

CONSTITUTION COMMITTEE

Since our last synod assembly in 2019, the Evangelical Lutheran Church in America held its 2019 assembly and adopted changes to the approved constitution for synods. These changes are of two types: (1) required provisions and (2) recommended provisions.

The required changes needed to be incorporated into our constitution, and this has been done. The synod's constitution as posted on the synod's website, <http://nepasynod.org/documents/synod-constitution-2019.pdf>, includes those changes as well as non-substantive editorial changes to reflect current ELCA style, such as regarding capitalization.

Regarding these required changes, no action is needed by our synod in “that Sections of the *Constitution for Synods* marked by a dagger [†] are required provisions. These sections, including constitutional provisions and bylaws, must be used without alteration or amendment of the text in any manner (i.e., neither additions nor deletions are permissible). In accordance with provision †S18.11, amendments to required provisions in the *Constitution for Synods* passed by the Churchwide Assembly are automatically incorporated into the constitutions of individual synods upon formal certification by the secretary of this church. Because the secretary has provided such certification following the 2019 Churchwide Assembly, required provisions marked by a dagger [†] have been incorporated into synod constitutions” (quoting the introduction of the ELCA's model constitution for synods).

The recommended provisions are another matter. Incorporating these proposed amendments does require synodical action. However, having been approved by the churchwide assembly, these recommended provisions can be adopted “by a majority vote at any subsequent meeting of the Synod Assembly without presentation at a prior Synod Assembly” (*S18.12.). The following items are these recommended provisions, and they are presented for action at the 2020 assembly of the synod.

Additions are underlined. Deletions are ~~struck through~~ in the text.

CHAPTER 7: SYNOD ASSEMBLY

S7.22. This synod may establish processes that permit retired rostered ministers, or those ~~designated as disabled~~ granted disability status, or on leave from call, on the roster of the synod to serve as voting members of the Synod Assembly, consistent with †S7.21.c. If the synod does not establish processes to permit the rostered ministers specified above to serve as voting members, they shall have voice but not vote in the meetings of the Synod Assembly.

S7.26. This synod may establish processes through the Synod Council that permit representatives of ~~congregations under development and~~ authorized worshipping communities of the synod, which have been authorized under ELCA bylaw ~~10.02.03-~~ 10.01.04, to serve as voting members of the Synod Assembly, consistent with †S7.21.

CHAPTER 8: OFFICERS

S8.11.01. When authorized by the Synod Council in order to address special circumstances, the synod bishop may be compensated as an employee or contractor for specified services to another expression of this church. Such an arrangement may be terminated by the Synod Assembly or Synod Council if determined to be detrimental to the function of the office or if the special circumstances no longer apply.

S8.14. The **synodical** bishop may have such assistants as this synod shall from time to time authorize.

CHAPTER 10: SYNOD COUNCIL

S10.08. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of the Synod Council.

S10.078.01. To the extent permitted by state law, meetings of the Synod Council and its committees may be held electronically or by telephone conference, and notice of all meetings may be provided electronically.

CHAPTER 13: CONGREGATIONS

S13.25. This synod may temporarily assume administration of a congregation upon its request or with its concurrence. Such synod administration shall continue only so long as necessary to complete the purposes for which it was requested by the congregation or until the congregation withdraws consent to continued administration.

S13.40. Synodically Authorized Synod-authorized **Worshipping Communities**

CHAPTER 14: ROSTERED MINISTERS

S14.14. Whenever members of a congregation move to such a distance that regular attendance at its services becomes impractical, it shall be the duty of the pastor to commend them, upon their consent, to the pastoral care of a **Lutheran** congregation nearer to their place of residence.

S14.17. No minister of Word and Sacrament shall accept a call without first conferring with the bishop of this synod. A minister of Word and Sacrament shall respond with an answer of acceptance or declination to a letter of call within 30 days of receipt of such call. In exceptional circumstances with the approval of the bishop of this synod and the **chair president** of the Congregation Council of the congregation issuing the call, an additional 15 days may be granted to respond to a letter of call.

S14.42. No minister of Word and Service shall accept a call without first conferring with the bishop of this synod. A minister of Word and Service shall respond with an answer of acceptance or declination to a letter of call within 30 days of receipt of such call. In exceptional circumstances with the approval of the bishop of this synod and the **chair-president** of the Congregation Council of the congregation issuing the call, an additional 15 days may be granted to respond to a letter of call

CHAPTER 15: FINANCIAL MATTERS

S15.14. Except when such procedure would jeopardize current operations, a reserve amounting to no more than 16 percent of the sum of the amounts scheduled in the next year's budget for regular distribution to **synodical** causes shall be carried forward annually for disbursement in the following year in the interest of making possible a more even flow of income to such

causes. The exact number of dollars to be held in reserve shall be determined by the Synod Council.

When these recommended items have been acted upon favorably or unfavorably, and after the constitution has been brought up to date in terms of all these ELCA recommendations, your committee will review the synod's Constitution, Bylaws, and Continuing Resolutions and Other Resolutions of Continuing Impact for accuracy in terms of reference to numbered constitutional provisions in that over the years some provisions have been changed but previous reference numbers are still embedded in our synod's documents. The committee would also entertain recommendations from the members of the synod for improvements and updates to the constitution and related documents.

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