

BYLAWS

FIRST (1st) CAPITOL DETACHMENT 521 MARINE CORPS LEAGUE, INC.

PREAMBLE

We, who have served or are serving honorably in the United States Marine Corps, have united to establish a permanent organization under the Bylaws and Administrative Procedures of the Marine Corps League and the laws of the United States of America and the Commonwealth of Pennsylvania, which shall always be non-partisan, non-sectarian and which shall never serve as a medium of personal political ambition or preferment.

ARTICLE 1

NAME

The name of the not-for-profit corporation is the First (1st) Capitol Detachment 521, Marine Corps League, Inc. (hereinafter called "the Detachment").

ARTICLE II

PURPOSE AND POWER

SECTION 2.1 The purpose of the Detachment, as stated in the Bylaws and Administrative Procedures of the Marine Corps League, are to receive, administrate, and expend funds to originate and support various community and patriotic events, to establish a home, preserve the traditions, and promote the interest of the United States Marine Corps.

SECTION 2.2 The Detachment shall band together those who are now serving or have served honorably in the United States Marine Corps in fellowship.

SECTION 2.3 The Detachment shall have powers as are now or may hereafter be granted by the Pennsylvania Not-For-Profit Corporation Law 1972, as amended from time to time.

SECTION 2.4 The Detachment shall aid voluntarily and render assistance to all Marines and Marine veterans, as well as to their spouses, orphans and parents.

ARTICLE III

BYLAWS AND AMENDMENTS

SECTION 3.1 Amendments to the Detachment Bylaws may be made by any member in good standing. Amendments shall be prepared in writing, in the exact wording, containing a statement describing the proposed addition, deletion or modification. The proposed amendment shall be presented to the Detachment Judge Advocate and shall be signed by the proposing member. The entire amendment shall be read at the next Detachment meeting. Once read the proposed amendment shall be made available to each member of the Detachment. At the next Detachment meeting the proposed amendment shall be read again, then voted upon by those members present and eligible to vote. It shall require two thirds (2/3) vote in the affirmative to pass.

SECTION 3.2 A copy of the Detachment Bylaws shall be given to each new member at no charge.

REVISED AND ADOPTED 11 JULY 2018

FURTHER REVISED AND ADOPTED 10 OCT 2018

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SECTION 3.3 Detachment Bylaws shall be reviewed every three (3) years and upgraded if necessary.

SECTION 3.4 Any information not covered in these articles should be referred to the National and Department Bylaws.

ARTICLE IV

MEMBERSHIP AND DUES

SECTION 4.1 Eligibility for membership is subject to Article Six of the Bylaws of the Marine Corps League, Inc.

SECTION 4.2 All applicants for membership must complete and sign the prescribed form and submit with appropriate dues to the Senior Vice Commandant. The applicant must also provide proof of service for verification. The application shall be presented for action by the Senior Vice Commandant at the next Detachment meeting.

SECTION 4.3 The candidate's application for membership shall be presented at a regular meeting of the Detachment. The Commandant shall inquire from the members present if there are any objections as to why the candidate should not be accepted as a member of the Detachment. In the event there are one or more objections, the Detachment may, by a two-thirds (2/3) vote of the Regular members present and voting, elect the candidate to membership. Should there be no objections, the candidate shall be automatically elected to membership. The candidate, if present, shall be escorted from the meeting room by the Sergeant-at-Arms prior to the vote.

SECTION 4.4 The annual dues shall be collected by the Detachment Paymaster. The annual dues may be changed from time to time by a majority vote of the membership of the Detachment present at a regular meeting, provided the total membership has been notified of the proposed change no less than fifteen (15) days prior to the meeting. Department and National dues shall be governed by the Department and National Bylaws.

ARTICLE V

MEETINGS

SECTION 5.1 The Detachment shall have a regularly scheduled monthly meeting on the second (2nd) Wednesday of each month.

SECTION 5.2 Parliamentary procedure for all meetings shall be guided by *ROBERTS RULES OF ORDER* (current edition).

SECTION 5.3 Special meetings may be called at the discretion of the Commandant. Membership shall be notified in ample time to attend.

SECTION 5.4 The elected officers and trustees shall meet once each month before the regularly scheduled meeting to discuss official business.

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SECTION 5.5 Any member in good standing may attend the staff meeting. Any member desiring to bring business before the staff meeting shall advise the Commandant no later than five (5) days prior to the scheduled meeting.

SECTION 5.6 A quorum to conduct official business of this Detachment shall consist of any five (5) members and at least one (1) senior officer (Commandant, Senior Vice Commandant, or Junior Vice Commandant).

ARTICLE VI BOARD OF TRUSTEES

SECTION 6.1 The affairs of the Detachment shall be governed by its Board of Trustees.

SECTION 6.2 The Board of Trustees of this Detachment shall be:

1. Commandant
2. Senior Vice Commandant
3. Junior Vice Commandant
4. Judge Advocate

SECTION 6.3 Each member of the Board of Trustees shall surrender all monies, books, papers, and all other property belonging to the Detachment to their successor upon leaving office.

ARTICLE VII OFFICERS OF THE DETACHMENT

SECTION 7.1 The Commandant, Senior Vice Commandant, Junior Vice Commandant, and Judge Advocate shall be elected annually, for a term of one (1) year. The Adjutant, Paymaster (or Adjutant/Paymaster), Quartermaster, Chaplain, Sergeant at Arms, and three (3) Trustees may be elected (if nominations are offered) or appointed (if no nominations are offered). Regular members in good standing are eligible for election. Regular or Associate members in good standing are eligible for appointment.

SECTION 7.2 A nominating committee consisting of three (3) members shall be appointed by the Commandant ninety (90) days prior to elections. This committee shall present nominations for the various offices to the membership at the November meeting. Nominations will also be accepted from the members present.

SECTION 7.3 Nominations will be reopened and accepted from the floor at the December meeting. Elections of officers will proceed after nominations.

SECTION 7.4 Installation of officers shall take place at the January meeting.

SECTION 7.5 Elected or appointed officers who are absent for three (3) consecutive meetings, unless due to illness or other extenuating circumstances, shall, at the discretion of the Commandant, vacate their office. When a vacancy occurs under this section, the Commandant shall appoint a replacement within thirty (30) days.

SECTION 7.6 Vacancies

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1. Commandant.
 - a. The order of succession to the office of Commandant shall be: first, Senior Vice Commandant and second, Junior Vice Commandant. The new Commandant shall serve for the remainder of the term.
 - b. The officer succeeding the Commandant will be responsible for recommending a replacement for the newly vacated position to the Board of Trustees for approval.
 - c. If neither the Senior Vice Commandant nor the Junior Vice Commandant is willing to serve as Commandant, the Department Commandant will name a replacement with the assistance of the rest of the Detachment Board of Trustees.
2. Senior Vice Commandant.
 - a. If the Senior Vice Commandant office is vacant, the Junior Vice Commandant, if agreeable, will serve as the new Senior Vice Commandant for the remainder of the term.
 - b. If the Junior Vice Commandant is not agreeable, the Commandant will appoint a replacement with the approval of the Board of Trustees.
3. Junior Vice Commandant or Judge Advocate.

If the Junior Vice Commandant or Judge Advocate office is vacant, the Commandant will appoint a replacement with approval of the Detachment Board of Trustees.
4. Other Detachment Officer.

Should any other elected or appointed position become vacant, the Commandant shall appoint a replacement with the approval of the Board of Trustees.
5. Installation.

Officers appointed to fill vacancies shall be installed and a report of installation submitted as soon as possible.

ARTICLE VIII

DUTIES OF OFFICERS

SECTION 8.1 The Detachment Commandant shall preside at all Detachment meetings and in conjunction with the staff shall have the direction and control of the Detachment; and shall also cast the deciding vote in the event of a tie vote. The Detachment Commandant may make subject to the authority of the Board of Trustees such orders as are not contrary to the Bylaws of the National Marine Corps League, the Department and of state and national laws.

SECTION 8.2 The Senior Vice Commandant shall perform such duties as may be assigned by the Commandant and in the event of an absence of the Commandant assume the duties thereof; and shall also be in charge of maintaining the membership and creating new membership programs.

SECTION 8.3 The Junior Vice Commandant shall be in charge of all money-making projects of the Detachment; and shall also perform such other duties as are required by the Commandant.

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SECTION 8.4 The Adjutant shall keep a full record of the proceedings of the Detachment and assure that the minutes and other records in his care are properly maintained; and shall also conduct routine correspondence of the Detachment; and shall perform such duties as may be required by his office or as may be required by the National or Department Bylaws of the Marine Corps League.

SECTION 8.5 The Detachment Paymaster shall be custodian of all Detachment funds, shall pay all debts owed by the Detachment and shall be audited on a quarterly basis by at least four (4) officers; and shall receive all monies due the Detachment from all sources, entering same upon the Paymaster's books, showing the amount and the source from which they were received; and shall also deposit all monies in the bank selected by the Detachment in the name of the Detachment. The Detachment Paymaster shall keep all books, papers, bank book and check book ready for inspection by the Commandant and or Auditing Committee.

SECTION 8.6 The Judge Advocate shall act as legal counsel for the Detachment within the confines of the National and Department Bylaws. The Judge Advocate shall advise the Commandant and members concerning the Bylaws of the Marine Corps League; and shall render opinions on questions of the law that may arise from the Bylaws of the Marine Corps League and shall perform such other duties as may be required of this office. The Judge Advocate shall be custodian of all corporate and legal records of the Detachment.

SECTION 8.7 The Quartermaster shall be custodian of all Detachment property; and shall maintain and keep records of the Detachment Locker Box, Detachment Awards, and have an inventory list of all rifles, pistols, Color Guard and all other gear that is Detachment property; and shall also request a **bi-yearly** inventory from all members that have charge of rifles, pistols, Color Guard, and all other gear that is Detachment property.

SECTION 8.8 The Chaplain shall perform such duties of a spiritual nature as are customarily performed by members of the clergy and as are required by the Bylaws and rituals of the Marine Corps League; and shall also perform such spiritual and other duties relating to the clergy for the Detachment.

SECTION 8.9 The Sergeant-At-Arms shall preserve order at all Detachment meetings; and shall also perform the duties required by National and Department Bylaws and by the Commandant.

SECTION 8.10 The Trustees shall perform regular reviews of the finances of the Detachment and perform other duties as requested by the Commandant.

ARTICLE IX

BOOKS AND RECORDS

SECTION 9.1 The Detachment shall keep correct and complete financial books and records and shall also keep minutes of the proceedings of its regular membership meetings.

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ARTICLE X

FINANCIAL YEAR

SECTION 10.1 The financial year of the Detachment shall begin on January 1 and end on December 31 of each year.

ARTICLE XI

WAIVER OF NOTICE

SECTION 11.1 Whenever any notice is required to be given under the provisions of the current Pennsylvania Not-for-Profit Corporation Law or under the provisions of the Articles of Incorporation or the Bylaws of the Detachment, a written waiver signed by the person(s) entitled to such notice, whether before or after the time stated within the notice/waiver, shall be deemed equivalent to the giving of such notice.

ARTICLE XII

INDEMNIFICATION

SECTION 12.1 The Detachment Officers and Trustees shall be and hereby are indemnified and held harmless from and against any and all liability, including legal fees and other costs and expenses whatsoever incurred or arising out of the lawful performance of their duties. This indemnity shall be deemed to extend to the full extent permitted and or provided by the ~~Non~~ Not-For-Profit Corporation Law of the State of Pennsylvania in effect at the time.

SECTION 12.2 The Detachment Officers shall be bonded. The said bonding is to be provided as per Section 5, Article 545 of the National Bylaws.

ARTICLE XIII

DISSOLUTION

SECTION 13.1 Should this organization be dissolved, all funds, property, and assets of the Detachment shall be given to a non-profit organization as determined by the National Board of Trustees, provided said choice is tax exempt under the provisions of the Internal Revenue Service.



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MARINE CORPS LEAGUE
Department of Pennsylvania, Inc.
Office of the Judge Advocate

Benjamin A. Cero

Department Judge Advocate

28 Paddock Lane, Camp Hill, PA 17011 (717) 737 1870 begecero@pa.net

October 25, 2018

David Brady
Detachment Paymaster
First Capitol Detachment # 521
993 Marbrook Lane
York, PA 17406-2345

RE: First Capitol Detachment # 521
Review of Revised Detachment Bylaws

Paymaster Brady:

I have reviewed the First Capitol Detachment bylaws "further revise and adopted October 2018."
The Detachment bylaws are consistent with the National and Department Bylaws and
Administrative Procedures. Accordingly, the amendments are approved.

If you have any questions, please contact me any time.

Semper Fi,



Benjamin A. Cero