

Constitution and Canons Committee Report to Diocesan Convention 2017

The Constitution and Canons Committee proposes a second reading and vote on an amendment to Article VII of the Diocesan Constitution. Constitutional amendments require passage by two consecutive Conventions with a two-thirds vote of each order voting separately. The 2016 Convention approved the proposed amendment below. Should the amendment pass at the 2017 Convention, the proposed amendment will take effect at the conclusion of the 2017 Diocesan Convention.

PROPOSED AMENDMENT TO THE DIOCESAN CONSTITUTION **SECOND READING – SECOND VOTE**

ARTICLE VII **Officers of the Diocese**

Section 2. Secretary. At the annual meeting of the Convention a Secretary shall be elected confirmed by a majority vote of the Convention upon nomination by the Bishop for a term of three years, commencing at the adjournment of the annual meeting of the Convention at which such election nomination and confirmation occurs and continuing in office until the adjournment of the annual meeting at which the successor is elected nominated and confirmed. The Secretary shall serve ex-officio as Secretary of the Executive Council and as Secretary of the Convention, and shall be an ex-officio member of both the Executive Council and the Convention, except as otherwise provided.

Section 3. Treasurer. At the annual meeting of the Convention a Treasurer shall be elected confirmed by a majority vote of the Convention upon nomination by the Bishop for a term of three years, commencing at the adjournment of the annual meeting of the Convention at which such election nomination and confirmation occurs and continuing in office until the adjournment of the annual meeting at which the successor is elected nominated and confirmed. The Treasurer shall serve ex-officio as the Treasurer of the Executive Council and as Treasurer of the Convention, and shall be an ex-officio member of the Executive Council and the Convention, except as otherwise provided.

Section 7. Vacancies. A vacancy in the office of Secretary or Treasurer shall be filled by appointment of the Executive Council. A vacancy in the office of Chancellor or Registrar shall be filled by appointment of the Bishop. A vacancy in the office of Secretary, Treasurer, Chancellor or Registrar shall be filled by appointment of the Bishop with approval of the Executive Council. A vacancy in the office of Trustee shall be filled by the remaining Trustees until the next Convention.

Explanation: Despite the actual wording of Article VII, the diocesan practice has been to have the Bishop nominate the Secretary and Treasurer of the Diocese for the Convention's approval. The proposed change would make official our previous practice and treat the offices of Secretary, Treasurer, Chancellor and Registrar the same.

The Constitution and Canons Committee proposes a first reading and vote to amend Articles III and IV of the Diocesan Constitution. Constitutional amendments require passage by two consecutive Conventions with a two-thirds vote of each order voting separately. Should the amendments be approved by the 2017 Convention, the proposed amendments will appear before the 2018 Convention in the same format. If they are also approved by that Convention, they will become effective at the conclusion of the 2018 Diocesan Convention.

PROPOSED AMENDMENTS TO THE DIOCESAN CONSTITUTION **FIRST READING – FIRST VOTE**

ARTICLE III **The Convention**

Section 6. Program and Development Chairs. The Chair of each of the program and development committees of the Diocese shall have seat and voice in the Convention but shall have vote only if otherwise entitled to vote.

Explanation: Since program and development committees have been inactive for many years, and with the move throughout the Episcopal Church to reduce the number of commissions and committees, we propose deleting this section and renumbering the following sections. This deletion does not prevent the formation of tasks forces, or new committees, as needed in the future.

ARTICLE IV **Meetings of Convention**

Section 1. Date. The Convention shall regularly convene once each calendar year at such time and place as shall be determined by the annual meeting of the Convention-Ecclesiastical Authority up to three years in advance of the Convention.

Explanation: With the move of our diocesan convention to Lubbock most years, the Convention schedule must be worked around the Texas Tech University football schedule. When there is a home game, most facilities in Lubbock are unavailable. Because the next year's football schedule is normally unknown at the time of our convention, the dates cannot be set at that time. Allowing the Ecclesiastical Authority, which is the Bishop (or in the absence of a bishop in place, the Standing Committee of the Diocese), to set the dates has actually been the practice for several years.

The Constitution and Canons Committee proposes amendments to Canons 4, 13, 16 and 40 of the Diocesan Canons. Unlike Constitutional amendments, approval to amend Canons requires passage by only one Convention with a majority vote of each order voting separately. Should the amendments be approved, the changes will become effective at the conclusion of the 2017 Diocesan Convention.

PROPOSED AMENDMENT TO THE DIOCESAN CANONS

CANON 4 **Business of Convention**

Section 3. Order of Business. The President shall then call for a report from the Committee on Dispatch of Business which shall recommend such changes, if any, as may be appropriate to the Order of Business. For all annual meetings of the Convention, except where there is to be an election of a Bishop, such Order of Business shall include the following:

- A. Announcement of committee and commission appointments.
- B. Nominations from the floor for offices to be filled by the Convention.
- C. Election of officers.
- D. Presentation of annual report by the Bishop.
- E. Reports of officers.
- F. Presentation of the annual budget.
- G. Reports of committees and commissions of the Convention and the Diocese as appropriate.

H. Announcement and selection of future sites for Convention.

Explanation: With the move of our diocesan convention to Lubbock most years, the Convention schedule must be worked around the Texas Tech University football schedule. When there is a home game, most facilities in Lubbock are unavailable. Because the next year's football schedule is normally unknown at the time of our convention, the dates cannot be set at that time.

CANON 13 **Executive Council**

Section 3. Duties. In addition to the provisions of Article XII of the Constitution and the duties prescribed elsewhere in these Canons, the Executive Council shall have the following duties:

- A. To maintain general supervision of the financial affairs of the Diocese and act as advisor to the Bishop in financial matters and upon request, to act as advisor to the congregations of the Diocese.
- B. To determine annually the amounts to be apportioned to the individual congregations for the support of the Diocese and the Church.
- C. To prepare the annual budget for approval by Convention.
- D. To make adjustments in the Diocesan budget in the interval between Conventions; provided, however, that such adjustments shall not exceed the total amount in the budget as adopted by Convention.

E. To formulate and initiate programs in accordance with established priorities of the Convention and the General Convention.

~~F. To establish program and development committees and commissions and their duties, as set forth in Canon 15.~~

Explanation: Since program and development committees have been inactive for many years, and with the move throughout the Episcopal Church to reduce the number of commissions and committees, we propose deleting this paragraph. The deletion does not prevent the formation of tasks forces, or new committees, as needed in the future.

CANON 16 Administrative Committees

Section 2. Convention Planning. The Convention Planning committee shall consist of the ~~Executive Secretary of the Diocese~~ ~~Diocesan Administrator~~, who shall serve as secretary of the committee; the host priest (if any); ~~the chair of the Diocesan Liturgical Committee~~; the host arrangements chair (if any); three members appointed by the Bishop for three-year terms; and the Canon to the Ordinary, who shall serve ex-officio. The Convention Planning Chair shall be appointed by the Bishop. The committee shall plan, coordinate and supervise all arrangements for the Annual Diocesan Convention, as well as any other Diocesan activity requested by the Bishop or the Ecclesiastical Authority.

Explanation: The title of “Executive Secretary of the Diocese” has been replaced with “Diocesan Administrator.” The diocese has not had a functioning Liturgical Committee for many years.

CANON 40 Church Pension Fund

Section 4. Definition. For the purpose of this Canon, “qualified lay employees” shall refer to employees who are scheduled to work a minimum of 1,000 hours annually for any domestic Diocese, Parish, Mission or other Ecclesiastical organization or body subject to the authority of the Church, and who do not opt out of such coverage under the provisions ~~of Resolution A-138 of the 2009 General Convention, which states that “Existing defined benefit plans will be permitted to continue as long as their plan design delivers pension benefits not less than the pension benefits required by this Resolution, as determined by the plan administrator.” provided by General Convention and the Church Pension Fund.~~

Explanation: To ensure this canon remains consistent with changes at the Episcopal Church and Church Pension Fund levels, we propose replacing the current verbiage with more general language that will accomplish the same purpose.