



01-L2-21

Floor Committee 1 – Church & Doctrine

SUBJECT: To Amend District Bylaw 8.5.1 to Clarify the Difference Between a Permanent and a Temporary Vacancy in the Office of District President

WHEREAS,

The Synod’s Commission on Constitutional Matters has opined (Opinion 20-2958) from its review of the proposed District Bylaws to be considered at the July 1-3 convention that Bylaw 8.5.1 was not as clear to indicate that a permanent vacancy would be covered by the bylaws provisions, and indicated that the bylaw should be clarified:

The commission notes a new observation with regard to Bylaw 8.5.1, which is that this does not appear to account for the situation where the office of president is *permanently* vacated. In such a case, the first vice-president, in line of succession, would assume the office (and not merely the duties and responsibilities) as president. This case should be provided for so as not to suggest that the temporary incapacity provision applies to a permanent cessation of service before the end of the president’s term.

Therefore be it,

RESOLVED,

That the proposed District Bylaw 8.5.1 be added as printed below to provide clarity and a process in the event of a permanent vacancy in the office of district president; and be it further

RESOLVED,

That current District Bylaw 8.5.1 be renumbered 8.5.1.1 and include the added word “temporary” to ensure that the bylaw addresses a temporary vacancy in the office of district president, and be it finally

RESOLVED,

That if the CCM is unable to provide its review of these proposed bylaw amendments prior to the July 1-3, 2021 District Convention, that they be submitted to the convention for consideration and adoption, upon which they would then be sent to the CCM for final review, and become effective upon favorable review of the CCM (MDS Bylaw 1.1.2).

8.5 Vacancies

8.5.1 The office of district president shall be assumed by the first vice-president if the office becomes permanently vacated by death, retirement, resignation, or removal for cause according to the Constitution and Bylaws of the Synod. He shall serve the remainder of the unexpired term until the next regular district convention elects a district president.

8.5.1.1 The duties and responsibilities of the office of district president shall be assumed by the first vice-president whenever a temporary vacancy appears in this office or the board of directors determines that the district president is unable to serve in that capacity because of his prolonged illness or disability. The first vice-president shall remain as the acting district president until the board of directors determines that such illness or disability has been removed or until the next regular district convention elects a district president.

Respectfully submitted,

**Mid-South District Board of Directors
Meeting at the District Office and via ZOOM
May 23-24, 2021**

**Signed by Board Chairman
Reverend Charles Neugebauer
Signed by District Secretary
Reverend John Gierke**