

In the event the Department Commander is absent from the Department Convention, a meeting of the Department Executive Committee, or from any other meeting where the presence of the Department Commander is requisite, the Department Commander shall appoint one of the Department Vice Commanders to act temporarily as Department Commander.

In the event the Department Commander has not designated one of the Department Vice Commanders to act temporarily as Department Commander at a Department Executive Committee Meeting, the Department Adjutant shall chair said meeting until the Department Executive Committee decides which of the Department Vice Commanders will act in the temporary capacity of the Department Commander.

In the event that a vacancy exists in the office of Department Commander, the Department Adjutant shall issue within five days of the occurrence of said vacancy a written call for a meeting of the Department Executive Committee which must be held no earlier than three (3) nor later than ten (10) days after issuance of said written call. The Department Adjutant shall preside at said called meeting until the Department Executive Committee chooses a Temporary Chairman. Immediately after selection the Temporary Chairman shall as presiding officer proclaim as the next order of business nominations and an election to fill the vacancy in the office of Department Commander.

Section 3. The Department Commander, with the advice and consent of the Department Executive Committee, shall appoint a Department Judge Advocate, a Department Chaplain, a Department Historian and such other officers, employees and standing committees as may be necessary.

Section 4. The Department Adjutant and the Department Finance Officer, who may be one and the same person, shall be appointed by the Department Executive Committee and shall hold office and be in the employ of the Department until removed by the Department Executive Committee under the provisions of Section 10 hereof

Section 5. In the event a vacancy occurs in the office of the Department Adjutant, the Department Commander will appoint a committee to receive and evaluate all applications for the position.

The screening committee shall be composed of Past Department Commanders and/or Past National Officers, one from each of the eight Legion Districts (when neither is available in a District a Past Department Vice Commander or a Past District Commander may be substituted therefor), and an additional Past Department Commander and/or Past National Officer, who shall serve as chairman.

The Commander shall make an interim appointment from among the assistant Department Adjutants who shall serve in the capacity of Acting Adjutant until a permanent Adjutant is appointed. If there be no Assistant Adjutants available for such appointment, the Department Commander will call a meeting or poll the Department Executive Committee within three days to select an interim appointee who shall serve in the capacity of acting Adjutant. The Acting Adjutant shall perform all of the duties of the Adjutant as established and outlined in the Constitution, Bylaws, and the Fiscal Code.

Section 6. All appointed officers (with the exception of the Department Adjutant and the Department Finance Officer) shall hold office at the pleasure of the appointing power.

Section 7. All persons having the custody of funds of the Department shall furnish adequate bonds.

Section 8. Elective Department Officers shall not succeed themselves in office excepting the National Executive Committeeman and Alternate National Executive Committeeman.

Section 9. All officers elective or appointive of THE LOUISIANA DEPARTMENT OF THE AMERICAN LEGION, with the exception of the Department Adjutant/Finance Officer shall be subject to removal from the office by two-thirds ($\frac{2}{3}$) vote of the Department Executive Committee after a hearing at a regularly convened meeting of said Committee; provided that in case of removal as herein provided such action shall be subject to review on appeal by the official, which review shall be at the next succeeding Louisiana Department Convention of The American Legion, but such appeal shall be made within ten (10) days from the date of removal and pending such appeal, such removed official shall be suspended from exercising any of the duties or prerogatives of an official in The American Legion.

Section 10. The Department Adjutant/Finance Officer shall serve at the pleasure of the Department Executive Committee and is subject to removal at any time by a two-thirds ($\frac{2}{3}$) vote of the Department Executive Committee at a regularly convened meeting of said Committee.

ARTICLE VII

DEPARTMENT EXECUTIVE COMMITTEE

Section 1. Between Department Conventions the administrative powers of THE LOUISIANA DEPARTMENT OF THE AMERICAN LEGION shall be vested in the Department Executive Committee.

Section 2. The voting membership in the Department Executive Committee, for THE LOUISIANA DEPARTMENT OF THE AMERICAN LEGION, shall be: The Department Commander, the Junior Past Department Commander, the National Executive Committeeman, the Department Vice Commanders, the Department Executive Committeemen and the District Commanders.

Section 3. Ex officio members of the Department Executive Committee who shall have voice but no vote shall be the Past Department Commanders, the Department Adjutant, the Department Judge Advocate and any National Officer who is a member of THE LOUISIANA DEPARTMENT OF THE AMERICAN LEGION, and the Department Sergeant at Arms.

Section 4. The Department Executive Committee shall meet on call of the Department Commander and the Department Commander shall call a meeting of the Department Executive Committee on written request of five members thereof.

Section 5. A quorum of the Department Executive Committee shall consist of twelve (12) of the voting members of the committee when physically present. No voting members of the Department Executive Committee may be represented by proxy.

Section 6. A quorum of the Department Executive Committee shall formulate and adopt bylaws, which shall prescribe the duties and functions of Department officers, District officers, Post officers and shall provide for regulation and discipline of local Posts, Districts and Municipal Councils and individual members of THE LOUISIANA DEPARTMENT OF THE AMERICAN LEGION.

Section 7. The Department Executive Committee shall have the power to adopt or amend the Bylaws of THE LOUISIANA DEPARTMENT OF THE AMERICAN LEGION by a two-thirds ($\frac{2}{3}$) vote of its voting membership.

ARTICLE VIII DISTRICT ORGANIZATION

Section 1. There shall be eight Legion Districts as follows: **First District** - Orleans Parish only; **Second District** - Jefferson Parish (except Grand Isle, which will be in the 3rd District), Plaquemines Parish, St. Bernard, St. Charles, St. James and St. John the Baptist; **Third District** - Parishes of Assumption, Iberia, Lafayette, Lafourche, St. Martin, St. Mary, Terrebonne, Vermillion, and that portion of Jefferson that is Grand Isle; **Fourth District** - Parishes of Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River and Webster; **Fifth District** - Parishes of Caldwell, Catahoula, Concordia, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union and West Carroll; **Sixth District** - Parishes of Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. Tammany, Tangipahoa, West Baton Rouge, West Feliciana and Washington; **Seventh District** - Parishes of Acadia, Allen, Beauregard, Calcasieu, Cameron, Evangeline, Jefferson Davis and St. Landry; **Eighth District** - Parishes of Avoyelles, Grant, LaSalle, Natchitoches, Rapides, Sabine, Winn and Vernon.

Section 2. The District Executive Committee may divide its Legion Districts into as many subdivisions to be known as "areas" as may seem desirable, and may prescribe the territory to be included therein; and from time to time it may increase or decrease either the number of Areas in its District or the territory to be included within each area.

Section 3. All eight Legion Districts shall elect at their Spring Conference, during the months of March, April and May preceding the Department Convention, a District Commander and two (2) District Vice Commanders to serve for a period of one (1) year. The District Commander so elected shall at the expiration of their term of office shall automatically succeed to the office of Department Executive Committeeman of THE LOUISIANA DEPARTMENT OF THE AMERICAN LEGION and shall hold said office for a period of one year. Representation at District elections shall be the same as that provided for in Article V, Section 2 of this Constitution.

Section 4. The members of the respective area in each District shall elect Area Commanders at the District Conference at which District Commanders and District Vice Commanders are elected. Area Commanders shall have the same term of office as their District Commander, and shall perform such duties as may be assigned to them by their District Commander, or prescribed by the District Executive Committee or the District Conference. Representation at Area elections shall be on the same basis as prescribed in Article V, Section 2 of this Constitution.

Section 5. The term of office for all District Officers shall begin upon adjournment of the Department Convention. The District Conferences at which these officers shall be elected shall be governed as prescribed in Article V hereof for Department Convention, except that representation shall be based on the last monthly membership report issued by Department Headquarters prior to the conference, provided, that in default of such election at the last District Conference held preceding the Department Convention, such elections shall be made by the delegates from the respective Legion District in caucus at the Department Convention.

Section 6. District Commanders are authorized to appoint a District Adjutant, a District Judge Advocate, a District Historian, and District Chaplain, for a term not exceeding their own term of office. These appointments to be ratified or rejected by the District Executive Committee at its first meeting following these appointments.

Section 7. Each District Executive Committee shall consist of the District Commander, Department Executive Committeeman, the District Vice Commanders, and the Area Commanders, of the respective Legion District, if the District has been subdivided into Areas. District Commanders, or during their absence one of the District Vice Commanders appointed by the District Commander to act temporarily as District Commander, shall be the chairman of the District Executive Committee; and the District Adjutant shall be the secretary of the District Executive Committee and shall attend all meetings thereof. All Past District Commanders shall be members of the District Executive Committee with a voice and without a vote. The District Executive Committee shall meet at the call of the District Commander or the Department Commander. A majority of the members thereof shall constitute a quorum.

The District Executive Committee shall exercise such powers and functions as from time to time may be prescribed by the Department Convention, the Department Executive Committee, or a District Conference of the respective District.

Section 8. Each District shall have a District Finance Committee of five members to be appointed by the District Commander, not more than one of whom shall be from the same Post. The members of the original committee shall be appointed for respective terms of one, two, three, four and five years, and all initial appointments thereafter shall be for a five (5) year period. The District Commander shall appoint annually a chairman of the committee. All appointments to the District Finance Committee or the chairmanship thereof, must be confirmed by the District Executive Committee.

Section 9. The duties of the District Finance Committee shall include the preparation, subject to the approval of the District Executive Committee, of an annual District budget, and an accounting to the District Executive Committee and District Conference of all matters relating to the District finances.

Section 10. District funds may be requisitioned by the District Commander from the Finance Officer in accordance with District Budget. A copy shall be submitted to the Department Finance Officer prior to the honoring of any expenditures from the District Revolving Fund. Any expenditures from the unallocated district reserve must be approved by the District Finance Committee.

Section 11. The Department Executive Committee shall have the authority to approve or disapprove any District Budget, and, if disapproved, such funds may not be requisitioned as provided in Section 10 hereof, except as approved by the Department Executive Committee.

Section 12. In the event a vacancy exists in the office of District Commander, the District Adjutant shall issue within five days of the occurrence of said vacancy a written call for a meeting of the District Executive Committee which must be held no earlier than three (3) nor later than ten (10) days after the issuance of said written call. The District Adjutant shall preside at said meeting until the District Executive Committee chooses a Temporary Chairman. Immediately after election, the Temporary Chairman shall as presiding officer proclaim the next order of business nominations and election to fill the vacancy in the office of District Commander.