTS**

**SECTION 400 - AUTHORITY** - Each Detachment shall be governed by its elected officers (Board of Trustees) subordinate to the Department and National Convention.

**SECTION 401 - DUES** - Each Detachment shall fix the amount of its annual membership dues. Annual dues shall include the Department and National per capita dues and fees. All per capita dues and fees, which are due the Department and/or National Headquarters.

**SECTION 402 – REQUIRED REPORTS** - Each Detachment will ensure the Department has a copy of their Charter, Detachment Bylaws, IRS letter with EIN confirmation, Articles of Incorporation and WV State Tax Department Business Registration Certificate. In addition, the following reports are mandatory and will be completed as required and forwarded to the Department:

(1) Report of Officer Installation (ROI) upon installation of new Officers and send to the Department Adjutant or Adjutant/Paymaster.

(2) Annual Corporate Report - must be filed before 1 July yearly and send a copy to the Department Adjutant or Adjutant/Paymaster.

(3) IRS 990 N e file - must be completed with 90 days of Detachment fiscal year end with a copy of the confirmation letter from IRS to the Department Paymaster or Adjutant/Paymaster.

(4) Paid Life Membership (PLM) Audit using June 30 membership roster yearly - must be signed by Detachment Commandant and Paymaster, dated and forwarded to the Department Paymaster or Adjutant/Paymaster in time to arrive at National before Dec 31.

(5) Membership Dues Transmittal - immediately as members pay their annual dues to the Department Paymaster or Adjutant/Paymaster.

(6) Annual financial audit of Detachment done prior to new officer installation send a copy to the Department Paymaster or Adjutant/Paymaster.

(7) Monthly Membership Meeting Minutes send a copy to the Department Adjutant or Adjutant/Paymaster.

(8) Detachment Meetings and or Department Convention Report give a copy to the Department Adjutant or Adjutant/Paymaster at the meeting or convention.

**DEPARTMENT OF WEST VIRGINIA**

**ADMINISTRATIVE PROCEDURES**

**CHAPTER 5**

**GRIEVANCE AND DISCIPLINE**

**SECTION 500 - VIOLATION** – Any member who violates the precepts of the National Bylaws and Administrative Procedures and/or the Department Bylaws and Administrative Procedures of the Marine Corps League is subject to the provisions of “Grievance and Discipline”, as defined in the National Bylaws and Administrative Procedures.

(1) Hearing Board members and the Recorder shall be reimbursed; upon written request via letter or email to the Department Paymaster; mileage from their home to the hearing location and back home. The Department Paymaster will calculate the mileage based on the driving miles using Google Maps. The mileage rate paid will be based on the IRS standard mileage for charitable organizations for the date of the hearing.

**DEPARTMENT OF WEST VIRGINIA**

**ADMINISTRATIVE PROCEDURES**

**CHAPTER 6**

**MISCELLANEOUS**

**SECTION 600 - FUND RAISING** - See the National Bylaws and Administrative Procedures for the Rules for Fund Raising.

**SECTION 601 - RESOLUTIONS, SUBMITTING AND PROCESSING** - Resolutions may be submitted by a member in good standing or a Detachment for consideration by the Department Convention or regular meeting, provided said resolutions are in proper form and is compliance with the following requirements.

(1) The resolution must be typewritten with an original and twenty-six (26) copies. The original must be submitted to the Department Adjutant prior to the start of the Convention or meeting. One (1) copy will be retained by the submitter to be read at the meeting. The other 25 copies will be given to the Sgt-at-Arms to be distributed to each Board of Trustee member and to each Detachment Commandant or their representative. Any remaining copies will be placed on the table for the meeting attendees.

(2) All resolutions submitted for consideration shall be drawn up to identify it as being from the Department of West Virginia Marine Corps League.



## CONVENTION RULES OF ORDER

1. The business session shall begin promptly as indicated by the agenda unless deemed otherwise by the Department Commandant. The meeting will be conducted in strict adherence to the prescribed Ritual of the Marine Corps League. All members are expected to be in attendance well in advance of the beginning of the meeting so as to preclude any delay(s) or interruption of the meeting.
2. The National Bylaws and Administrative Procedures, the Department of West Virginia Bylaws and Administrative Procedures and the current edition of Robert's Rules of Order newly revised shall prevail at all times.
3. All members of the Department of West Virginia in good standing have a right to attend all meetings of the Department of West Virginia, and shall have the right to speak in any discussion or debate so long as their action and/or verbiage is not detrimental to the good order of the meeting. Non-Department of West Virginia Marine Corps League members may be extended the courtesy of addressing the meeting, if in the opinion of the Department Commandant, to be in the best interest of the Marine Corps League. They shall have no vote on the affairs of the Department of West Virginia.
4. Should the "Chair" decide to admit any non-Marine Corps League visitor to the meeting, it shall first declare the session to be under the "**Good of the League**". After the visitor(s) purpose has been satisfied, the "Chair" shall then instruct the Sergeant at Arms to escort the visitor(s) from the room and declare the meeting is "**Once Again Open for The Transaction of Official Business.**"
5. A Marine Corps League member shall be permitted to speak no more than twice on a question. A time limit of four (4) minutes shall be imposed upon each speaker.
6. Those officers and Detachment Commandants that are to render reports shall do so in writing with at least 25 copies of their report for general distribution. Due to time constraints, no detachment written reports will be read aloud in their entirety. ALL reports are to have a limit of 5 minutes in duration unless so waived by the Department Commandant for just cause.
7. The "Chair" shall not accept a Call for the Question on any controversial issue until, in the opinion of the "Chair", a sufficient number of Speakers, representing opposing views, have been recognized and offered the opportunity to express their views.
8. Members desiring permission to enter or leave the meeting will do so by presenting themselves and saluting the Colors as they stand and the Sergeant – at – Arms who shall be located at the "secured hatch". When the salute has been acknowledged and returned, such action will indicate permission and the requester may enter or leave.
9. The "Chair", no matter by whom occupied shall always be addressed as "Sir Commandant".
10. All attendance shall be provided with an agenda so as to provide a constant awareness of the planned and scheduled business. Any changes to the agenda will be advised to the body at the appropriate times during the meeting.
11. Should a "Point of Order" be raised, the Department Judge Advocate shall render an opinion on the point raised to the "Chair". The "Chair" shall then make a ruling on the point.
12. At the Nomination of Officers, the nominator shall be allowed four (4) minutes. Seconds on the nomination shall be no more than one (1) minute.

Enclosure (3)

13. Any ten (10) registered and approved delegates may call for a roll call vote.

14. The Commandant may call a five (5) minute recess, prior to any roll call vote, to allow delegates to caucus on the question.

15. When a Delegate, Department Officer, or Past Department Commandant desires the floor, they shall rise and, when recognized, state their Name, Home Detachment and whether they are a delegate, Detachment Officer, Department Officer and/or Past Department Commandant. This procedure shall be followed each and every time you desire the floor (speak to the Chair).



CORPORATE SEAL

DEPARTMENT OF WEST VIRGINIA

MARINE CORPS LEAGUE





**28 May 2024**

**From: Judge Advocate, Department of West Virginia**

**To: Commandant, Department of West Virginia**

**Subject: Updated Department of West Virginia BYLAWS & AP**

Ref a: 2023 National ByLaws and AP

Ref b: 2024 Dept. of WV ByLaws and AP

In accordance with references (a) and (b) your proposed and updated Bylaws & AP have been reviewed and approved.

*Isaac Warren Bryant*

Isaac Warren Bryant

Judge Advocate

Department of West Virginia

Enclosure (5)