

## Resolutions to Change Diocesan Constitution and Canons

### Resolution 1

#### Submission of Resolutions to Change Constitution

*(Last year's Resolution 2 was passed, and is now up for its second reading.)*

Purpose: To amend Article XV Amendments to Constitution to require that amendments to the Constitution be submitted 120 days before Convention instead of 90 days.

*Resolved*, that Article XV, Sec.1 (a) of the Diocesan Constitution is amended to require that amendments to the Constitution be submitted 120 days before Convention instead of 90 days by replacing the words “at least ninety (90) days” with the words “at least one hundred twenty (120) days” where they appear in Article XV, Sec. 1 (a).

Recommended by the Standing Committee.

Explanation: Before the change in the Convention date from late January to late February, the deadline for submission of amendments was late October, and all work could be completed before Thanksgiving. It was much easier to coordinate with other diocesan organizations and to obtain a quorum at meetings before the Thanksgiving-Christmas season. With the change in Convention time, the existing 90-day deadline arrives at Thanksgiving and the 60-day deadline at Christmas. Setting up meetings, getting individuals to sit still long enough to discuss a matter, and getting mailings out is difficult with the press of the season. Also, this will enable any resolution under consideration to be presented at the first convocation meetings in early December.

The Committee recommends the adoption of this resolution.

### Resolution 2

#### Submission of Resolutions

Purpose and Rational: To amend Canon 102.06 to delete the requirement that resolutions to Convention can wait until 7 days before Convention to be submitted and to require that all resolutions for debate be submitted 60 days before Convention. This will enable the delegates to review and discuss resolutions prior to any discussion and debate on the floor of Convention. This resolution does not pertain to amending the Constitution or the Canons.

This amendment is requested by the Standing Committee, and the Committee on Constitution and Canons recommends its adoption.

*Resolved*, that Canon 102 Procedure of Convention is hereby amended to read as follows:

#### Canon 102

#### Procedure of Convention

##### Sec. 102.06 Motion or Resolution in Writing

##### .061 Delivered to Secretary in Writing 60 days before Convention.

All resolutions submitted by Lay Delegates, Clergy Delegates, Vestries, the Cathedral Chapter, and/or Bishop's Committees shall be delivered to the Secretary of Convention sixty (60) days prior to Convention. A financial impact statement shall be included which covers all anticipated costs of implementation by the Diocese and/or parishes. The Secretary shall forward submitted resolutions promptly to the Committee on Resolutions.

.062 **Late Resolutions.** Resolutions submitted to the Secretary less than sixty (60) but at least ten (10) days prior to the Convention shall also be forwarded to the Committee on Resolutions. A financial impact statement shall be included which covers all anticipated costs of implementation by the Diocese and/or parishes. Resolutions received by the Secretary less than ten (10) days prior to Convention shall be deferred to the Annual Convention in the following year.

.063 **Waiver.** The requirements of this section may be waived only by a majority vote of Convention.

### **Resolution 3** **Committee on Resolutions**

Purpose: To adopt a new Canon 408 to establish a Committee on Resolutions and set out its procedures. This is intended to replace what has been known as the Committee on Resolutions for Debate. The proposed Canon 408 does not pertain to amending the Constitution or the Canons.

This amendment is requested by the Standing Committee, and the Committee on Constitution and Canons recommends its adoption.

*Resolved,* that Canon 408 Of the Committee on Resolutions is hereby adopted to read as follows:

#### **Canon 408** **Of the Committee on Resolutions**

Sec. 408.01 **Appointment of Committee.** During each Annual Convention the Bishop shall appoint a Committee on Resolutions comprised of a cleric and a lay communicant in good standing from each one of the three Convocations for a one year term. The Secretary of Convention shall be a member ex officio. The Committee members shall serve from the adjournment of the Convention at which they were appointed until the adjournment of the next Convention. No appointed person shall serve more than three consecutive terms.

Sec. 408.02 **Work of Committee.** The Committee, in consultation with the proponent(s) of each resolution submitted in a timely manner, shall review the format and wording. The final text of each resolution, as determined by the proponents, will be made available to all Delegates at least thirty (30) days prior to the Convention by the Committee. The Committee shall present each resolution for questions or clarification and may present its own recommendation to the Convocation meetings held immediately prior to the Convention.

Sec. 408.03 **Late Resolutions.** Resolutions, which have been received by the Secretary within sixty (60) days of Convention and forwarded to the Committee, shall be reviewed by the Committee. At the sole discretion of the Committee such resolutions, either in their original form or as they may be amended by the Committee, may be submitted to the Convention for consideration.

Sec. 408.04 **At Convention.** The Committee on Resolutions shall present to the Annual Convention all resolutions submitted in a timely manner and late resolutions which it has deemed appropriate. The Committee may present its recommendation on each resolution.

## **Resolution 4**

### **Camp Wright Committee Membership**

Purpose and Rationale: The campers attending Camp Wright as well as a large number of active members of *Circle of Friends* reside outside of the Diocese. They still have a great loyalty and provide significant support to the camp. This change allows them to be part of the decision-making process and governance decisions concerning Camp Wright. Also the designation “priests” has been changed to “clergy” to make it clear that deacons are eligible.

This amendment is requested by the Camp Wright Committee and the Committee on Constitution and Canons recommends its adoption.

*Resolved*, that Canon 407 Of the Committee on Camp Wright, Sec. 407.01 Composition is hereby amended to read as follows:

#### **Canon 407**

##### **Of the Committee on Camp Wright**

Sec. 407.011 **Composition** The Committee on Camp Wright shall consist of not less than ten (10) members. At least two (2) members shall be clergy canonically resident in the Diocese. The rest shall be laypersons. At all times each Convocation shall be represented.

## **Resolution 5**

### **Camp Wright Committee Chairman**

Purpose and Rationale: This change no longer requires that the Chairman of the Committee on Camp Wright be chosen from the Committee members. It allows the Bishop more flexibility in determining the selection of the Chairman. It also allows for additional participation on the Committee.

This amendment is requested by the Camp Wright Committee and the Committee on Constitution and Canons recommends its adoption.

*Resolved*, that Canon 407 Of the Committee on Camp Wright, Sec. 407.05 Organization is hereby amended to read as follows:

#### **Canon 407**

##### **Of the Committee on Camp Wright**

Sec. 407.051 **Organization**. The Bishop shall select the chairperson of the Committee, who shall serve for a three (3) year term. The chairperson shall appoint a Secretary and a Treasurer, neither of whom need be a member. The Committee shall establish an Executive Committee, and such other sub-committees as it may deem desirable for its efficient functioning, and may assign thereto such responsibilities and authorities as it deems proper. The Committee may select a Director and other appropriate leaders to direct and administer the camping program, and shall establish a procedure to solicit applications and supervise admissions to the camp. The committee may select also a manager to direct the use, maintenance and care of its physical property and facilities. The Committee may establish and pay compensation and benefits for the Director and the leaders and other employees, within budgetary limits.

## **Resolution 6**

### **Cathedral Dean**

Purpose: To amend Canon 502.045(a) to delete the

- (i) requirement that the term of the Cathedral Dean is limited by the tenure of the Bishop,
- (ii) limitation of 6 months on any extended service,
- (iii) the up to 1 year grace period with full salary & benefits, and
- (iv) language about seeking a new calling.

The amendments are requested by the Cathedral Chapter to contribute to “stability in community, leadership, and finances,” a stated goal set forth in the Cathedral’s Profile, May 2008. The Cathedral Search Committee also identified the need for these amendments in the course of the search process for a new Dean, and they are of the opinion that these amendments will strengthen this position.

This resolution is recommended by the Committee on Constitution and Canons for adoption.

*Resolved*, that Canon 502.045(a) Powers and Term of Dean of the Cathedral is hereby amended to read as follows:

#### **Canon 502**

**Of the Cathedral of the Diocese** Sec. 502.045 Dean of the Cathedral.

.045(a) Powers and Term. The Dean of the Cathedral shall have charge of the worship and work of the Cathedral under the supervision of the Bishop. He or she shall serve at the pleasure of the Bishop . If requested to do so by the ecclesiastical authority, the Dean of the Cathedral may continue in his or her office of Dean following the period of service of the out-going Bishop.

## **Resolution 7**

### **Congregational Indebtedness**

Purpose and Rationale: In proposing this Canon 605 and Canon 606, the Standing Committee seeks to provide support and information to congregations regarding difficult issues about which some congregations have little expertise. The Committee acknowledges that while parishes are in many ways autonomous, all are part of the Diocese of Easton. We are called to help each other, and an extra set of eyes and heads reviewing plans may prevent difficulties in the future.

This canon would provide a guideline to help congregations decide how much they might reasonably borrow. It does not set limits on how much congregations can spend. The provision for Standing Committee approval of any encumbrance or alienation of real property is part of The Episcopal Church canon already. This proposed canon is based on similar canons from the Dioceses of Delaware, Virginia, and Southern Virginia.

The Committee on Constitution and Canons makes no recommendation.

*Resolved* that Canon 605 Of Congregational Indebtedness is hereby adopted:

#### **Canon 605**

#### **Of Congregational Indebtedness**

Sec. 605.01 Approval Required. Any indebtedness incurred by a Congregation shall require the approval of the Bishop and Standing Committee, except:

(a) indebtedness for permanent improvements, replacements or additions to real estate or equipment where the amount of such indebtedness, plus indebtedness of every kind already existing,

shall not exceed 150% of the average annual receipts of such Congregation during the past three years; and

(b) indebtedness for current expenses where the amount of such indebtedness, plus all indebtedness previously incurred for current expenses and still existing, shall not exceed 20% of the current total receipts of such Congregation during the preceding fiscal year; and the payment of all such indebtedness shall be provided for in the budget of the next ensuing fiscal year with reasonable expectation of its payment out of the receipts of the next two years.

.02. Exclusions to income. In computing receipts under Sec. 605.01, unrestricted income from or for endowments or from or by bequests shall be included. Restricted income shall not be included.

## **Resolution 8**

### **Church Architecture and Construction**

Purpose and Rationale: In proposing this Canon 606 and Canon 605, the Standing Committee seeks to provide support and information to congregations regarding difficult issues about which some congregations have little expertise. The Committee acknowledges that while parishes are in many ways autonomous, all are part of the Diocese of Easton. We are called to help each other, and an extra set of eyes and heads reviewing plans may prevent difficulties in the future.

A Commission on Buildings would assist congregations planning construction or renovation by providing them with expertise to evaluate building plans in terms of utility, beauty and legal requirements. The Commission review would augur well for the aesthetic and structural soundness of proposed construction or renovation, as well as the qualifications of any contractor.

The Committee on Constitution and Canons makes no recommendation.

*Resolved*, that Canon 606 Of Church Architecture and Construction is hereby adopted:

### **Canon 606**

#### **Of Church Architecture and Construction**

Sec. 606.01. Election of Commission

The Convention shall elect annually, from nominations made by the Bishop, a Commission of five persons, two members of the clergy, two registered architects and one registered contractor, who shall constitute the Commission on Church Architecture and Construction.

Sec. 606.02. Submission of Plans for Building or Renovation

.021 Any parish and all Diocesan authorities, agencies and departments, before entering into a contract for the construction or renovation of any Church, Parish House, Rectory or other building, shall present to the Commission, Site Plans, Preliminary Plans, Working Drawings and Specifications, in the above order, for its recommendations and suggestions.

.022 Such documents shall be prepared, and construction shall be supervised, by an architect or engineer licensed to practice in Maryland.

.023 In addition, all such parishes and missions and all Diocesan authorities, agencies and departments shall submit to the Committee a written construction contract approved by the Chancellor. In the event the amount of contract is in excess of \$25,000, a performance bond shall be required of the contractor.

.024 The requirements of this Section, except for the requirement of a written contract, may be modified or waived by the Commission.

Sec. 606.03. Report of Commission

The Commission shall report in writing its suggestions and recommendations to the parish, mission, Diocesan agency, authority or department within thirty days of receipt of the proposed plans.

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**Addendum**

for discussion at convocation meetings

**Proposed Canons on Indebtedness and Architecture - Suggested revisions to Canon 606 Of Church Architecture and Construction**

606.02 .021 Any parish and all Diocesan authorities, agencies and departments, before entering into a contract for the construction or renovation of any Church, Parish House, Rectory or other capital improvement of Church property in excess of \$25,000, shall present to the commission, Site Plans, Preliminary Plans, Working Drawings and specifications, in the above order, for its recommendations and suggestions.

606.02 .022 Such documents shall be approved by, and construction shall be periodically monitored by, an architect or engineer licensed to practice in Maryland.

606.02 .023 In addition, all such parishes and missions and all Diocesan authorities, agencies and departments shall submit to the Committee a written construction contract approved by the Chancellor. In the event the amount of contract is in excess of \$25,000, a performance bond shall be required of the contractor or the contract shall be payable in stages or at certain milestones.

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**From the December minutes of the Standing Committee**

Suggested revision to **Canon 605** Of Congregational Indebtedness would have Sec. 605.01 Approval Required line one read Any indebtedness incurred encumbering real property shall require the approved of the Bishop and Standing Committee.

Under Explanation, the line reading *The provision for Standing Committee approval is part of The Episcopal Church canon already* will be removed.

With the aforesaid mentioned changes, the Standing Committee will resubmit **Canons 605 and 606** to the Committee on Constitution and Canons with the changes offered as the resolution or as a friendly amendment.