



William Miller – Judge Advocate  
Marine Corps League – Department of Georgia



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## Memorandum

Date: 20 March 2019  
To: Bob Borke – National Chief Operating Officer  
From: William Miller – Department of Georgia Judge Advocate  
Subject: Proposed Bylaws Change, National, MCL

In accordance with Article XI, Section 1100, National Bylaws, the following proposed change and rationale therefore is submitted for consideration at the 2019 National Convention:

### **ARTICLE IX – Departments, Section 955 – Employment Identification Number [EIN] and Incorporation, Paragraph b. - Incorporation**

*Currently reads:*

- b. **Incorporation.** Detachments which engage in services or business, either for profit or non-profit, or which use the name of the MCL will be incorporated within one year from the charter date.

*Change to read:*

- b. **Incorporation.** Detachments which engage in services or business in their respective state or commonwealth either for profit or non-profit, or which use the name of the MCL will be incorporated within one year from the charter date unless their state or commonwealth requires incorporation to be completed within a shorter time period.

*Rationale:*

This amendment request has two changes:

- 1 Is to add the same language “in their respective state or commonwealth” that appears in ARTICLE VIII, Section 850, Paragraph B.
- 2 Is to add a provision that addresses any state or commonwealth that requires non-profits to incorporate within a shorter period of time. For example, Georgia Statutes require all non-profits to incorporate before they are allowed to operate within the state.