

## RESOLUTION #1

RE: Canonical Amendment: Of Delegates to the Annual Convention

SUBMITTED BY: Committee on Canons

CONTACT PERSON: Gordon Gayer, Esq., Chancellor, [gkgayer@gmail.com](mailto:gkgayer@gmail.com)

~~Strikethrough~~ language to be deleted

Underlined language to be added

1 Resolved that Canon 19, Section 1 of the Diocesan Canons be amended to read:

2 Section 1. The number of Lay Delegates to which a parish or mission is entitled at any  
3 convention of the Diocese of Maine will be based on the Average Sunday Attendance  
4 specified in the Annual Parochial Report for the ~~calendar year just passed~~ most recent  
5 year for which the filing deadline for Annual Parochial Reports shall have passed. All  
6 doubtful cases shall be submitted to the Bishop for decision.

### Explanation

*This amendment addresses an anomaly which will arise under current Canon 19 in connection with the proposed Special Convention to elect the Tenth Bishop of Maine in February 2019. The number of delegates which a parish or mission may send to any diocesan convention (regular or special) is based on the Average Sunday Attendance (ASA) reported to the diocese on the Annual Parochial Report. The Episcopal Church requires that Annual Parochial Reports be submitted by March 1 of each year. Yet, our current diocesan Canon 19 pegs the number of convention delegates to the ASA reported "for the year just passed." This raises the possibility that some congregations would need to determine their rightful number of delegates to the February 2019 Special Electing Convention before their Reports for the calendar year 2018 (i.e., "the year just passed") shall have been filed.*

*The proposed solution to this anomaly is to base the number of delegates on the Report for the most recent year for which the filing deadline shall have passed. As a practical matter, this means that the number of delegates to the February 2019 Special Convention to elect a new bishop would be based on the Annual Parochial Reports submitted early in 2018 for the calendar year 2017.*

## RESOLUTION #2

RE: Canonical Amendment: Of the Episcopate Fund

SUBMITTED BY: Committee on Canons

CONTACT PERSON: Gordon Gayer, Esq., Chancellor, [gkgayer@gmail.com](mailto:gkgayer@gmail.com)

~~Strikethrough~~ language to be deleted

Underlined language to be added

1 Resolved that Canon 20 of the Diocesan Canons be amended to read:

2      Each Parish and Organized Mission shall pay annually to the Episcopate Fund a sum  
3      set by Convention for each communicant ~~reported under Canon "Of Communicants". in~~  
4      good standing on its Annual Parochial Report for the year just passed.

### **Explanation**

*The existing Canon 20 refers to a former canon which has been repealed. The proposed amendment brings it up to date by tying the Episcopate Fund to communicants in good standing on the most recent Annual Parochial Report.*

### **RESOLUTION #3**

RE: Clergy Compensation for 2018

SUBMITTED BY: The Diocesan Compensation Committee

CONTACT PERSON: Peter Bickford, Chair, (207) 583-5797, pmbick@myfairpoint.net

1      Resolved, that the minimum compensation for a presbyter in full time service, consisting  
2      of Cash Stipend, Self Employment Tax reimbursement, and Housing and Utilities  
3      Allowance ("Total Clergy Compensation") is to be the midpoint between the average  
4      classroom teacher and the average administrator (not including superintendents)  
5      salaries in each community the church is in as published in 2015 by the Maine  
6      Department of Education increased by the 1.0 percent rise in the Consumer Price Index  
7      for All Urban Consumers ("CPI-U") for the twelve months ending June 2016 and further  
8      increased by the 0.7 percent rise in the Consumer Price Index for ALL Urban Consumers  
9      ("CPI-U") for the twelve months ending June 2017. Such base amounts for 2018 are set  
10     forth in Attachment #1; and be it further

11     Resolved, that it is recommended presbyters be compensated above the required  
12     minimum taking into account such things as years of ordained service in ministry, merit,  
13     experience, and other relevant factors, and be it further

14     Resolved, that the guidelines for minimum compensation for supply clergy be as follows:

15     One Sunday Service \$150.00  
16     Two Sunday Services \$200.00  
17     Other Liturgical Services \$85.00  
18     Pastoral or other assigned responsibilities \$85.00 per unit\*

19 \* = a unit is a morning, afternoon or evening

20 Expenses are reimbursed at cost for meals, lodging, telephone, etc., and at the IRS  
21 maximum approved rate for mileage, which can be found on the Diocesan web site.

### **Explanation**

1. *Setting the minimum this way ties it to the local socio-economic status of the community the church is in.*
2. *The size/type of the congregation is not considered since an unintended consequence of that method is to monetarily value the work of a presbyter in a large congregation more than that of one in a small congregation.*
3. *While no set increase for years of service or merit is provided this resolution still recommends that these factors be considered when determining the presbyter's compensation beyond the minimum level. The Compensation Handbook for the Diocese of Maine October 2014 Revision contains a discussion of these factors and suggestions for implementing them.*
4. *Please see Attachment #1 for the minimum salary allowed for a full-time presbyter in each congregation as calculated with the latest data available from the Maine Department of Education (2015), as adjusted for the twelve month (July 2015 to June 2016) change in the Consumer Price Index for all Urban Consumers and further adjusted for the twelve month (July 2016 to June 2017) change in the Consumer Price Index for all Urban Consumers , noting that "administrators" include all administrators except superintendents. Remembering that these are minimums, no adjustments are recommended in these numbers for a "lag" in the data.*
5. *This resolution does not change existing Letters of Agreement which are still in effect.*
6. *The formula for calculating the Self Employment Tax as well as the formula for calculating the value of provided housing as part of Total Clergy Compensation can be found in the Compensation Handbook for the Diocese of Maine October 2014 Revision.*
7. *The Diocese of Maine is canonically required to bring forth a resolution to Convention outlining clergy compensation for the coming year.*

Appendix A - DOE data

**STATE OF MAINE**  
**DEPARTMENT OF EDUCATION**  
**2015 SALARY DATA ADJUSTED FOR 2015-2016 AND 2016-2017 COLA**

Area	School System Source	Average Teacher 2015 with two year COLA	Average Administrator 2015 with two year COLA	Average of Averages
<b>Area 1</b>				
<b>Aroostook County</b>				
Fort Fairfield	RSU 86	\$48,617.96	\$64,675.99	\$56,646.98
Houlton	RSU 29	\$43,661.33	\$70,212.75	\$56,937.04
Limestone	RSU 39	\$47,369.08	\$76,219.88	\$61,794.48
Presque Isle	RSU 79	\$46,219.42	\$73,413.47	\$59,816.45
<b>Area 2</b>				
<b>Hancock &amp; Washington Counties</b>				
<b>Washington</b>				
Calais	Community	\$52,452.83	\$75,888.00	\$64,170.42
Eastport	Community	\$37,131.62	\$77,297.32	\$57,214.47
Machias	Community	\$38,859.89	\$68,528.14	\$53,694.02
Hancock				
Bar Harbor <sup>3</sup>	BHPS/MDCSD/AO591	\$52,444.14	\$87,355.95	\$69,900.05
Blue Hill <sup>2</sup>	BHPS/GSA	\$50,261.30	\$66,893.71	\$58,577.51
Castine <sup>3</sup>	CPS/GSA	\$56,645.10	\$50,192.40	\$53,418.75
Ellsworth	RSU 24	\$45,731.06	\$71,712.50	\$58,721.78
Hulls Cove <sup>4</sup>	MDPS/MDCSD/AO591	\$51,539.23	\$87,640.89	\$69,590.06
Northeast Harbor <sup>4</sup>	MDPS/MDCSD/AO591	\$51,539.23	\$87,640.89	\$69,590.06
Southwest Harbor <sup>4</sup>	MDPS/MDCSD/AO591	\$51,539.23	\$87,640.89	\$69,590.06
Stonington	DI-5 CSD	\$52,231.55	\$85,430.49	\$68,821.02
<b>Area 3</b>				
<b>Penobscot &amp; Piscataquis Counties</b>				
<b>Penobscot</b>				
Bangor	Community	\$60,867.91	\$91,598.54	\$76,233.23
Brewer	Community	\$57,117.50	\$86,001.58	\$71,559.54
Millinocket	Community	\$40,413.11	\$67,544.13	\$53,978.62
Old Town	RSU 34	\$52,002.38	\$79,414.86	\$65,708.62
Winn	RSU 30	\$46,782.50	\$72,895.44	\$59,838.97
<b>Piscataquis</b>				
Brownville Junction	RSU 41	\$45,934.11	\$60,543.81	\$53,238.96
Dover-Foxcroft	RSU 68	\$41,513.56	\$69,616.74	\$55,565.15
<b>Area 4</b>				
<b>Androscoggin, Franklin, &amp; Oxford Counties</b>				
<b>Androscoggin</b>				
Auburn	Community	\$48,544.09	\$84,081.95	\$66,313.02
Lewiston	Community	\$48,214.02	\$85,051.14	\$66,632.58
Lisbon	Community	\$50,124.00	\$67,850.98	\$58,987.49
<b>Franklin</b>				
Rangeley	RSU 78	\$47,232.26	\$83,323.46	\$65,277.86
Wilton	RSU 09	\$48,022.03	\$74,740.17	\$61,381.10
<b>Oxford</b>				
Norway	RSU 17	\$47,521.08	\$89,829.24	\$68,675.16
Rumford	RSU 10	\$49,196.85	\$79,152.18	\$64,174.52

**STATE OF MAINE**  
**DEPARTMENT OF EDUCATION**  
**2015 SALARY DATA ADJUSTED FOR 2015-2016 AND 2016-2017 COLA**

Area	School System Source	Average Teacher 2015 with two years COLA	Average Administrator 2015 with two years COLA	Average of Average
<b>Area 5</b>				
Kennebec & Somerset Counties				
Kennebec				
Augusta	Community	\$48,532.53	\$83,833.01	\$66,182.77
Gardiner	RSU 11	\$47,210.06	\$80,779.77	\$63,994.92
Hallowell	RSU 02	\$47,673.05	\$81,370.57	\$64,521.81
Waterville	Community	\$49,608.06	\$88,021.60	\$68,814.83
Winthrop	Community	\$42,833.65	\$72,370.47	\$57,602.06
Somerset				
Palmyra	RSU 19	\$47,663.48	\$86,054.09	\$66,858.79
Skowhegan	RSU 54	\$52,853.43	\$76,192.78	\$64,523.11
<b>Area 6</b>				
Knox, Lincoln, Sagadahoc, & Waldo Counties				
Knox				
Camden <sup>1</sup>	RSU 28/FTCSD	\$59,646.76	\$88,050.97	\$73,848.87
Rockland	RSU 13	\$53,028.38	\$78,318.79	\$65,673.59
Thomaston	RSU 13	\$53,028.38	\$78,318.79	\$65,673.59
Lincoln				
Boothbay Harbor	B-B Hbr CSD	\$55,076.62	\$87,593.63	\$71,335.13
Jefferson	Community	\$57,504.77	\$71,876.34	\$64,690.56
Newcastle <sup>2</sup>	G S Bay CSD	\$53,948.44	\$78,405.93	\$66,177.19
Wiscasset	RSU 12	\$51,494.57	\$80,714.47	\$66,104.52
Sagadahoc				
Bath	RSU 01	\$56,322.13	\$88,590.46	\$72,456.30
Waldo				
Belfast	RSU 20	\$54,144.04	\$59,814.90	\$56,979.47
<b>Area 7</b>				
Cumberland County				
Bridgton	RSU 61	\$50,797.59	\$82,231.13	\$66,514.36
Brunswick	Community	\$58,678.37	\$99,183.65	\$78,931.01
Cape Elizabeth	Community	\$64,689.23	\$100,840.08	\$82,764.66
Falmouth	Community	\$65,221.46	\$98,544.42	\$81,882.94
Portland	Community	\$60,529.87	\$92,873.91	\$76,701.89
Scarborough	Community	\$58,148.28	\$91,650.06	\$74,899.17
Windham	RSU 14	\$52,499.34	\$95,300.16	\$73,899.75
Yarmouth	Community	\$64,408.17	\$100,329.89	\$82,369.03
<b>Area 8</b>				
York				
Kennebunk	RSU 21	\$60,533.09	\$95,772.85	\$78,152.97
Saco	RSU 23	\$52,583.15	\$85,454.22	\$69,018.69
Sanford	Community	\$51,086.01	\$90,091.24	\$70,588.63
York Harbor	Community	\$64,387.30	\$97,768.03	\$81,077.67

**Data Sources:**

2015 Maine Department of Education Web: [http://www.maine.gov/doe/Data Submission & Management/MEDMS Public Reporting/Professional Staff/Average Salary of Instructional Staff/2015/SAU](http://www.maine.gov/doe/Data%20Submission%20&%20Management/MEDMS%20Public%20Reporting/Professional%20Staff/Average%20Salary%20of%20Instructional%20Staff/2015/SAU)

COLA - News Release-Consumer Price Index-July 2016, Bureau of Labor Statistics, U.S. Department of Labor  
COLA - News Release-Consumer Price Index-July 2017, Bureau of Labor Statistics, U.S. Department of Labor

**Comments:**

**Hancock County:**

<sup>1</sup>Bar Harbor - data derived from Bar Harbor Public Schools, Mt. Desert Community School District, and A0591 - Mount Desert Island Regional School System.

<sup>2</sup>Blue Hill - data derived from Blue Hill Public Schools and George Stevens Academy.

<sup>3</sup>Castine - data derived from Castine Public Schools and George Stevens Academy.

<sup>4</sup>Hulls Cove, Northeast Harbor, and Southwest Harbor - data derived from Mt. Desert Public Schools, Mt. Desert Community School District, and A0591 - Mount Desert Island Regional School System.

**Knox County:**

<sup>5</sup>Camden - data derived from RSU 28/MSAD 28 and Five Town Community School District

**Lincoln County:**

<sup>6</sup>Newcastle - data derived from Great Salt Bay Community School District.

## **RESOLUTION #4**

RE: Lay Compensation for 2018

SUBMITTED BY: The Diocesan Clerical and Lay Compensation Committee; Maine Episcopal Network for Justice; and St. Peter's, Rockland.

CONTACT PERSON: Peter Bickford, Chair, [\(207\) 583-5797](tel:(207)583-5797), [pmbick@myfairpoint.net](mailto:pmbick@myfairpoint.net)

- 1        Resolved that the minimum compensation for lay employees who are paid for more than 250 hours annually by any congregation in union with the Diocese of Maine or by any related ministries in the Diocese shall be no less than \$13.00 per hour or its equivalent in salary.

### **Explanation**

1. *The intent of this resolution is to call for the establishment of a Living Wage for all lay employees, confirming the long-standing policy of The Episcopal Church to support fair, just, and living wages for all of those employed by Episcopal congregations or related ministries. This resolution represents the second year in four-year effort to reach the goal to achieve a minimum hourly wage of \$15.00 to conform to the resolution of Executive Council by 2020.*

2. *The floor of 250 hours is intended to exempt teenagers or very occasional workers who might do seasonal work such as shoveling snow or mowing the lawn.*

3. *The Maine Minimum Wage of \$9.00 became effective on January 1, 2017. The Diocese of Maine minimum compensation for lay employees in 2017 is \$12.00.*

4. *Please see Attachment #1 Executive Council Resolution: Support a Living Wage, passed June 2016.*

[http://s3.amazonaws.com/dfc\\_attachments/public/documents/3224291/Resolution\\_AN\\_013\\_June\\_2016.pdf](http://s3.amazonaws.com/dfc_attachments/public/documents/3224291/Resolution_AN_013_June_2016.pdf)

## **RESOLUTION #5**

RE: Concerning the Forfeiture of Union with St. Barnabas', Augusta

SUBMITTED BY: The Standing Committee

CONTACT: Ms Brenda Hamilton, President *pro tem* [dirtgirl63@gmail.com](mailto:dirtgirl63@gmail.com)

- 1      Resolved, that, in accordance with Article VIII, Section 5, of the Constitution of the
- 2      Diocese of Maine, and upon the recommendation of the Bishop and Standing
- 3      Committee, this 198th Convention of the Episcopal Diocese of Maine establish that the
- 4      union with St. Barnabas', Augusta (an organized mission) and its right to representation
- 5      at Convention are forfeit;
  
- 6      And be it further resolved, that we offer our prayers of thanksgiving for the life and
- 7      Ministry of St. Barnabas', and pledge our continued prayers and support for The
- 8      Episcopal Church Saints Matthew and Barnabas as they grow in faith and life together.

### **Explanation**

*The Church of St. Barnabas, Augusta, began worshiping with the Church of St. Matthew, Hallowell, in the spring of 2016. At their Annual Meetings in 2017, the members of both congregations voted to join together into a single worshiping community. Since then, the congregations have been exploring the best means to accomplish their goal. It has now been decided that the most straightforward process for joining the two congregations is to bring an end to St. Barnabas as a freestanding mission, and to rename St. Matthew to reflect the inclusion of the St. Barnabas congregation. The resulting community will be named The Episcopal Church of Saints Matthew and Barnabas and will worship in Hallowell. Transfer of assets to Saints Matthew and Barnabas and disposition of the St. Barnabas church property will be accomplished in the coming months.*

### **RESOLUTION #6**

RE: Concerning the Discernment, Election and Consecration of the Tenth Bishop of Maine

SUBMITTED BY: The Standing Committee

CONTACT: Ms Brenda Hamilton, President *pro tem* [dirtgirl63@gmail.com](mailto:dirtgirl63@gmail.com)

- 1      Be it resolved, that the following rules for the Election of a Bishop Diocesan be adopted:
- 2      1. The Standing Committee, in consultation with the Office of Pastoral Development,
- 3      shall create, organize and oversee the process for the discernment, election and
- 4      consecration of the Tenth Bishop of Maine.
  
- 5      2. The Standing Committee, in consultation with the Finance Committee, the Diocesan
- 6      Council and the Trustees of the Diocese, shall create a budget for the election and
- 7      consecration of the Tenth Bishop, including funds for the transition of the departing

8       bishop and the new bishop. All expenses shall be paid from diocesan budgets, reserves,  
9       other available funds and special contributions.

10      3. The Standing Committee shall create a Discernment Committee and a Transition  
11       Committee and other such committees, groups and administration as it deems  
12       necessary for an orderly election and consecration; it shall determine qualifications and  
13       characteristics desired of committee members and the duties of each committee; it shall  
14       provide for such staffing and other support as may be needed by the committees to  
15       perform their duties. It shall appoint the chairs or co-chairs and shall retain the  
16       responsibility for general oversight to maintain the canonical integrity and budgetary  
17       efficiency of the process.

18      4. Persons interested in serving on one of the Committees or nominating someone to  
19       serve should be in touch with the Standing Committee via the nominating form on the  
20       diocesan website no later than November 10, 2017.

21      5. The Discernment Committee and Transition Committee will determine their own  
22       processes and procedures, subject to the requirements of this resolution, the Standing  
23       Committee and the applicable canons of The Episcopal Church.

24      6. The draft calendar for the Election and Transition is as follows:

25      - **September - October 2017** - Enabling legislation  
26      - **October 28, - November 10, 2017** – Committee nominations received  
27      - **Late November 2017** - Committees, Chairs, Chaplain announced  
28      - **December 1 & 2, 2017** – Standing Committee, Discernment and Transition  
29       Committees, Chaplain and administrative support staff meet with Consultant for  
30       planning retreat  
31      - **January - April 2018** - Discernment Committee surveys diocese, creates and  
32       presents diocesan profile  
33      - **May - September 2018** – Discernment Committee conducts formal search process.  
34       Candidates for nomination are screened and interviewed.  
35      - **October 2018** - Finalists for nomination participate in retreat in Maine with the  
36       Discernment Committee and consultant.  
37      - **November 2018** - Slate of Nominees is presented to the Standing Committee for  
38       approval and is announced to the diocese. Petition nominations received.  
39      - **December 2018** - Nominees by Petition are added to the slate upon successful

40 completion of background checks and other requirements.

41 - **January 2019** - Walkabout and interviews across the Diocese

42 - **February 2019** - Election of Tenth Bishop in Special Convention

43 - **Spring 2019** - Transition period for both 9<sup>th</sup> and 10<sup>th</sup> Bishops of Maine

44 - **Early Summer 2019** - Consecration and Seating of Tenth Bishop (subject to the  
45 schedule of the Presiding Bishop)

46 7. The Discernment Committee will seek the best candidates for bishop from across The  
47 Episcopal Church, taking steps to insure the full participation of women, people of color,  
48 and other persons representative of the diverse membership of The Episcopal Church  
49 and its statements on full inclusion.

50 8. The Discernment Committee will submit to the Standing Committee for approval, a  
51 slate of candidates for nomination. Each candidate shall execute a written declaration of  
52 intent to serve if elected and shall complete such background and financial  
53 investigations, medical and psychological evaluations as required by The Episcopal  
54 Church and the Standing Committee. With the consent of the Standing Committee, the  
55 candidates will be the Nominees for Bishop Diocesan and their names shall be  
56 announced and submitted to the Electing Convention.

57 9. Following the release of the slate of Nominees, the Standing Committee shall accept  
58 petitions submitting names of candidates for Nomination by Petition, for a period not to  
59 exceed 7 days. Each petition shall be signed by a Nominator and by at least eight other  
60 persons, four clergy and four laity, who collectively represent at least four different Areas,  
61 all of whom are canonically resident clergy or lay communicants in good standing.

62 10. Candidates for Nomination by Petition shall answer the questions asked of the other  
63 Nominees, shall execute a written declaration of intent to serve if elected, and shall  
64 complete such background and financial investigations, medical and psychological  
65 evaluations as required by The Episcopal Church and the Standing Committee. With the  
66 consent of the Standing Committee, Nominees by Petition who have successfully  
67 completed the screening and interview process shall be added to the slate of Nominees  
68 for Bishop Diocesan and their names shall be announced and submitted to the Electing  
69 Convention.

70 11. The election of the Bishop Diocesan shall be held at an Electing Convention in  
71 February 2019, with provision for a snow date.

72      12. The Bishop, upon the recommendations of the Transition Committee and in  
73      consultation with the Standing Committee, may adopt special rules and procedures for  
74      the conduct of the election, including, but not limited to, time for prayer, methods for  
75      voting, guidelines on the use of social media, and limitations on access to the floor of the  
76      Electing Convention by persons other than delegates to the Convention.

77      13. The Tenth Bishop shall be elected from among Nominees for Bishop Diocesan.  
78      Nominations from the floor will be ruled out of order. Any Nominee may withdraw from  
79      the election at any time in person or by phone or designated representative.

80      14. In the event the time provided for the election expires without an election the Bishop,  
81      in consultation with the Standing Committee, may recess the Convention to a date  
82      certain or to a date to be set by the Standing Committee; or by a vote of the Standing  
83      Committee, the Bishop may declare the election to be at an end, may vacate the  
84      nominations, dissolve the Discernment and Transition Committees, and order the  
85      appointment of new Committees and a new election and transition process.

86      15. The election and consecration process of the Tenth Bishop shall be subject to the  
87      satisfactory completion of the examinations required by The Episcopal Church and the  
88      receipt of the necessary consents from the Bishops and Standing Committees of the  
89      several dioceses. It shall further be subject to the signing of a Letter of Agreement  
90      establishing compensation and other financial matters between the Bishop-elect and the  
91      Standing Committee.

### **Explanation**

*The proposed rules for the Election of the Tenth Bishop are drawn from the Raising Up of Episcopal Leadership, the Transition Manual of the Office of Pastoral Development (the body charged with overseeing episcopal elections). They are intended to offer guidance and parameters for the Standing Committee and the various Committees responsible for the transition process. In order to give those involved the greatest possible flexibility, the guidelines are offered without specific target numbers, except for the number of signatories required for Nomination by Petition.*

*Our process needs to acknowledge that our capacity as a diocese to field large committees, while maintaining our standing bodies, is diminished. The current recommendation as to the size of Discernment and Transition Committees is twelve (12) each. The Standing Committee intends to have Discernment and Transition committees fully representative of our diocese within these recommendations.*

*This election takes place in the context of smaller pools of candidates than in the past. The recommendation as to the ideal size of the slate of Nominees is no fewer than three (3).*

*Since the last transition process, the roles of the Discernment and Transition Committees have changed. The Discernment Committee is responsible for creating the electronic Profile of the Diocese, seeking candidates and presenting a slate of Nominees. The Transition Committee seeks and interviews Nominees by Petition, organizes the presentation of Nominees (the Walkabout), the electing convention, and, in consultation with the Ninth Bishop and the Presiding Bishop, the transition and consecration.*

*Members of Committees must be canonically resident clergy or lay communicants in good standing of a parish or mission in union with the Diocese; and must be able to attend frequent meetings for a year and actively participate in the work of the committee. It would be helpful if committee members are knowledgeable of the polity and ministries of The Episcopal Church and the Diocese of Maine.*

*Appendix A – Map of the Areas of the Diocese*



## **SUBSTITUTE RESOLUTION #7**

RE: Support of the Holy Land's Children

SUBMITTED BY: Episcopal Peace Fellowship - Maine Chapter

CONTACT: Edward McCarthy, 207-293-2439, [ecmccar@gmail.com](mailto:ecmccar@gmail.com)

1       Resolved, that we of the Episcopal Diocese of Maine, assembled in its 198th  
2       Convention, call upon the Maine Deputation to General Convention to request the  
3       the 79th General Convention of The Episcopal Church to ask that Israeli Prime Minister  
4       Netanyahu and Palestinian President Abbas provide assurances that their governments  
5       accord those under 18 years of age the full range of rights and protections called for  
6       under the international agreements to which they have subscribed.

7       And be it further resolved, that we call upon President Trump, Secretary of State Rex  
8       Tillerson, U.N. Representative Nikki Haley, the Congressional Foreign Affairs Committee,  
9       and the Maine Congressional Delegation to persuade the Israeli and Palestinian  
10      leadership to sustain their commitments to international law with regard to children's  
11      rights and welfare, and that they ensure that children held in custody will not, as has  
12      often been alleged, be subjected to coercion, physical or psychological abuse, or even  
13      torture.

14      And be it further resolved, that we ask the Episcopal Diocese of Maine Deputation to  
15      General Convention to invite the deputations to General Convention from other New  
16      England dioceses and their bishops to sign onto this resolution.

### **Explanation**

*The Episcopal Church has had an enduring commitment to the Holy Land and its people, as well as to achievement of a peace settlement that would serve the interests and welfare of both Israelis and Palestinians, and the United States government has over many years invested much time and resources in the accomplishment of a durable Israeli-Palestinian peace.,*

*However, there is much evidence indicating that current Israeli and Palestinian leaders lack both the will and ability to work toward a reasonable settlement in the foreseeable future. That lack of will to effect a peaceful solution directly impacts children in the region. UNICEF, Defense of Children International-Palestine (DCI-P) and other organizations working on behalf of children have provided evidence that neither Israel nor the Palestinian Authority, despite having subscribed to the United Nations Convention on the Rights of the Child, has fully adhered to international law applicable to the treatment of Palestinian children.*

*Early June of this year marked the 50th anniversary of Israel's military occupation of the West Bank and Gaza. The occupation continues to be the longest and most effective of modern times. The burden of occupation falls upon all Palestinian residents of the West Bank and Gaza, but it falls most notably on Palestinian children, i.e., those under 18 and living in the Occupied Territories. They are almost half of all Palestinians living in the West Bank or Gaza, and, if those up to age 25 are counted, young people are the majority of those living in the Territories. All they have known during their lives has been the occupation, with its restrictions on movement, home demolitions, night time arrests and numerous other humiliations and oppressions. They are subject to Israeli military rule rather than to civil courts. That is not the case with regard to Jewish youth, many of them children of Israeli settlers reside in violation of international law. Their Israeli citizenship entitles them to jurisdiction by Israeli civilian authorities. To paraphrase George Orwell, all may be equal in their humanity, but some are more equal than others.*

*Other religious denominations and agencies have recognized and addressed the injustices involved. Churches for Middle East Peace, a coalition of 27 churches and affiliated organizations including The Episcopal Church, has made advocacy for Palestinian children a priority. Both the Presbyterian Church-USA in 2016 and, most recently, the United Church of Christ have adopted measures calling for change in Israeli policy and behavior toward Palestinian juveniles as well as for vigorous American government action to bring about such change.<sup>1</sup> The American Friends Service Committee has over the past two years partnered with Defense of Children International-Palestine (DCI-P) to document charges that Palestinian youth detained by the Israeli military have had their rights under the United Nations Convention on the Rights of the Child and other relevant provisions of international law systematically disregarded. DCI-P also has produced evidence that arrests by the Palestinian Authority have involved similar abuses.<sup>2</sup> Studies by UNICEF between 2010 and 2016 have also indicated that "ill treatment of Palestinian children in the Israeli military detention system appears to be widespread, systematic and institutionalized."<sup>3</sup>*

*Ideally, the situation would be resolved by way of negotiations between Israeli and Palestinian leadership. The facts are, however, that Palestinian leadership is weak and divided and the Israelis have little incentive to change the status quo. There seems little alternative to trying to humanize an occupation likely to continue for many years to come.*

*Both Israel and the State of Palestine have signed on to the Convention on the Rights of the Child. Both should fully meet their obligations under that measure. What is being asked is far*

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<sup>1</sup> "A Call for the United Church of Christ to Advocate for the Rights of Children Living Under Israeli Military Occupation," a resolution passed by the General Synod of the United Church of Christ in July 2017 (<http://synod.uccpages.org/res3.html>).

<sup>2</sup> Defense for Children International - Palestine, *No Way to Treat a Child, Palestinian Children in the Israeli Military Detention System*, 14 April 2016  
Defense of Children International - Palestine, *Detention Bulletin - April 2016*, publ. August 8, 2016  
Defense of Children International - Palestine, *Solitary Confinement for Palestinian Children in Israeli Military Detention*, May 2014  
(<http://www.dci-palestine.org>)

<sup>3</sup> UNICEF, *Children in Israeli Military Detention - Observations and Recommendations - 6 March 2013*  
UNICEF *Children in Military Detention - Bulletin No. 1 - October 2013*  
UNICEF, *Children in Israeli Military Detention - Observations and Recommendations - Bulletin No. 2 - February 2015*  
(<https://www.unicef.org>)

*from extreme. Provisions such as imprisonment only as a last resort; access to legal counsel; parents' presence during interrogation; and freedom from physical or psychological coercion, abuse, or violence, are protections only to be expected.*

*Israel's occupation of Palestinian lands is singular in its length and thoroughness. If the occupation is to continue into the foreseeable future, as appears to be the case, its uniqueness should extend to guaranteeing the rights all children have under international law.*

## **Appendix A**

**United Nations Convention on the Rights of the Child, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>**

### **Article 37**

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;
- (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

### **Notice of Editorial Changes in the following Canons**

#### **Change 1**

Canon 15: Reformat the sections and subsections to conform with the format used throughout the Canons of the Diocese of Maine.

### **CANON 15**

#### **Of the Diocesan Council**

Section 1. (1) The congregations and the clergy of the Diocese shall be grouped in Areas in such number and manner as the Bishop and Diocesan Council, in consultation with the clergy and congregations, shall from time to time determine.

Section 2. (2) There shall be a Diocesan Council composed of the following members:

- (1) The Bishop(s);

(2) Two members, one lay and one clergy, representing each of the Areas of the Diocese;

(3) The Chairperson of the Finance Committee;

(4) The Treasurer of the Diocese;

(5) and no more than four members appointed by the Bishop.

Section 3. (3) Selection of members shall be as follows:

(1) a. In addition to the Bishop Diocesan of Maine, if there be any Bishop Coadjutor or Bishop(s) Suffragan, whose duties include service on the Council, each such bishop shall likewise be a member.

(2) b. Each Area shall elect two members to serve staggered terms of two years. Each member shall be elected in accordance with procedures established or approved by the Council, either from the clergy of the Area, as eligible under Article III.3.1 of the Constitution of the Diocese of Maine, or from the lay members, who are communicants in good standing of their respective congregations within the Area. The names of those elected shall be communicated to the Bishop for review, and presented at Convention.

(3) c. The Bishop may appoint not more than four members to the Diocesan Council at any time the Bishop may deem convenient, to serve until the final adjournment of the second Diocesan Convention held after their appointment. If there be no Bishop, the Standing Committee shall have the power of appointment.

Section 4. (4) No person having served as a member of the Diocesan Council for six consecutive years shall be elected or appointed to the Diocesan Council until after the expiration of one year following the sixth year of service. For the purpose of this Canon, the period between annual Diocesan Conventions shall be deemed one year.

Section 5. (5) Vacancies in the number of members of the Diocesan Council elected by an Area may be filled by the Area or by the Diocesan Council. The appointing authority may fill vacancies in the number of appointed members of the Diocesan Council. In all cases such elections or appointments shall be for unexpired terms only.

Section 6. (6) The Bishop or the Convener appointed by the Bishop shall preside at all meetings of the Diocesan Council. In the absence of both, the Council shall have the power to choose its own presiding officer.

Section 7. (7) The Diocesan Council shall administer and carry out the work of the Episcopal Church within the Diocese of Maine, subject to such directions as the Diocesan Convention may give. Within 30 days of adjournment of the annual Diocesan Convention, Diocesan Council shall schedule and publish the dates of Council meetings for the ensuing twelve months; Diocesan Council shall, in advance of such scheduled meetings, make the proposed agenda available to the members of the Diocesan Council and to the Areas.

Section 8. (8) At least six weeks before the date set for the Annual Diocesan Convention, the Council shall prepare an estimate of the amount of money required for the work of the Diocese during the next ensuing year -- that is, from January 1 to December 31. The Council shall determine and recommend to Convention the assessments required to carry out the ministry of the Diocese.

Section 9. (9) The Diocesan Council shall establish a Finance Committee.

Section 10. (10) In addition to establishing a Finance Committee, the Diocesan Council may establish such other commissions, committees, and task forces as it may deem advisable.

**Change 2**

Two changes to Canon 16. Section 1: In the third line "has" should be "as" and Section 2: In the next to last line strike "person."

**CANON 16**

**Of the Church Pension Fund**

Section 1. In conformity with the legislation adopted by the General Convention of 1913, pursuant to which the Church Pension Fund was duly incorporated, and in conformity with the Canon of the General Convention, "Of the Church Pension Fund", ~~has as~~ heretofore amended and as it may hereafter be amended, the Diocese of Maine hereby accepts and acknowledges The Church Pension Fund, a corporation created by Chapter 97 of the Laws of 1914 of the State of New York, as subsequently amended, as the authorized and approved pension system for the clergy of the Protestant Episcopal Church in the United States of America, and for their dependents, and declares its intention of supporting said Fund in accordance with its rules.

Section 2. It shall be the duty of the Diocese through its Missionary Society and of the Parishes, Missions, and other ecclesiastical organizations therein, each through its treasurer or other proper official, to inform the Church Pension Fund of salaries and other compensation paid to members of the clergy by said Diocese, Parishes, Missions, and other ecclesiastical organizations for services rendered, currently or in the past, prior to their becoming beneficiaries of said Fund, and changes in such salaries and other compensation as they occur; and to pay promptly to the Church Pension Fund the **person** assessments required thereon under the Canon of the General Convention and in accordance with the Rules of said Fund.

**Change 3**

At the 191st Annual Convention in 2010, a new clergy disciplinary canon (*Of Misconduct by a Priest or Deacon*) was approved to replace the previous disciplinary Canons 25 and 26. It was titled Canon 27 without anyone noticing that there was already an existing Canon 27(called, ironically, *Of Amendments to the Canons*.) We propose an editorial change that will rename the current disciplinary canon as Canon 26. Canon 25 will be marked as "Held in Reserve."