



Department of North Carolina
Office of the Judge Advocate
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Revised 16 May 2021

To: Marine Corps League National COO Bob Borka
From: Dennis Mathias, MCL Member, Life#: 39636

**This proposed amendment
is RECOMMENDED FOR
APPROVAL in conjunction
with 11_AP_022721**

Subj: **Proposed Amendment to the:
National Bylaws, Article XI, Section 1100. National Bylaws Amendments**

In accordance with the Bylaws Article XI, Sections 1100 and 1105, the following is submitted for consideration by the body assembled at the 2020 National Convention.

CURRENT SECTION 1100

Section 1100. National Bylaws Amendments. The National Bylaws may be revised, amended, or repealed by a majority vote of the properly registered and approved delegates voting at a National Convention. The proposed revision, amendment, or repeal shall be submitted to the National Chief Operating Officer (COO) at National Headquarters no later than 1 April prior to the National Convention at which said proposal is to be considered. The proposed amendments will then be posted to the MCL National Website by 1 May of each year.

PROPOSED REVISIONS TO SECTION 1100

Section 1100. National Bylaws Amendments. The National Bylaws may be revised, amended, or repealed by a majority vote of the properly registered and approved delegates voting at a National Convention. The proposed revision, amendment, or repeal shall be submitted ~~to the National Chief Operating Officer (COO) at National Headquarters no later than 1 April prior to the National Convention at which said proposal is to be considered. The proposed amendments will then be posted to the MCL National Website by 1 May of each year~~ following the procedures in the Administrative procedures, Chapter Ten, Section 10020. Amendments.

PROPOSED SECTION 1100 – Final version

Section 1100. National Bylaws Amendments. The National Bylaws may be revised, amended, or repealed by a majority vote of the properly registered and approved delegates voting at a National Convention. The proposed revision, amendment, or repeal shall be submitted following the procedures in the Administrative procedures, Chapter Ten, Section 10020. Amendments.

CHANGE RATIONALE:

The current NBL Section 1100 is not consistent with the NAP Section 10020.

1. **NAP requires that submitted proposed amendments be sent to the COO via certified mail. The NBL does not stipulate and thus allows email submissions**
 2. The NAP allows for multiple interrelated sections to be amended in one proposal as long as the interact with each other. The NBL has no allowance thus leaving the submission process up for multiple interpretations.
 3. **If sections in the NBL and NAP are interrelated, there is no allowance for approvals be made in both the NAP and NBL. Approving one but not the other is currently possible now which, if done, would lead to additional inconsistencies.**
 4. Under the current regulations, two proposals are required to fix these issues. It would not be advisable to just duplicate the NAP Section 10020 in the NBL. Future proposals to amend either one of these sections without the other, currently requiring 2 proposals, would permit inconsistencies again
 5. **The proposed amendment to the NBL Section 1100 need approval and the NAP Section 10020 proposed amendment needs to be approved in order to standardize the amendment process for both the NBL and NAP. Today the NAP Section 10020 must be and is being submitted in a separate submission. In essence, approving these two proposed amendments follows convention in that the NBL will establish the ‘what’ and the NAP will establish the ‘how’ of the NBL and NAP amendment process.**
 6. **This proposed changed Section 1100 has no defined procedures for submission. The consolidation of procedures are contained, as currently required, in a separate proposed amendment to NAP Chapter Ten, Section 10020 that should be considered together with this proposed amendment.**
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Respectfully Submitted,

Dennis Mathias
Department of North Carolina Judge Advocate
Charlotte Detachment 750 Life Member