

The Standing Commission on Constitution and Canons

MEMBERSHIP

The Rt. Rev. Walter D. Dennis, Jr. *Chair*, New York (1994)
 The Rt. Rev. C. Brinkley Morton, San Diego (1994)
 The Rt. Rev. C. Charles Vaché, Southern Virginia (1991)
 The Rev. Rachelle Birnbaum, New York (1991)
 The Rev. David W. Robinson, New Hampshire (1994)
 The Rev. Canon Robert G. Tharp, East Tennessee (1994)
 David Booth Beers, Esq., Washington (1991)
 Maria B. Campbell, Esq., Alabama (1994)
 Mary Lou Crowley, Esq. *Treasurer*, Central New York (1991)
 Burns H. Davison II, Esq., *Secretary*, Iowa (1994)
 John A. Lockwood, Esq., Hawaii (1991)
 Robert C. Royce, Esq., *Vice-Chair*, Long Island (1994)
 and:
 Fred C. Scribner, Jr., Esq. *Consultant*, Maine
 Sarah G. McCrory, Esq., *Consulant*, Upper South Carolina

(Bishop Dennis and Mr. Royce are authorized by the commission to receive non-substantive amendments to the matters contained in this report in the House of Bishops and House of Deputies respectively.)

INTRODUCTION

The Standing Commission on Constitution and Canons met three times during the triennium: in Miami Beach, Florida, in April, 1989; in Garden City, New York, in April, 1990; and in San Diego, California, in November/December, 1990. At its organizational meeting the commission elected officers and addressed referrals from the General Convention. In subsequent meetings additional referrals were reviewed and appropriate actions taken.

To insure sexually inclusive language and consonance with the body of the Constitution and Canons, the commission remains in liaison with the Council for the Development of Ministry related to Title III Canons. The commission continues to review Title I, II, IV and V Canons. Current annotations of *White and Dykman* have been published.

The commission continues to refrain from judicial interpretation of the body of church law in accord with the limitations expressed in its authority and duties as assigned by the General Convention. [Canon I.1.2(n)(2).]

FINANCIAL REPORT

	1989	1990	1991
<i>Income</i> through February 1, 1991			
From General Convention	\$8,102.89	\$19,943.91	\$35,911.00*
From White and Dykman Funds	\$2,535.00		\$ 7,511.00*
<i>Expenses</i>			
Meetings	\$7,612.74	\$19,306.91	\$ 0.00
Printing, mailing, etc.	\$3,325.10	\$ 637.00	\$ 0.00

*Budgeted

RESOLUTIONS OF THE COMMISSION

AMENDMENTS TO THE CONSTITUTION, SECOND READING

(The following amendment is proposed to ease any future editorial problems presented.)

Resolution #A013

Resolved, the House of _____ concurring, **That Article XII of the Constitution is hereby amended by adding a second paragraph to read as follows:**

Notwithstanding the provisions of the foregoing paragraph, the adoption of any alteration or amendment of this Constitution which inserts or repeals an Article, or a Section or Clause of an Article, shall effect the necessary change in numbers or letters of Articles or of Sections or Clauses of an Article, that follow, and in references made in this Constitution to any other part, without the necessity of specific provision therefor in the alteration or amendment.

(A025, 1988 Journal, pg 217)

(The following amendment was first proposed in the House of Bishops.)

Resolution #A014

Resolved, the House of _____ concurring, **That Article, I, Section 2 of the Constitution is hereby amended to read as follows:**

~~Each~~ *The Presiding Bishop, every Bishop of this Church having jurisdiction, every Bishop Coadjutor, every Suffragan Bishop, every and Assistant Bishop and every Bishop who by reason of advanced age or bodily infirmity, or who, under an election to an office created by the General Convention, or for reasons of mission strategy determined by action of the General Convention or the House of Bishops, has resigned his jurisdiction, while acting as such within a Diocese, the Suffragan Bishop for the Armed Forces and the Suffragan Bishop of the Convocation of the American Churches in Europe, shall have a seat, with voice and a vote, in the House of Bishops. All other Bishops of this Church shall have a seat, with voice, but without vote. A majority of all Bishops entitled to vote, exclusive of Bishops who have resigned their jurisdiction or positions, shall be necessary to constitute a quorum for the transaction of business.*

(A170, 1988 Journal, pg 706)

[The next following sixteen amendments, on final reading, deal with sexually inclusive language as directed in referral from the 1985 (Anaheim) General Convention. The amendments were approved on first reading at the 1988 (Detroit) General Convention.]

Resolution #A015'

Resolved, the House of _____ concurring, **That Article I, Section 2 of the Constitution is hereby amended to read as follows:**

Each Bishop of the Church having jurisdiction *** who *** has resigned his a jurisdiction, shall have a seat and vote in the House of Bishops.***

(A009, 1988 Journal, pg 215)

'In view of the next previous amendment as proposed by the House of Bishops, the commission recommends that this within amendment *not* be adopted.

Resolution #A016

Resolved, the House of _____ concurring, **That Article I, Section 3 of the Constitution is hereby amended to read as follows:**

~~His~~ *The* term and tenure of office and duties and particulars of ~~his~~ *the* election not inconsistent

But if the Presiding Bishop of the Church shall resign ~~his~~ *the* office as such, or if by reason of infirmity ~~he~~ shall become disabled, or in case of ~~his~~ death, the Bishop who ***.

(A010, 1988 Journal, pg 215)

Resolution #A017

Resolved, the House of _____ concurring, **That Article I, Section 7 of the Constitution is hereby amended to read as follows:**

*** but if there shall appear to the Presiding Bishop *** sufficient cause for changing the place or date so appointed, ~~he~~ *the Presiding Bishop*, with the advice and consent of such body, shall appoint another place or date, or both, ***.

(A011, 1988 Journal, pg 215)

Resolution #A018

Resolved, the House of _____ concurring, **That Article II, Section 2 of the Constitution is hereby amended to read as follows:**

No one shall be ordained and consecrated Bishop until ~~he shall be~~ *the attainment* of thirty years of age; ***.

(A012a, 1988 Journal, pg 214)

Resolution #A019

Resolved, the House of _____ concurring, **That Article II, Section 3 of the Constitution is hereby amended to read as follows:**

A Bishop shall confine the exercise of ~~his~~ *such* office to ~~his own~~ *the* Diocese in which elected, unless ~~he shall have been~~ requested to perform episcopal acts in another Diocese by the Ecclesiastical Authority thereof, or unless ~~he shall have been~~ authorized by the House of Bishops, ***.

(A013, 1988 Journal, pg 215)

Resolution #A020

Resolved, the House of _____ concurring, **That Article II, Section 4 of the Constitution is hereby amended to read as follows:**

*** ~~He~~ *A Suffragan Bishop* shall be eligible for election ***.

(A014, 1988 Journal, pg 215)

Resolution #A021

Resolved, the House of _____ concurring, **That Article II, Section 6 of the Constitution is hereby amended to read as follows:**

A Bishop may not resign ~~his~~ jurisdiction without the consent of the House of Bishops.

(A015, 1988 Journal, pg 215)

Resolution #A022

Resolved, the House of _____ concurring, **That Article II, Section 7 of the Constitution is hereby amended to read as follows:**

*** *He The Suffragan Bishop* shall be eligible for election as Bishop ***.
(A016, 1988 Journal, pg 215-16)

Resolution #A023

Resolved, the House of _____ concurring, **That Article II Section 8 of the Constitution is hereby amended to read as follows:**

~~A Bishop exercising who has for at least five years next preceding, exercised jurisdiction as the Ordinary, or as the Bishop Coadjutor, of a Diocese, may be elected as Bishop, Bishop Coadjutor, or Suffragan Bishop, of another Diocese. ~~Provided, that he shall have served not less than five years in his present jurisdiction, and provided always, that before~~ *Before* acceptance of such election, he shall tender to the House of Bishops his a resignation of jurisdiction in the Diocese in which he *the Bishop* is then serving, conditioned on the required consents of the Bishops and Standing Committees of the Church to his such election, shall be submitted to the House of Bishops, and also, if he *the Bishop* be a Bishop Coadjutor, a renunciation of the his right of succession. therein, and such *Such* resignation, and renunciation of the right of succession in the case of a Bishop Coadjutor, shall be consented to by require the consent of the House of Bishops.~~

(A017s, 1988 Journal, pg 214)

Resolution #A024

Resolved, the House of _____ concurring, **That Article II, Section 9 of the Constitution is hereby amended to read as follows:**

Upon attaining the age of seventy-two years a Bishop shall tender his resignation from his jurisdiction *resign from all jurisdiction.*

(A018, 1988 Journal, pg 216)

Resolution #A025

Resolved, the House of _____ concurring, **That Article III of the Constitution is hereby amended to read as follows:**

***. If a Bishop so consecrated shall be subsequently elected as a Bishop of a Missionary Diocese of this Church ~~he shall then enjoy~~, *such election shall then confer* all the rights and privileges given in the Canon to such Bishops.

(A019, 1988 Journal, pg 216)

Resolution #A026

Resolved, the House of _____ concurring, **That Article IV of the Constitution is hereby amended to read as follows:**

*** the Standing Committee shall be his *the Bishop's* Council of Advice.

(A020, 1988 Journal, pg 216)

Resolution #A027

Resolved, the House of _____ concurring, **That Article V, Section 2 of the Constitution is hereby amended to read as follows:**

In case one Diocese shall be divided into two or more Dioceses, the Bishop of the Diocese divided ~~may elect the one to which he will be attached, and he shall thereupon become the Bishop thereof, and the Bishop Coadjutor, if there be one, may elect the one to which he shall be attached, and (if it not be the one elected by the Bishop) he shall be the Bishop thereof, at least thirty days before the effective date of such division, shall select the Diocese in which the Bishop will continue in jurisdiction. The Bishop Coadjutor, if there be one, subsequently and before the effective date of the division shall select the Diocese in which the Bishop Coadjutor shall continue in jurisdiction, and if it not be the Diocese selected by the Bishop, shall become the Bishop thereof.~~

(A021, 1988 Journal, pg 216)

Resolution #A028

Resolved, the House of _____ concurring, **That Article V, Section 3 is hereby amended to read as follow:**

*** to the choice between ~~his own~~ *the Bishop's* Diocese and the new Diocese so formed.

(A022, 1988 Journal, pg 216)

Resolution #A029

Resolved, the House of _____ concurring, **That Article V, Section 4 of the Constitution is hereby amended to read as follows:**

*** one of the said existing Dioceses to which the greater number of ~~clergymen~~ *Members of the Clergy* shall have belonged ***

(A023, 1988 Journal, pg 216)

Resolution #A030

Resolved, the House of _____ concurring, **That Article VIII of the Constitution is hereby amended to read as follows:**

No person shall be ordered Priest or Deacon to minister in this Church until ~~he~~ *the person* shall have been examined by the Bishop and two Priests *** unless at the time, in the presence of the ordaining Bishop or Bishops, ~~he~~ *the person* shall subscribe and make the following declaration ***

If any Bishop ordains a Priest or Deacon *** ~~he~~ *the Bishop* shall do so only in accordance with such provisions ***

No person *** shall be permitted to officiate as a Minister of this Church until ~~he~~ *the person* shall have complied with ***

(A024, 1988 Journal, pg 216-17)

AMENDMENTS TO CANONS

(The next amendment is to conform the Canon to the practice in several dioceses.)

Resolution #A031

Resolved, the House of _____ concurring, **That Canon I.7.2 be changed to read as follows:**

THE BLUE BOOK

- 1 Sec. 2. The several Dioceses shall give effect to the foregoing standard business
2 methods by the enactment of canons appropriate thereto, which canons shall pro-
3 vide for a finance committee, or a Department of Finance of the Diocese, or other
4 *appropriate diocesan body with such authority.*

(The next amendment refers to the inclusive language revisions present in a separately published document to be specifically identified by the President of the House.)

Resolution #A032

Resolved, the House of _____ concurring, **That the whole of Titles I, II, IV and V of the Canons for the Government of the Church be amended to read in the form and language as herein proposed.**

FURTHER RESOLUTIONS OF THE COMMISSION

(The following resolutions are to provide for the revision and update of Title IV Canons.)

Resolution #A033

Resolved, the House of _____ concurring, **That the Standing Commission on Constitution and Canons, in consultation with the Council for the Development of Ministry and such other consultants as it deems appropriate, study and review Title IV of the Canons for report to the 71st General Convention.**

Resolution #A034

Resolved, the House of _____ concurring, **That the sum of \$15,000.00 be appropriated for the work of the selected Task Force to study, review and report the status and any recommended revisions of Title IV Canons during the next triennium.**

COMMISSION ADVISORY

In response to Resolutions C007, C093 and other resolutions of the 69th General Convention, and the language problems experienced therein; and in further consideration of adopted guidelines, the Standing Commission presents the following advisory language for consideration in any definition of the rights and status of members of the Church, noting that such language would be applicable to both lay and clergy members.

—No one shall be denied rights or status in this Church because of race, color, ethnic origin, sex, or *except as otherwise specified by Canon, age or sexual orientation; nor because of physical disability (except to the extent required by a bona fide qualification for the particular office or occupation).*

The commission continues its work on referrals from the General Convention and in review of Titles I, II and V of the Canons. Attention is invited to the Report of the Council for the Development of Ministry related to Title III Canons and the above resolution related to study of Title IV Canons.

CONSTITUTION AND CANONS

PROPOSED BUDGET FOR 1992-1994

	<i>1992</i>	<i>1993</i>	<i>1994</i>
Meetings	\$11,620.00	\$39,296.00*	\$12,702.00
Supplies, etc.	<u>\$ 400.00</u>	<u>\$ 420.00</u>	<u>\$ 441.00</u>
Total	\$12,020.00	\$39,716.00	\$13,143.00
			\$64,879.00

*Includes \$15,000 for study of Title IV in Resolution #A034.

Resolution #A035

Resolved, the House of _____ concurring, **That the sum of \$64,879.00 be appropriated for the work of the Standing Commission on Constitution and Canons during the next triennium.**