

Amendments to Bylaws

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Explanatory Information

The following amendments to bylaws are for consideration and adoption by the 2010 Saint Paul Area Synod assembly. The bylaws, which required a two-thirds majority for adoption, will be voted upon en bloc, unless a motion is made to remove an item for separate consideration. Any voting member who wishes to have the assembly consider an amendment separately may request to have it removed from en bloc prior to assembly action.

Some of the items include explanatory language, printed in italics. Items that are struck through, i.e., ~~struck through~~, signify that the language is to be deleted. Items that are underlined, i.e., underlined, indicate that the language is an addition.

Move from Chapter 6 to Chapter 9 and re-number accordingly:

- S6.03.01:** ~~Each Conference Assembly shall nominate persons who shall be elected by the Synod Assembly to serve as voting members of the Churchwide Assembly. The Synod Council shall assign the number of voting members to be nominated from each Conference Assembly in accordance with †S6.04. This number shall be proportional to the baptized membership of the conference. Two-thirds of this synod's voting members of the Churchwide Assembly shall be nominated by the conferences and elected by the Synod Assembly. The remaining one-third of the delegation shall be nominated by the Nominating Committee and elected by the Synod Assembly. The Nominating Committee shall present a slate that assures that the requirements of †S6.04. shall be met. At least one member of the delegation shall be female clergy.~~
- S6.03.02:** ~~The vice president shall serve as one of the voting members of the Churchwide Assembly from this synod, if available to serve.~~
- S6.03.03:** ~~Guidelines for the election of Churchwide Assembly voting members shall be established by the Synod Council to provide for the rotation of representation from synod congregations.~~
- S6.03.04:** ~~Only one voting member, either clergy or lay, may be elected from any synod congregation with the exception of the congregations where the bishop and the vice president are members.~~

Amend to reflect current practice

- S7.13.02.** ~~An office of each~~ Each congregation of this synod shall submit to the secretary of this synod at least ~~60~~ 45 days before the Synod Assembly a certified list of the regular and alternate voting members elected by the congregation to the Synod Assembly.

To move to S9.03 and S9.03.01, where they can be more easily found

S7.51.40. Nominating Committee

S7.51.41. A Nominating Committee, elected by the Conference Assemblies, shall nominate candidates for each position for which an election will be held by the Synod Assembly and for which a nominating procedure has not otherwise been designated in the constitution and bylaws of this church and of this synod. This committee shall be composed of seven members, which shall include one member elected from each Conference Assembly and one member of the Synod Council elected by the Synod Council. The members shall be elected to one three-year term and may not be elected to an additional consecutive term. Elections shall occur in such a way that the terms of one-third of the members shall expire each year. The secretary of this synod shall convene the first meeting of each Nominating Committee for the purpose of advising the committee of the number of elections needing nominees. Prior to each Synod Assembly, the Nominating Committee shall submit to the secretary for inclusion in the preassembly report the names and accompanying biographies of nominees for positions to be filled at the Synod Assembly. If a vacancy on the Nominating Committee occurs between Synod Assemblies, the Synod Council shall appoint a member to the position until an election can be held.

To change S7.51.41 to S9.03.01 so that it can be more easily found

S9.03.01. A Nominating Committee, elected by the Conference Assemblies, shall nominate candidates for each position for which an election will be held by the Synod Assembly and for which a nominating procedure has not otherwise been designated in the constitution and bylaws of this church and of this synod. This committee shall be composed of seven members, which shall include one member elected from each Conference Assembly and one member of the Synod Council elected by the Synod Council. The members shall be elected to one three-year term and may not be elected to an additional consecutive term. Elections shall occur in such a way that the terms of one-third of the members shall expire each year.

The secretary Bishop of this synod shall convene the first meeting of each Nominating Committee for the purpose of advising the committee of the number of elections needing nominees. Prior to each Synod Assembly, the Nominating Committee shall submit to the secretary for inclusion in the preassembly report the names and accompanying biographies of nominees for positions to be filled at the Synod Assembly. If a vacancy on the Nominating Committee occurs between Synod Assemblies, the Synod Council shall appoint a member to the position until an election can be held.

Additional nominations may be made from the floor for all elections for which nominations are made by the Nominating Committee.

To move bylaws S6.03.01, S6.03.04, S6.03.03, and S6.03.04 to Chapter 9, where they will be more easily found, and to re-number accordingly

S9.20.01. Election of Churchwide Assembly Voting Members

Each Conference Assembly shall nominate persons who shall be elected by the Synod Assembly to serve as voting members of the Churchwide Assembly. The Synod Council shall assign the number of voting members to be nominated from each Conference Assembly in accordance with †S6.04. This number shall be proportional to the baptized membership of the conference. Two-thirds of this synod's voting members of the Churchwide Assembly shall be nominated by the conferences and elected by the Synod Assembly. The remaining one-third of the delegation voting members shall be nominated by the Nominating Committee and elected by the Synod Assembly. The Nominating Committee shall present a slate that assures that the requirements of †S6.04. shall be met. At least one member of the delegation shall be female clergy.

S9.20.02. The vice president shall serve as one of the voting members of the Churchwide Assembly from this synod, if available to serve.

S9.20.03. Guidelines for the election of Churchwide Assembly voting members shall be established by the Synod Council to provide for the rotation of representation from synod congregations.

S9.20.04. Only one voting member, either clergy or lay, may be elected from any synod congregation with the exception of the congregations where the bishop and the vice president are members.

To amend the following bylaw to include representation by a young adult on the synod council

S10.01.01. The Synod Council shall include three lay persons and three rostered clergy persons elected from the conferences, four officers, one youth, one dean elected by the deans, one young adult who may be either rostered or lay, and three members at large (one clergy and two lay persons) elected by the Synod Assembly.

To amend the following bylaw to reflect current practice

S10.01.03. Three of the Synod Council members elected at large shall be nominated by the Nominating Committee and elected by the Synod Assembly to three-year terms. They shall be eligible for one consecutive re-election. ~~The fourth Synod Council member elected at large shall be a dean nominated by the Council of Deans and elected by the Synod Assembly to a one-year term and may be re-elected.~~ The fourth Synod Council member at large shall be a dean elected by the Council of Deans to a one-year term and may be re-elected. No elected member shall serve more than six consecutive years.

To amend the following bylaw to reflect current practice and to re-number accordingly

S10.01.07. Advisory members to the Synod Council shall be seated with voice, but not vote. Those members shall include:

- ~~a) — The Synod representative on the Regional Steering Committee;~~
- a) Chairpersons of duly approved synod auxiliaries;
- b) Synod assistants to the bishop;
- c) Five members of the Council of Deans;
- d) Voting member of the ELCA Church Council from the Saint Paul Area Synod or, if there is no member from the Saint Paul Area Synod, the Minneapolis Area Synod.

To delete the following bylaw and make it a continuing resolution, numbered S10.02.A.10

~~**S10.01.08.** The Synod Council shall meet at least five times annually. Special meetings may be called by any three members of the Synod Council, or by the Bishop of the Synod. A majority of the members of the Synod Council shall constitute a quorum.~~

To amend to reflect adjudication referenced in S17.03

S11.11.12. The Executive Committee shall:

- a) ~~Appoint five members of the a special~~ Consultation Committee ~~to any special consultation committee;~~ in consultation with the Bishop, to investigate and make recommendations regarding a dispute within this Synod, as described in S17.03.
- b) Appoint members to the Mutual Ministry Committee in consultation with the bishop and the assistants to the bishop.
- c) Perform such other functions as are set forth in the bylaws of this synod, or as may be delegated to it by the Synod Council
- d) Be responsible for personnel policies and procedures.

To delete the following bylaw which outlines the composition of leadership teams which were dissolved in 2009

S11.21.02 ~~Leadership teams shall have seven to twelve members. Members shall be elected by the Synod Council. Each member shall be elected to a two-year term and shall be eligible for one additional term. The teams shall meet the requirements of †S6.04. and S11.11.~~

To amend the following bylaw to reflect changes in the roster of congregations

S12.01.02.c. Hosanna Forest Lake/Hugo

S12.01.02.d. Memorial Eastside Community St. Paul

S12.01.02.e. Lord of Life Farmington Lakeville

To amend to reflect current practice

S12.01.04. There shall be a conference assembly at least once per year at a time and place to be determined by the ~~conference officers~~ Bishop.

To amend because there are not conference officers

S12.01.05. The members of the conference shall be notified of the date, time, and place of the conference assembly at least 60 days in advance. ~~by the conference treasurer/secretary.~~

To amend to reflect current practice and align with recommended changes in S10.01.05

S12.01.08. Dean

The conference shall elect a dean who may be lay or clergy and who shall be responsible for calling and presiding over conference assemblies, assuring that elections are conducted properly, meeting with the bishop on behalf of the conference at least four times per year, coordinating gatherings for rostered persons in the conference, conducting exit interviews with rostered persons, assisting the bishop with pastoral care of rostered persons and advising the Synod Council as appropriate. The conference deans shall ~~nominate~~ elect one from their number annually to serve as a voting member at large of the Synod Council.

Constitutional Amendments

Amendments to the Constitution

Explanatory Information

The following amendments to the synod constitution are announced at 2010 Saint Paul Area Synod assembly and will be voted upon at the 2011 synod assembly, with the exception of S9.04., which will be presented in 2010 for plenary discussion. Amendments to the constitution require a two-thirds majority vote to be adopted. Some of the items include explanatory language, printed in italics. Items that are struck through, i.e., ~~struck through~~, signify that the language is to be deleted. Items that are underlined, i.e., underlined, indicate that the language is an addition.

Change to reflect current practice

S7.15. ~~The Synod Council shall determine the time and place for each Synod Assembly, and be responsible for the preparation of its proposed agenda and program. The Bishop, in consultation with the Synod Council, shall determine the time and place for each Synod Assembly and be responsible for the preparation of its proposed agenda, and program.~~

Amendment suggested by CWA 2009 that provides greater clarification than original

S7.26. This synod may establish processes through the Synod Council that permit representatives of mission settings formed with the intent of becoming ~~chartered~~ recognized congregations and authorized worshiping communities of the synod, which have been authorized under ELCA bylaw 10.02.03., to serve as voting members of the Synod Assembly, consistent with †S7.21. ~~Authorized worshiping communities, acknowledged under criteria, policies, and procedures approved by the Church Council of the Evangelical Lutheran Church in America, shall accept and adhere to the Confession of Faith and Statement of Purpose of this church, shall be served by leadership under the criteria of this church, and shall be subject to the discipline of this church.~~

To reflect the dissolution of LYO in this synod

S7.29. Voting membership of the synod assembly shall include six youth representatives from the Lutheran Youth Organization Board. [In the Saint Paul Area Synod, the local expression of the Lutheran Youth Organization is Lutheran Youth Networking for Christ (LYNC).]

To incorporate suggest amendment from CWA 2009

S8.42. (f.) ~~Giving of corporate surety in the amount determined by the Synod Council, which shall be in the custody of the secretary, and the premium therefore shall be paid by this synod. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement. Obtaining a fidelity bond in the amount determined by the Synod Council for persons handling synod funds, which bond shall be in the custody of the secretary. The premium for the bond shall be paid by this synod. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.~~

To align the synod constitution with the ELCA model constitution for synods

S8.55. ~~Should the vice president, secretary, or treasurer die, resign, or be unable to serve, the Synod Council shall appoint an interim officer to fill the vacancy for the duration of the term or until the officer is able to serve again. Such a person shall be eligible for regular election to the office by the Synod Assembly.~~ Should the vice president, secretary, or treasurer die, resign, or be unable to serve, the bishop, with the approval of the Executive Committee of the Synod Council, shall arrange for the appropriate care of the responsibilities of the officer until an election of a new officer can be held or, in the case of temporary disability, until the officer is able to serve again. The term of the successor officer, elected by the next Synod Assembly, shall be four years.

Amend and move S9.03 to S9.03.01

S9.03. ~~There shall be a Nominating Committee consisting of seven members who shall be appointed by the Synod Council to serve for each regular meeting of the Synod Assembly. Additional nominations may be made from the floor for all elections for which nominations are made by the Nominating Committee.~~

Addition of title to provide greater clarity to this section

S9.03. **Nominating Committee**

To delete to reflect changes in governance structure of regions

S9.11. ~~The Synod Council shall elect or appoint representatives to the steering committee of its region.~~

To re-number the following because of the inclusion of the mandatory provision +S9.12.

S9.12: S9.14. Candidates for election by the Synod Council to the boards of agencies and institutions affiliated with this Synod shall be nominated by the Nominating Committee or by the agency or institution. ~~The Nominating Committee shall nominate persons for election by the Synod Council to the boards of agencies and institutions affiliated with this synod.~~

To re-number the following because of the inclusion of the mandatory provision +S9.12.

S9.13: S9.16. The Nominating Committee shall nominate persons for election by the Synod Assembly to serve as the youth member of the Synod Council. A youth shall be someone who is 14-17 years of age or entering 10-12 grade at the time of his/her election.

To add the constitutional provision to include the election of a young adult at-large representative to the synod council, in accordance with +S6.04B.09 adopted by the 2009 Churchwide Assembly:

S9.18. The Nominating Committee shall nominate persons for election by the Synod Assembly to serve as a young adult member of the Synod Council. A young adult shall be someone who is between the ages of 18 and 30 at the time of election or appointment for service.

To amend because of current governance of regions and to re-number accordingly

S10.03. The functions of the Synod Council shall be to:

- a) Exercise trusteeship responsibilities on behalf of this synod.
- b) Recommend program goals and budgets to the regular meetings of the Synod Assembly.
- c) Carry out the resolutions of the Synod Assembly.
- d) Provide for an annual review of the roster of ordained ministers and of other official rosters, receive and act upon appropriate recommendations regarding those persons whose status is subject to reconsideration and action under the constitution and bylaws of the Evangelical Lutheran Church in America, and make a report to the Synod Assembly of the Synod Council's actions in this regard.
- e) Issue letters of call to ordained ministers and letters of call to associates in ministry, deaconesses, and diaconal ministers as authorized by Chapter 7 of the constitution and bylaws of the Evangelical Lutheran Church in America.
- f) Fill vacancies until the next regular meeting of the Synod Assembly except as may otherwise be provided in the constitution or bylaws of this synod, and determine the fact of the incapacity of an officer of this synod.
- g) Report its actions to the regular meeting of the Synod Assembly.
- h) Perform such other functions as are set forth in the bylaws of this synod, or as may be delegated to it by the Synod Assembly.
- i) ~~Appoint members of the Region 3 Steering Committee according to the Region 3 Orders of Governance and the rotation for representation defined by the Steering Committee.~~
- i) Appoint members to the boards of Partners in Ministry in accordance with the partner ministries' governing documents.

To change the following constitution provisions to bylaws, so that they align with the format of S10.01.04., S10.01.05., and S10.01.06, and to re-number accordingly

S11.05: S11.01.02. Should a synod committee member elected by the Synod Assembly die, resign or be unable to serve, the Synod Council shall appoint a replacement until the next Synod Assembly at which time a person shall be elected to complete the term.

S11.06: S11.01.03. Should a synod committee member elected by a conference die, resign or be unable to serve, the Synod Council shall appoint a replacement until the next Conference Assembly at which time a person shall be elected to complete the term.

S11.07: S11.01.04. Should a synod committee member elected by the Synod Council die, resign or be unable to serve, the Synod Council shall appoint a replacement to complete the term.

To delete provisions for leadership teams because they are no longer assigned program responsibility:

S11.20: **Synod Council Leadership Teams**

S11.21: ~~A Synod Council Leadership Team is a unit of the synod to which is assigned policy responsibility for an identified portion of the program of the synod. The description of such leadership teams and their functions shall be set forth in the bylaws. The leadership teams shall establish task forces as the Synod Council may from time to time determine.~~

To amend for clarification and to re-number

S11.40: S11.20. **Task Force**

S11.41: S11.21. A task force is a temporary unit of the synod which is assigned responsibility for an identified portion of the program work of this synod. Such assignment may be made by the Synod Assembly or by the Synod Council. Normally its term of existence is defined by the unit which establishes it. It is subject to annual review by the initiating unit. Membership is determined by the initiating unit.

To add the provision adopted by CWA 2009 that provides direction for Synodically Authorized Worshiping Communities:

S13.40: **Synodically Authorized Worshiping Communities**

S13.41: Authorized worshiping communities, acknowledged under criteria, policies, and procedures approved by the Church Council of the Evangelical Lutheran Church in America, shall accept and adhere to the Confession of Faith and Statement of Purpose of this church, shall be served by leadership under the criteria of this church, and shall be subject to the discipline of this church.

Constitutional Amendment for Plenary Discussion Prior to a Vote in 2011

See background information on page 39

S9.04. Election of a Bishop

The bishop shall be elected by ballot by the Synod Assembly. If there is not an incumbent bishop eligible for re-election, Each Conference Assembly shall nominate up to three persons for bishop. Those Conference Assemblies shall be held at least 60 days prior to the Synod Assembly. Each of the nominees shall be contacted by the Synod Vice President to determine willingness to be to be a candidate for bishop. All persons responding affirmatively shall submit background information using a uniform format to the synod office at least 45 days prior to the Synod Assembly. The background information shall be sent to all voting members at least 30 days prior to the Synod Assembly. The first ballot shall be the candidates of the Conference Assemblies and the nominations from the floor of the Synod Assembly. Three-fourths of the legal votes cast shall be necessary for election on the first ballot.

When the incumbent bishop is eligible and available to serve a second term, the election by the Synod Assembly for the next term shall be by ecclesiastical ballot, without a conference nominating process. Three-fourths of the legal votes cast shall be necessary for election on the first ballot. If no one is elected, the first ballot shall be considered a nominating ballot.

The second ballot shall be limited to the seven persons (plus ties) who received the greatest number of legal votes on the first ballot, and three-fourths of the legal votes cast shall be necessary for election.

The third ballot shall be limited to five persons (plus ties) who receive the greatest number of legal votes on the second ballot, and two-thirds of the legal votes shall be necessary for election.

The fourth ballot shall be limited to three persons (plus ties) who receive the greatest number of legal votes on the third ballot, and 60 percent of the legal votes cast shall be necessary for election.

On subsequent ballots a majority of the legal votes cast shall be necessary for election. These ballots shall be limited to the two persons (plus ties) who receive the greatest number of legal votes on the previous ballot.

Seconding speeches or statements by the candidates may be permitted before any ballot, according to the rules adopted by the Synod Assembly.

In the event of the death or resignation of the bishop of the synod, the Synod Council shall appoint an interim bishop for the length of the vacancy. This person shall be precluded from candidacy for election as bishop of the synod at the next election.