



Marine Corps League Department of North Carolina



To: Department of North Carolina, Marine Corps League
From: Scott L Shermeyer, MCL Member, DoNC
Attn: DoNC Adjutant
Subject: Proposed Revision to Current DoNC Bylaws
Date: Wednesday, March 02, 2022

References:

1. Marine Corps League National Bylaws, 2021 Edition, effective 13 August 2021
2. Marine Corps League National Administrative Procedures, 2021 Edition, effective 13 August 2021
3. Department of North Carolina, Marine Corps League Department Bylaws, dtd 30 June 2018

Target:

Article Two - Board of Trustees, Section 210 - Duties of Trustees, ¶F

Current:

F. DEPARTMENT PAYMASTER shall:

1. Administer the allocation of funds of the Department as authorized in the annual Department approved budget.
2. Assure that all funds received by the Department are deposited in a bank account approved by the Board of Trustees
3. Be responsible for disbursing all funds of the Department.
4. Not make, or permit to be made, any expenditure of the Department funds in excess of those available. Immediately notify the Commandant and the Board of any circumstance not provided for in the annual budget.
5. Be directly responsible and accountable for all financial transactions necessary for the operation of the Department.
6. Deposit collected funds in a timely manner in the financial institution designated in accordance with paragraph (2).
7. Maintain appropriate accounting records with all disbursements supported by appropriate documentation.
8. Submit the records of the Department for audit, not less than annually, to the Commandant, or his duly appointed Financial Audit Committee. Department of North Carolina Bylaws Page 8 of 27
9. Chair the Budget and Finance Committee, unless otherwise directed by the Commandant. The Commandant shall appoint no less than three (3) members to serve on this committee. The Budget and Finance Committee shall prepare a proposed annual budget consisting of appropriated and non-appropriated items for approval at the annual Department Convention. The budget will be prepared utilizing the following criteria:

- a. For budgetary purposes the fiscal year of the Department shall run from June 1st to midnight May 31st of the following year.
- b. Annual expenditures shall be limited to those funds on deposit on the first day of the fiscal year (June 1st), minus any funds held in trust and any unfulfilled financial obligation from the previous fiscal year, unless supplemented by extraordinary fundraising.
- c. No membership fees or Life Membership annuities collected after June 1st may be expended until after 31 st May in the following fiscal year. Annual expenditures shall be delineated in a written budget and submitted to the Department Convention for review, amendment and approval.
- d. Appropriated budget items shall satisfy the items delineated in these Bylaws before appropriating funds to any item not delineated in the Bylaws. Inability to satisfy this provision shall be rectified by amending the required items delineated in the Bylaws until a balanced budget is achieved.
- e. All funds remaining after the appropriated budget is determined shall be referred to as non-appropriated funds and shall be utilized during the fiscal year to satisfy any non- appropriated expenditures.
- f. Non-appropriated expenditures may not exceed the remaining funds on deposit after subtracting the appropriated items and any other funds held in trust.*

*NOTE: An example of funds held in trust are the pledges on deposit for the North Carolina Marine Corps League License Plate Program.

10. The non-appropriated budget may be supplemented by extraordinary fundraising. Extraordinary fundraising may not include any funds collected from membership dues or annual life membership annuity payments.

11. Non-appropriated disbursements may never exceed the amount of funds on deposit for that purpose. Disbursements may not be made based on "projected" revenues.

12. Appropriated budget items that do not utilize the full amount of the appropriation, may designate the remaining funds for non-appropriated items during the budget year provided the authorized recipient of the appropriated funds waives claim to, and releases them to such use in writing. Such written release shall include the full amount of the appropriated item, the amount claimed and disbursed, and the remaining amount to be released to the non-appropriated expense account. This procedure may be used to ascertain that no further claim exists prior to releasing appropriated funds and for those who wish to waive and donate their appropriated funds for other non-appropriated purposes.

NOTE: The purpose of these provisions are to limit spending to funds that are on deposit and provide for adequate funding of the next administration.

13. Disburse funds in accordance with the approved annual budget of the Department. Disbursement is authorized under the following circumstances:

- a. Any non-appropriated disbursements directed by a majority vote of the Staff Officers present at a Department Staff Meeting or Delegates present at a Department Convention that do not exceed the funds available for such purpose;
- b. Procurement of supplies, postal expenses and services necessary for the operation

of the Adjutant/Paymaster office as appropriated in the approved annual budget;

(CH 6-14)

c. To reimburse the Detachment hosting Department Staff/Quarterly Meetings, and the annual Convention the amount of \$200.00 for the procurement of food and other items as appropriated in the annual budget.

(CH 6-12)

d. The Commandant or his authorized designated representative is authorized reimbursement, as appropriated in the annual budget, for hotel expenses, travel costs and approved air travel to the Annual National Convention, relating to the following functions when satisfactory proof of expense is presented to the Paymaster. Payment shall not exceed amount approved detailed in the Department budget approved by the membership at Annual Convention.

1) Mideast Division Conference National Convention

2) DoNC Fall Quarterly Meeting

3) DoNC Winter Quarterly Meeting

4) National Mid-Winter Conference

5) DoNC Spring Quarterly Meeting

6) DoNC Annual Convention (CH 6-13)

14. When circumstances requiring the disbursement of non-appropriated funds arise, the Paymaster must obtain approval of the Commandant. Non-appropriated funding of the Commandant shall require the approval of the Board of Trustees. All checks for non - appropriated disbursements must have two (2) signatures, the second being the Commandant or an elected officer designated by the Commandant. Department of North Carolina Bylaws Page 10 of 27

15. The signatures on disbursement checks shall be other than the individual receiving the remuneration.

16. Submit a comprehensive financial report quarterly, at each Department Staff Meeting and the annual Department Convention. The Department Convention report will be a review of all financial transactions of the past year, copies of the tax reports submitted, the annual audit results, as well as the proposed annual budget for the next year.

17. Report to the Commandant and Board of Trustees any Officer or Member making unauthorized expenditures. Such Member shall be subject to disciplinary action in accordance with the provisions of the National Bylaws and Administrative Procedures.

18. Keep all proper and necessary books and ledgers.

19. Submit the appropriate reports and records to the Internal Revenue Service as required by Local, State and National law. Maintain a record of such submission(s) and include them in the annual report submitted at the Department Convention.

Proposed Actions:

Remove Duties of Department Paymaster from Article Two - Board of Trustees, Section 210 - Duties of Trustees, F

(to be relocated to Article Three - Staff, Section 310 - Duties of Staff Officers)

Rationale:

- Department Paymaster is not currently considered to be member of Department Board of Trustees, so that job description should fall under Staff Officers instead

Semper Fidelis, *(Always Faithful, to God, Corps, Country, Community, & Family)*

Sincerely and Respectfully Submitted,



Scott Shermeyer, Department of North Carolina, Marine Corps League