

April 16, 2018



**Evangelical Lutheran
Church in America**

God's work. Our hands.

PROPOSED AMENDMENTS

TO

CONSTITUTION

OF

ST. PAUL'S EVANGELICAL LUTHERAN CHURCH

OF

LIVERPOOL, NEW YORK

CONGREGATION OF THE

EVANGELICAL LUTHERAN

CHURCH IN AMERICA

Amendments to Constitution

The process for approving these changes falls under the Constitution Amendment provisions *C16.02 and *C16.03 (*C17.02, *C17.03 in current constitution).

***C16.02.** An amendment to this constitution, proposed under *C16.01., shall:

- a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
- b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
- c. have the effective date included in the resolution² and noted in the constitution.

***C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

Change Rationale:

1. Words recommended (not required) by the ELCA Model Constitution, in some cases edited for St. Paul's applicability
2. Words removed by the ELCA Model Constitution – judged by Constitution Review Committee as not needed.
3. Changes recommended by Constitution Review Committee
 - a. Clarify the role of Treasurer
 - b. Importance of meeting minutes
 - c. Commitment to implement Child Protection Policy
 - d. Change quorum at Congregation Meetings to ensure adequate representation
 - e. Adopt current technology for efficiency
 - f. Minimum number of Council members
 - g. Ensure Audit committee independence and to make consistent with synod recommendation
 - h. Consistent formatting

C5.05 This congregation shall have a mission endowment fund, the Omega Fund, which will operate as specified in this congregation's continuing resolutions. [1]

C9.15. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the pastor in a form proposed by the synodical bishop and approved by the congregation. [1]

C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of 10 percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical

² Such an effective date must be stated in relation to the requirements of *C16.03. to allow time for synodical review of the amendment.

bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted. [1]

- C10.03.-** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means to all voting members at least 10 days in advance of the date of the meeting. ~~The posting of such notice, notification based on members' preference as indicated in the mail, with the postage affixed or paid, sent to the last known address of such members shall be sufficient.~~ this congregation's database. [3e]
- C10.04.—**~~Five (5)~~ Ten percent of the voting members shall constitute a quorum. [3d]
- C10.05.-** Voting by proxy or by absentee ballot shall not be permitted. ~~Voting by absentee ballot may be approved by Congregation Council for circumstances specified in the continuing resolutions.~~ [1]
- C10.06.-** All actions approved by the congregation shall be by majority vote of those voting members present, except as otherwise provided ~~in this constitution~~ or by state law. [1]
- C10.08.—**~~Voting age and membership requirements are specified in the bylaws.~~ [2]
- C11.01.-** e.- The treasurer shall be appointed by the Congregation Council to a one-year term. There shall be no restriction to the number of consecutive terms a treasurer may serve. ~~The treasurer is not required to be from the elected membership of the Congregation Council, but shall have voice and voting privileges as a member of the Congregation Council, but shall have voting privileges at Congregation Council meetings.~~ [3a]
- C11.02.-** The Congregation Council shall elect its officers and they shall be the officers of the ~~congregation.~~ The Congregation. Other than the Treasurer, the officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected while the term of the Treasurer shall begin at the start of the calendar year. [3a]
- C11.03.-** No officer shall hold more than one office at a time. ~~No~~ Other than the Treasurer, no elected officer shall be eligible to serve more than two consecutive terms in the same office. There shall be no restriction to the number of consecutive terms a treasurer may serve. [3a]
- C12.01.-** The voting membership of the Congregation Council shall consist of the pastor, ~~the officers of the congregation,~~ and not more than ~~10~~ ten or fewer than seven members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances. [1, 3f]
- C12.04.-** d.- To maintain supportive relationships with the pastor, rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment. [1]
- C12.04.** k. To approve, publicize, and post a Child Protection Policy which shall be implemented by all people, organizations, and users of this congregation's facilities, activities, and programs. [3c]
- C12.08.-** The Congregation Council shall be responsible for the employment and supervision of the ~~salaries lay workers~~ staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church. [1]
- C12.10** The approved minutes of Congregation and Congregation Council meetings shall be the official record of its deliberations and actions. [3b]
- C12.13.** The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference and, to the extent permitted by state law, notice of all meetings may be provided electronically. [1]
- C13.03.-** An *Audit Committee* of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council, ~~or the finance committee.~~ Term of office shall be three years, with one member elected each year. Members shall be eligible for re-election. [3g]

- C13.04.**—~~*Personnel*~~ *Mutual Ministry Committee* (in the absence of a ~~personnel~~ mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the president and the ~~pastor~~ rostered minister. Term of office shall be two years, with one-half the members to be appointed each successive year. Members shall be eligible for re-election. [1]
- C13.05.**— *Call Committee*. When a pastoral vacancy occurs, a *Call Committee* ~~of a minimum~~ of six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor. [1]
- C13.06.**- Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council; ~~and identified in the by laws.~~ [2]
- C13.08.** The pastor of this congregation shall be *ex officio* a member of all committees and boards of the congregation. The president of this congregation shall be *ex officio* a member of all committees and boards of the congregation, except the Nominating Committee. [1]