



**Department of North Carolina**

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31 March 2025

To: Marine Corps League National COO Bob Borka  
National Board of Trustees  
From: William E. Brown, MCL Life Member #60939

**Subj: Proposed Amendment to the National Administrative Procedures, Chapter Six, Section 6050**

In accordance with the National Bylaws Article XI, Sections 1120, and National Administrative Procedures Section 10020 the following is submitted for consideration by the body assembled at the 2025 National Convention.

**CURRENT LANGUAGE:**

Section 6050. Charter Voluntary Surrender

A. The charter of a detachment may be voluntarily surrendered for such reasons as may be determined by the detachment. Upon a determination that it is no longer practical to maintain said, detachment, the detachment board of trustees shall immediately notify its jurisdictional department, or if a jurisdictional department is non-existent, its Division National Vice Commandant in writing of its intent to dissolve and surrender its charter. The detachment shall then:

1. Call a special meeting of the detachment by giving written notice of such special meeting to all members of the detachment at least fourteen (14) days prior to such special meeting. If the regular meeting date of the detachment is to be used for the special meeting, the aforesaid written notice must still be given to all detachment members at least fourteen (14) days before the regular meeting date.

2. Upon consideration of the voluntary surrender of the detachment charter by the detachment, if it shall be determined that the detachment charter shall be voluntarily surrendered and there is not a minimum of fifteen (15) regular members of the detachment who remain ready, willing, and able to carry on the detachment, then: (Rev 2024)

a. The detachment shall immediately notify, in writing, the jurisdictional department, or where such department is non-existent, the jurisdictional Division National Vice Commandant, of the detachment's vote to voluntarily surrender its charter.

b. The department will perform an audit to determine if members are living. If members are found deceased, the department will perform procedures as found in Section 7010 of this document. The department will ensure the current membership of the detachment will be distributed to the closest detachments pending the approval of the accepting detachment. The accepting detachment will have 30 calendar days to approve the member(s). Once approved the members in question will then have 30 calendar days to decline the transfer at which point the

transfer will be approved or, if declined by either party, the member(s) will then be moved to the National Members at Large roster. If the current department's charter is under suspension or revocation, the National Office along with the Division National Vice Commandant will ensure these transfers take place in accordance with this subsection. (Rev 2024)

c. The detachment shall, to the extent assets are available, satisfy all legitimate liabilities of the detachment prior to voluntary surrender but shall not otherwise dissipate any assets of the detachment other than the normal course of business of the detachment.

d. Upon acceptance of the surrender of its charter, if the detachment is incorporated, the detachment shall take such action as is deemed appropriate to properly dissolve the corporation in accordance with applicable state law.

3. No surrender of a detachment charter shall be deemed effective or accepted until all members of the detachment have been appropriately transferred.

**PROPOSED LANGUAGE (Revisions in RED):**

Section 6050. Charter Voluntary Surrender

A. The charter of a detachment may be voluntarily surrendered for such reasons as may be determined by the detachment. Upon a determination that it is no longer practical to maintain said, detachment, the detachment board of trustees shall immediately notify its jurisdictional department, or if a jurisdictional department is non-existent, its Division National Vice Commandant in writing of its intent to dissolve and surrender its charter. The detachment shall then:

1. Call a special meeting of the detachment by giving written notice of such special meeting to all members of the detachment at least fourteen (14) days prior to such special meeting. If the regular meeting date of the detachment is to be used for the special meeting, the aforesaid written notice must still be given to all detachment members at least fourteen (14) days before the regular meeting date.
2. **With the assistance of the jurisdictional authority, arrange for representatives from the three nearest Marine Corps League detachments, if practical, to attend the special meeting to provide information for potential transfer of members should the detachment decide to surrender their charter.**

3. Upon consideration of the voluntary surrender of the detachment charter by the detachment, if it shall be determined that the detachment charter shall be voluntarily surrendered and there is not a minimum of fifteen (15) regular members of the detachment who remain ready, willing, and able to carry on the detachment, then: (Rev 2024)

a. The detachment shall immediately notify, in writing, the jurisdictional department, or where such department is non-existent, the jurisdictional Division National Vice Commandant, of the detachment's vote to voluntarily surrender its charter.

b. The department will perform an audit to determine if members are living. If members are found deceased, the department will perform procedures as found in Section 7010 of this document. The department will ensure the current membership of the detachment will be distributed to the closest detachments pending the approval of the

accepting detachment. The accepting detachment will have 30 calendar days **from receipt of the member's transfer request** to approve the member(s). Once approved the members in question will then have 30 calendar days to decline the transfer at which point the transfer will be approved or, if declined by either party, the member(s) will then be moved to the National Members at Large roster. If the current department's charter is under suspension or revocation, the National Office along with the Division National Vice Commandant will ensure these transfers take place in accordance with this subsection.

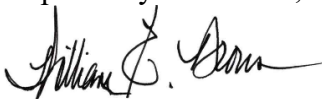
c. The detachment shall, to the extent assets are available, satisfy all legitimate liabilities of the detachment prior to voluntary surrender but shall not otherwise dissipate any assets of the detachment other than the normal course of business of the detachment. d. Upon acceptance of the surrender of its charter, if the detachment is incorporated, the detachment shall take such action as is deemed appropriate to properly dissolve the corporation in accordance with applicable state law.

4. No surrender of a detachment charter shall be deemed effective or accepted until all members of the detachment have been appropriately transferred.

**CHANGE RATIONALE:** Detachments are more aware that their numbers are dwindling and are faced with the fact that without assistance in recruiting and dual member support that the surrender of their charter may be inevitable. With the assistance of department staff (District Vice Commandants, where applicable) nearby detachments within reasonable travel distances should be identified and their assistance requested to facilitate transfer if practical and acceptable to the member and the receiving detachment. Although the NBL and NAP recommend meetings be conducted monthly, some detachments suspend meetings in the summer months and some in the Christmas holidays, making it almost impossible to live within the 30 day acceptance timeline required for transfer prior to being force transferred to member-at-large. Every effort should be made to transfer Life Members to another detachment so that benefits from their PLM status can be received by the gaining detachment and not lost to Headquarters.

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Respectfully Submitted,



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Department of North Carolina Judge Advocate  
Commandant, Air, Land NC Detachment 1257 Life Member