

8. Voting in all cases, except elections and trials of officers and appeals shall be by acclamation unless roll call vote shall be demanded by at least five (5) Posts with one (1) or more accredited delegates present on the floor of the Convention.

9. The annual election of the Officers of the Department shall be the special order of business of the Annual Convention at 1:00 P.M. on the day set for the adjournment of the Convention or at the call of the Chair.

10. Nominations for Department Officers shall be from the floor.

11. Nominating speeches shall be limited to five (5) minutes each. Nor more than two (2) seconding speeches shall be made for each candidate, each not to exceed two (2) minutes.

12. Each officer to be elected at the Department Convention shall be voted on separately except that the election of the Department Area Commanders, District Commanders, and District Vice Commanders may be elected and ratified collectively.

13. The final official tally sheets and the ballots shall be retained as permanent record of the Department for a period of two (2) years.

14. In the event more than two (2) candidates are nominated for any one office, all candidates, except the two (2) receiving the highest number of votes shall be eliminated following the first ballot. The Department Adjutant shall announce that the second ballot is about to begin, and allow five (5) minutes time for the delegates to return to the convention floor and their respective delegation. Thereafter, the balloting shall continue until one (1) candidate shall receive a majority of the votes cast.

15. The Department Commander, or in his/her absence or inability, the Department First Vice Commander shall serve as Chairman of the Convention. The Department Adjutant shall serve as Secretary of the Convention. There shall be appointed by the Chair as many Assistant Secretaries as may be required, a Parliamentarian, and such other Officers of the Convention as may be needed.

16. Each retiring Commander shall, upon the installation of his/her successor, be declared to be a Past Department Commander, and shall be presented with a Past Department Commander's lapel pin with diamond. He/she shall enjoy the status and the privileges thereof as set forth in these By-Laws and the Department Constitution unless he/she is deprived of them as provided herein and in the Department Constitution.

ARTICLE II

DEPARTMENT EXECUTIVE COMMITTEE

1. In addition to the meetings required by the Department Constitution, the Department Executive Committee shall meet on call of the Department Commander or on written request of a majority of the members of the Department Executive Committee. It shall also meet within the time and for the purposes provided in Section 5 of this Article. In event the Department Commander refuses or fails for five (5) days to call the Department Executive Committee to meet on written request of a majority of the members of the Department Executive Committee or for the purpose provided in Section 5 hereof, or in accordance with provisions of the Department Constitution, the Department Adjutant shall call the Department Executive Committee to meet.

2. No business shall be transacted at any special meeting of the Department Executive Committee except such as shall be specifically stated in the call or business of a routine nature which may be proper to come before such meeting.

3. The Department Commander, or in his/her absence or inability, the Department First Vice Commander shall preside over the Department Executive Committee. The Department Adjutant shall act as Secretary of the meeting, and in his/her absence or inability, the Chairman of the meeting shall appoint some member of the Committee to serve as Secretary of the meeting.

4. Subject to the provision of the Department Constitution, the Department Executive Committee shall fill any vacancy in the membership of the Department Executive Committee for the remainder of the term.

5. Department and District Officers may be reprimanded, suspended, or removed from office on charges based upon disloyalty to The American Legion or the National Government, neglect of duties, dishonesty, and conduct unbecoming a member or officer of The American Legion. All charges shall be made in writing by an accuser, and no officer shall be reprimanded, suspended, or removed from office until given a fair trial. The charge shall be filed forthwith at Department Headquarters and shall be referred to the Department Executive Committee by the senior qualified Department Officer not under charge. A copy of said charge shall be served on the accused officer. Within thirty (30) days thereafter the Department Executive Committee shall convene in special session on call of the senior qualified