

DEPARTMENT OF TEXAS

BYLAWS

ARTICLE ONE

DEPARTMENT CONVENTIONS

SECTION 100 AUTHORITY The supreme legislative and policy making power of the Department of Texas Marine Corps League shall be vested in the Department Convention composed of the properly elected, registered, and approved Delegates in good standing.

SECTION 101 - COMMITTEES - DEPARTMENT CONVENTION The Department Convention and Administration Committees shall be: (1) Credentials, (2) Bylaws, (3) Resolutions, (4) Rules, and (5) Standing Committees.

SECTION 105 - COMMITTEES, DELEGATES, ALTERNATES AND MEMBERS

- (a) Delegates, Alternates and Members desiring to attend business sessions of a Department Convention must possess a paid up membership card, plus properly executed and signed credentials, and must be registered with, and approved by, the Convention Credentials Committee.
- (b) Detachment Delegates and Alternates to the Department Convention shall be determined on the basis of said Detachments membership strength on record at the Department Headquarters as of 1 June, immediately preceding the Department Convention. A Detachment's membership strength may be adjusted upward provided a dues transmittal, which includes new members or which brings delinquent members back into good standing, is delivered to the Department Adjutant/Paymaster, along with the appropriate dues, prior to the opening of Convention. The Delegate voting strength of each Detachment shall be as follows: For the first ten (10) regular members, one (1) Delegate and one (1) Alternate; for each additional full block of ten (10) regular members, one (1) Delegate and one (1) Alternate; for a partial number of ten (10) regular members, one (1) Delegate and one (1) Alternate. However, no Delegate strength of a Detachment shall be computed including associate, dual, or honorary members in such Detachment's total membership.
- (c) Should a Detachment be in default of payments or funds from any source due the Department Headquarters as of 1 June, prior to the Department Convention, such fact shall be reported by the Department Adjutant/Paymaster, to the affected Detachment, and to the Department Credentials Committee. The credentials of that Detachment's Delegates and Alternates shall not be approved unless settlement is made by the Detachment's Delegates at the convention site in cash, unless previously resolved.
- (d) A Detachment which, as of 1 June immediately prior to the Department Convention, fails to report on standard transmittal form to the Department Adjutant/Paymaster that it has fifteen (15) or more members, the Department Adjutant/Paymaster shall report such fact to the Department Convention Credentials Committee which shall not approve that Detachment's Delegates or Alternates.
- (e) Notwithstanding the provisions of Section 105 (d) above, no paid member in good standing may be deprived of his individual right to vote at a Department Convention.
- (f) Delegate/alternate cards of a Detachment may only be claimed by a registered member of that Detachment.

SECTION 110 - VOTING

- (a) Except as otherwise provided in these Bylaws, a fifty (50%) percent plus one (1) vote by the Delegates voting shall carry any measure and decide any issue.
- (b) Each Delegate complying with Section 105 is entitled to cast a vote for ten (10) members, providing that the total vote of the Detachment's Delegates does not exceed the Detachment's membership strength. Such Delegate or Alternate in the absence of the Delegate present at the time of voting may, on behalf of the registered and approved absent Delegates, cast the Detachment's full voting strength.
- (c) A Roll Call vote may be required and recorded upon the request of any ten (10) registered and approved Delegates, except as provided for in (e) below.
- (d) A Detachment Commandant, being a registered and approved Delegate, or his registered and approved designee, in the Detachment Commandant's absence, may cast the full voting strength of the Detachment, subject to the will of, and in the manner specified by the registered and approved Delegates present from that Detachment.
- (e) In the event of a challenge by a registered Delegate to the stated vote of his Detachment, the roll call vote of each Delegate shall be called. Upon the calling of each Delegate so registered, each Delegate of the Detachment shall rise, if not restricted by physical impairment, and identify himself as a registered Delegate, authorized to cast a ballot on behalf of his block of votes.

SECTION 112 - MEETINGS The Department of Texas, Marine Corps League, shall hold one Convention each year during the month of June, one Staff meeting during the month of October of each year and additional Staff Meetings as may be required during the year. The Department Charter, the Bible and the National and Department Colors shall be displayed at all business meetings.

SECTION 115 - ELECTIVE OFFICES The Department Officers to be elected at each Convention shall be: Commandant, Senior Vice Commandant, Junior Vice Commandant, Judge Advocate, Adjutant/Paymaster, Chaplain, Sergeant at Arms and District Vice Commandants.

SECTION 120 - NOMINATIONS

- (a) All nominations for elective offices shall be made from the floor on the day on which the elections are to be held. Each nominee must be a member in good standing in the Marine Corps League at the time of his/her nomination. Each nominee, when called upon, shall rise, unless restricted by physical impairment, and state to the Chair that if elected he will accept the office and serve loyally, faithfully and to the best of his/her ability during the term to which elected.
- (b) Districts shall caucus prior to the time of nominations and select a nominee, presenting the name of that nominee when the District Vice Commandant nominations are called for. Such nominee must be on the floor at the time of the nomination and must be a member in good standing in the Marine Corps League.

SECTION 125 - ELECTIONS The election of Department Officers shall be last order of business of the Convention. The election of Commandant, Senior Vice Commandant, Junior Vice Commandant, Judge Advocate, Adjutant/Paymaster, Chaplain and Sergeant at Arms shall be by roll call vote, properly recorded. The election of District Vice Commandants shall be by acclamation.

- (a) No person shall hold more than one elected Department Office at the same time.

- (b) Before voting begins, the Department Commandant shall select two Past Department Commandants, two Past Detachment Commandants or other Department Officers to act as Judges and Tellers.
- (c) When Judges and Tellers have informed the Chair that they are ready and prepared to supervise the election, the Chair shall then call for the “Election of Officers.” Upon such announcement by the Chair, it shall not accept or entertain any issue, question or subject which is not strictly related to the roll call vote being conducted. Without explicit permission of the Chair, a voting member shall not be allowed to enter or leave the Convention floor until the roll call vote in progress is concluded.
- (d) A majority of votes cast is required to elect Department Officers. When a simple majority is not obtained on the first ballot, a second balloting will immediately commence after a caucus (not to exceed five (5) minutes).

SECTION 130 - TERM OF OFFICE Department Officers shall be elected for a term of one (1) year and may stand for reelection.

SECTION 135 - QUORUM The minimum number required to transact the regular and legal business of the Department Convention shall be the registered and approved Delegates in good standing from a majority of all Detachments.

SECTION 140 - RIGHT TO SPEAK All registered Delegates, when recognized by the Chair and not so expressly prohibited by these Bylaws, shall have the right to speak on any subject and all issues brought to the Convention for its consideration. Each registered Department Officer, Past Department Commandant, Detachment Commandant and member may be granted the floor by the Chair.

BYLAWS

ARTICLE TWO

DEPARTMENT BOARD OF TRUSTEES

SECTION 200 - COMPOSITION The Department Board of Trustees shall be composed of the following:

- (a) DEPARTMENT COMMANDANT
- (b) DEPARTMENT SENIOR VICE COMMANDANT
- (c) DEPARTMENT JUNIOR VICE COMMANDANT
- (d) DEPARTMENT JUDGE ADVOCATE
- (e) DEPARTMENT ADJUTANT/PAYMASTER
- (f) DEPARTMENT CHAPLAIN
- (g) DEPARTMENT SERGEANT-AT-ARMS
- (h) DEPARTMENT VICE COMMANDANTS OF DISTRICTS
- (i) JUNIOR PAST DEPARTMENT COMMANDANT

SECTION 205 - POWERS Between conventions, in compliance with the provisions of the Congressional Charter of the Marine Corps League, the Department Bylaws and Administrative Procedures and Directives of the Department Commandant, the Powers and Authority of the Department Board of Trustees shall be:

- (a) To exercise such other powers and to do such other actions as are compatible with the Department Bylaws and Administrative Procedures which are in the best interest of the Marine Corps League, and to exercise executive powers between Department Conventions.
- (b) To approve or disapprove the minutes of the Department Convention at the next regularly scheduled Mid-Winter Staff Meeting of the Department of Texas Marine Corps League, following the convention, only to the degree of correcting errors or omissions.

SECTION 210 - DUTIES - BOARD MEMBERS In addition to the specific duties of the individual Board Members, as hereinafter stated, it shall be the duty of each member of the Board to acquire a working knowledge of the Department of Texas and the National Bylaws and Administrative Procedures of the Marine Corps League. The specific duties of the Members of the Department Board of Trustees shall be:

- (a) **DEPARTMENT COMMANDANT** Shall preside at all sessions of the Department Convention and at all meetings of the Department Board of Trustees. The Department Commandant, together with the Board of Trustees, shall have direction and control of the executive and administrative affairs of the Department of Texas, Marine Corps League between Department Conventions. In addition, the Department Commandant shall:
 - (1) Observe and enforce the observance of the Congressional Charter and the National and Department Bylaws and Administrative Procedures of the Marine Corps League.
 - (2) Direct to all officers and members such orders as are not in conflict with the Bylaws and Administrative Procedures which are necessary for the proper conduct of business.
 - (3) Call such meetings of the Department Board of Trustees as are required by the Department and National Bylaws and Administrative Procedures.
 - (4) Seek the advice of the Department Board of Trustees and Staff as well as that of the National Vice Commandant. Southern Division.

- (5) With the Department Adjutant/Paymaster have custody of all funds and property of the Department of Texas Marine Corps League, subject to the supervision of the Department Board of Trustees.
 - (6) With the advice and consent of the Department Board of Trustees, appoint the following Department Officers:
 - (a) Auditor; (b) Chairman of the Convention Committee; (c) Historian; (d) Veterans Service Officer; (e) Chairman of Youth Activities; (f) Public Relations Officer; (g) Auxiliary Liaison Officer; and, (h) Such other Staff Officers as may be necessary.
 - (7) With the advice and consent of the Department Board of Trustees, appoint such standing committees as are deemed necessary.
 - (8) Approve requisitions of the Adjutant/Paymaster.
 - (9) Represent the Department of Texas Marine Corps League at all social functions and ceremonies in such a manner as will enhance the dignity, honor, and Prestige of this organization.
 - (10) Perform such other duties as are directed from time to time.
 - (11) The Department Commandant may not hold the office of Commandant in any other level of the Marine Corps League. If this be the case, resignation from the lower office shall be required upon being sworn into the higher office.
- (b) **DEPARTMENT SENIOR VICE COMMANDANT** Shall give every assistance to the Department Commandant and, during the absence or illness of the Department Commandant, perform the duties of that office. He/she shall preside over all Detachment Commandants Council Meetings and, with their assistance, initiate and implement such dynamic programs as will increase the effectiveness of the Marine Corps League and the Department of Texas.
 - (c) **DEPARTMENT JUNIOR VICE COMMANDANT** Shall create and promulgate such incentives and programs as will produce enthusiastic response resulting in continuous membership growth. In the absence or illness of the Department Commandant and the Department Senior Vice Commandant, he/she shall perform the duties of that office.
 - (d) **DEPARTMENT JUDGE ADVOCATE** Shall interpret the Department Bylaws and Administrative Procedures. He/she shall advise, construe, counsel, and render opinions on questions of Law and Procedure to the Department Commandant, the Department Board of Trustees, the Department Staff, and Detachments when so requested in the manner outlined hereinafter:
 - (1) At Department Conventions, upon the request of an approved Delegate through the Chair, the Department Judge Advocate shall render an opinion on Law and Procedure to the Chair, whereupon the Chair shall rule on the opinion and the question, which ruling shall be final unless appealed by an approved Delegate, whereupon the Department Judge Advocate will put the question, "Shall the ruling of the Chair be sustained?" A vote of approved Delegates will be called, and two-thirds (2/3rds) of the total vote will be required to reverse the ruling of the Chair.
 - (2) At Department Board Meetings, the same procedure shall apply, and two-thirds (2/3rds) of the Department Board of Trustees present and voting will be required to reverse the ruling of the Chair.
 - (3) On all questions of Law and Procedure pertaining to the Department of Texas Marine Corps League or any of its subsidiaries referred to this officer through channels, the Department Judge Advocate shall rule

in writing. Copies of the ruling shall be distributed by hand or via the U.S. Mail to the parties concerned and to the Department Commandant and the National Judge Advocate. That ruling shall be binding unless reversed by the Department Board of Trustees or the National Judge Advocate or at the Department Convention.

- (4) The Department Judge Advocate may not hold the office of Judge Advocate in any other level of the Marine Corps League. If this be the case, resignation from the lower office shall be required upon being sworn into the higher office.

(e) **DEPARTMENT ADJUTANT/PAYMASTER** Shall:

- (1) Be responsible to the Department Commandant.
- (2) Perform all of the ordinary and necessary business of the Department of Texas Marine Corps League, including the approval of purchasing materials and services of normal business operations within the bounds of the budget as provided by the Board of Trustees.
- (3) Keep the minutes of all Department Conventions, Board Meetings, and perform such other duties as are usually assigned a secretary.
- (4) Mail to each Detachment and member of the Department Board of Trustees within sixty (60) days following each Department Convention a brief summary of the minutes showing actions and decisions affecting the Department Bylaws and Administrative Procedures.
- (5) Receive and review all committee reports and correspondence, and where appropriate, forward copies to the Board of Trustees for information.
- (6) Surrender all books, records and property of the Department of Texas Marine Corps League, with which the office is charged, to the duly elected or appointed successor.
- (7) Shall not hold any other position on the Staff.
- (8) Determine the compensation for the Department Staff within the budget guidelines.
- (9) Conduct a census of all the total membership of the Department of Texas Marine Corps League for the purpose of determining Delegate and Alternate entitlement for the ensuing Department Convention. Such census shall be conducted prior to the Department Convention annually.
- (10) Cause to be kept all proper and necessary books for the recording of all business of the Department of Texas Marine Corps League, including a correct record of all membership accounts.
- (11) Receive all monies, keeping record of their source and purpose, and shall deposit said monies in approved and Federally insured accounts, including checking and/or savings accounts. All monies deposited shall be in the name of the Department of Texas Marine Corps League.
- (12) Close the books for the collection of dues for the determination of voting rights prior to the conduct of business at each Department Convention.
- (13) Establish the Fiscal Year for the Department of Texas, Marine Corps League from June 1 to May 31 the following year and provide assistance as necessary in the conduct of an annual audit of all of the funds of the Department of Texas, Marine Corps League.
- (14) Assure that all checks issued have the signatures of the Commandant and the Adjutant/Paymaster of the Department of Texas.

(f) **DEPARTMENT CHAPLAIN** Shall:

- (1) Perform such duties of a spiritual nature as are customarily performed by members of the clergy and required by the Department of Texas and the National Bylaws and Administrative Procedures of the Marine Corps League.
- (2) Be responsible for and have charge of arranging and conducting an impressive, dignified, and inspiring non-denominational Memorial Service at each Department Convention and Staff Meeting, including in each ceremony representatives of those subsidiaries that are appropriate, and including the reading of names of members of the Department of Texas Marine Corps League deceased during the past year.

(g) **DEPARTMENT SERGEANT-AT-ARMS** Shall preserve order at the Department Conventions and such other Department meetings as may be called by the Department Commandant, and to perform such other duties as are assigned by the Department Commandant.

(h) **VICE COMMANDANTS OF DISTRICTS** Shall:

- (1) Be held accountable to the Board of Trustees for the care and proper administration of their Districts under the direct supervision of the Department Commandant.
- (2) Arrange for, convene, and supervise not less than one (1) District Conference each year for the purpose of planning and executing means and methods of strengthening and increasing the effectiveness of the District.
- (3) Make every continuing effort to establish new Detachments within their District. Appoint Assistant Vice Commandants and assign them related duties.

(i) **JUNIOR PAST DEPARTMENT COMMANDANT** Shall be a full voting member of the Department Board of Trustees, contributing generously and impartially from past experience to the best interest of the Department of Texas, Marine Corps League.

SECTION 215 - VACANCY The order of succession to the office of the Department Commandant shall be: (1) Senior Vice Commandant, and (2) Junior Vice Commandant. In the event of other vacancies on the Department Board of Trustees, the Department Commandant, with the advice and consent of the remaining Board Members, shall appoint a successor to fill the remaining unexpired term of office. In addition to death, resignation, or incapacitation, a vacancy will occur through failure to attend two consecutive officially called meetings of the Department Board of Trustees or in the case of removal from office for cause as is provided in Chapter Nine of the Administrative Procedures.

SECTION 220 - BOARD MEETING

(a) The Department shall meet:

- (1) Annually, immediately prior to each Department Convention to close the executive administration of the Department Board of Trustees for that fiscal year, to finalize preparation for the ensuing convention (Administrative Procedures Chapter Two (2) Section 210), and to identify pending and unfinished executive actions warranting further action by the Convention or Department Board of Trustees during the ensuing fiscal year.
- (2) Annually, immediately after adjournment of each Department Convention for the purpose of selecting appointive Department Officers and Standing Committees and for the transaction of such other business as may properly come before it.
- (3) Annually during the month of October, at a location to be chosen by a Detachment submitting a bid for the Staff Meeting.

(b) The conduct of business at all Department Board Meeting shall be governed by the Department Bylaws and Administrative Procedures, and Parliamentary reference shall be Robert's Revised Rules of Order.

SECTION 225 - QUORUM The presence of a majority of the Department Board of Trustees shall constitute a quorum for the transaction of business.

SECTION 230 - VOTING Each Department Board Member shall have one (1) vote. There shall be no proxy voting. The Department Judge Advocate shall abstain from voting on all matters wherein an official opinion has been rendered by the Department Judge Advocate.

SECTION 235 - CONDUCT OF BUSINESS The Board of Trustees may conduct business between conventions at any regular or special meeting, or by mail or E-mail in accordance with the Department Bylaws and Administrative Procedures.

SECTION 240 - EXPENSES The Department may reimburse the Board Members expenses incurred, provided that funds are available and budgeted.

BYLAWS

ARTICLE THREE

DEPARTMENT STAFF

SECTION 300 - COMPOSITION The Department Staff shall be comprised of the Department Board of Trustees, appointed Department Officers, Committee Chairmen, Liaison Officers and Detachment Commandants, being identified collectively as Staff Officers and individually as a Staff Officer.

SECTION 305 - POWERS The power and authority of the Department Staff shall be the same as that of the Board of Trustees, except that members of the Staff who are not members of the Board of Trustees shall have no vote and shall not be considered in determining a quorum for the Board of Trustees meetings.

SECTION 310 - DUTIES STAFF OFFICERS The Department Staff Officers shall acquire a working knowledge of the National and Department Bylaws and Administrative Procedures of the Marine Corps League, and shall act as assistants to the Department Board of Trustees with individual duties:

- (a) **Convention Committee Chairman** - Shall with the Convention Committee perform those duties outlined under the Administrative Procedures Chapter Two, Section 240.
- (b) **Department Historian** - Shall assemble and maintain a record of the Department of Texas Marine Corps League history of achievement.
- (c) **Chairman of Public Relations** - Shall act as public relations and press officer for the Department of Texas Marine Corps League, and perform such other duties as assigned by the Department Commandant. Be responsible for editing, printing, and publishing the news of the Department of Texas, Marine Corps League as may be called upon by the Department Commandant.
- (d) **Department Auxiliary Liaison Officer** - Shall Maintain a close association with the Department of Texas Marine Corps League Auxiliary President. He will advise the President when called upon, of relations between the Marine Corps League and the Auxiliary. Also, he will stress coordination of the Convention and Staff Meetings Committees approved by the Board.

SECTION 315 - VACANCY Should a vacancy occur in an appointed office, a committee chairmanship, or a committee member, such vacancy shall be filled as soon as practicable by the Department Commandant.

SECTION 320 - CONTRACTING AUTHORITY No Officer of the Department of Texas, Committee Chairman or member of the Department of Texas Marine Corps League shall enter into or sign any contract or agreement, for the purpose of binding the Department of Texas Marine Corps League, without first submitting such contract or agreement to the Department Judge Advocate for his consideration and the forwarding of his recommendation to the Department's attorney and insurance carrier for their written recommendations. All documents should then be forwarded to the entire Board of Trustees. The Department Board of Trustees thereafter, by a majority vote, may accept or reject, in whole or in part, the contract or agreement submitted to it. All contracts or agreements consummated in the name of the Department of Texas Marine Corps League shall require the signature of the Commandant and the Adjutant/Paymaster.

BYLAWS
ARTICLE FOUR
DEPARTMENT

SECTION 400 – ORGANIZATION The Department of Texas shall be organized in full compliance with guidelines and directives of ARTICLE FOUR of the National Bylaws of the Marine Corps League.

BYLAWS
ARTICLE FIVE
DETACHMENTS

SECTION 500 – ORGANIZATION Detachments within the Department of Texas shall be organized and maintained in full compliance with ARTICLE FIVE of the National Bylaws of the Marine Corps League and these bylaws of the Department of Texas.

SECTION 505 - BYLAWS Each Detachment may adopt Bylaws and Administrative Procedures which are not inconsistent with Department and National Bylaws and Administrative Procedures. Detachment bylaws are subject to approval by the Department Judge Advocate.

SECTION 510 - DEFAULT A Detachment which is in default of monies from any source due the Department Headquarters and such debt has not been satisfied as required by Section 105 (c) or fails to submit its Report of Officer Installation as of 1 June prior to the Department Convention, such fact shall be reported to the Department Credentials Committee, such Detachment and its Officers will not be recognized on the floor of the Department Convention.

BYLAWS
ARTICLE SIX
MEMBERS

SECTION 600 - MEMBERSHIP ELIGIBILITY: Membership in the Department of Texas Marine Corps League shall be determined by eligibility requirements and provisions as documented in ARTICLE SIX of the National Bylaws of the Marine Corps League.

BYLAWS

ARTICLE SEVEN

SUBSIDIARIES AND SUBORDINATE GROUPS

SECTION 700 - AUTHORITY All subsidiary organizations and subordinate groups under the Congressional Charter and name of the Marine Corps League are and shall ever be subject to the guidelines and directives of ARTICLE SEVEN of the National Bylaws of the Marine Corps League.

BYLAWS

ARTICLE EIGHT

MISCELLANEOUS

SECTION 800 - AMENDMENTS The Department Bylaws may be reviewed, amended, or repealed by a majority vote of the properly registered and approved Delegates present and voting at the Department Convention, provided the proposed revision, amendment, or repeal is submitted in triplicate typewritten form in the exact wording to the Department Adjutant/Paymaster, not less than sixty (60) days prior to the opening date of the Department Convention at which said proposal is to be considered, and further provided Department Adjutant/Paymaster shall distribute copies of each proposal, without personal comment, to all legally existing Detachments no later than forty-five (45) days prior to the opening day of the Department Convention at which said proposal is to be considered.

SECTION 805 - EFFECTIVE DATE Each revision, amendment, or repeal of a provision of the Department Bylaws which is approved at a Department Convention, as outlined in Section 800, which does not provide for an effective date, shall become effective upon the close of the Department Convention at which it is approved.

SECTION 810 - DEPARTMENT BYLAWS AND ADMINISTRATIVE PROCEDURES DISTRIBUTION Each Detachment, each member of the Department Board of Trustees, the National Headquarters Marine Corps League, the National Judge Advocate, the Military Order of the Devil Dogs of the Pack of Texas, the Marine Corps League Auxiliary of the Department of Texas, and such other subsidiary organizations within the Department of Texas Marine Corps League shall be provided at no charge two (2) copies of the Bylaws and Administrative Procedures of the Department of Texas Marine Corps League, including all changes thereto. Additional copies of the Department of Texas, Marine Corps League Bylaws and Administrative Procedures will be for sale by the Department Adjutant/Paymaster.

SECTION 815 - BLANKET BOND National Headquarters of the Marine Corps League pays for a blanket bond for officers as listed in ARTICLE EIGHT of the National bylaws.

SECTION 820 - DISSOLUTION Should this Organization be dissolved, all funds, property, and assets of the Department of Texas Marine Corps League shall devolve to the National Board of Trustees in compliance with National bylaws ARTICLE FOUR, SECTION 430.

SECTION 825 - MEMBERSHIP LISTINGS The membership listing of the Marine Corps League is proprietary information and under the direct control of the Department of Texas and National Headquarters of the Marine Corps League. Applicable portions of the membership listings shall be periodically provided to appropriate Departments and Detachments, exclusively for internal usage in administering membership of such applicable Departments and Detachments. The membership listing will not be sold, leased, copied, loaned, or assigned without the expressed permission, in writing, from the office of the National Executive Director upon approval of the National Board of Trustees of the Marine Corps League.

SECTION 830 - VIOLATION Each member who violates the precepts of the Department of Texas and the NATIONAL BYLAWS or the ADMINISTRATIVE PROCEDURES of the MARINE CORPS LEAGUE is subject to the provisions of CHAPTER NINE (9) GRIEVANCE AND DISCIPLINE, as stated in the ADMINISTRATIVE PROCEDURES.

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