

Greater Milwaukee Synod Assembly Rules and Procedures – 2016

Memorials and Resolutions Explained

The Evangelical Lutheran Church in America provides three primary avenues for communication from synods to the churchwide organization and the Churchwide Assembly, using two vehicles, memorials and resolutions. The three avenues are:

- 1) Synod Assemblies may address the Churchwide Assembly through memorials;
- 2) Synod Councils may address the ELCA Church Council through resolutions, and;
- 3) Synod Councils may address churchwide units or offices through the ELCA Church Council's Executive Committee (including forwarding resolutions adopted by Synod Assemblies).

Memorials address broad policy issues and are passed by Synod Assemblies for consideration by the Churchwide Assembly. Once received by the churchwide organization, they are referred to the Memorials Committee, which is appointed by the Church Council to review and make recommendations to the Churchwide Assembly. The Memorials Committee meets after all Synod Assemblies are over, approximately six to eight weeks before the Churchwide Assembly. It is important to note that the next Churchwide Assembly takes place in 2016, with subsequent Assemblies every third year.

Resolutions are requests from synods to the Church Council or units or offices of the churchwide organization. Either Synod Assemblies or Synod Councils may originate resolutions. As a practical matter, resolutions have a more narrow focus than memorials because they are requests for consideration or action by individual units or offices or the Church Council. Thus, for example, a request for the Church Council to recommend a parliamentary rule or action by a unit would be the subject of a resolution, but a request to change an ELCA policy should be a memorial.

A resolution and a memorial may *not* be combined in one action. In addition, a synod should not address both the Church Council and the Churchwide Assembly on the same subject. The Office of the Secretary, with the concurrence of the Executive Committee of the Church Council, may treat a proposal characterized as a memorial as a resolution or vice versa. In these circumstances, the synod will be notified promptly of the re-classification.

It also is important to point out that resolutions and memorials may *not* direct the churchwide organization to take action. They are proposals *requesting* the specified action.

Finally, an increasing concern of the churchwide organization is the potential budgetary impact of resolutions and memorials that make financial demands on synods or the churchwide organization. Resolutions or memorials that have such potential impact may not be supported by the churchwide organization or, if adopted, may have adverse consequences for existing programs or ministries.

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Overview

The Greater Milwaukee Synod Council recommends to the Synod Assembly the following Rules and Procedures for 2016. These will be formalized by the Assembly at the Opening Plenary Session of the Assembly, on Thursday, June 2, 2016, but will be followed prior to that action.

I. Memorials and Resolutions

- A. Deadlines for submission of memorials and resolutions:
- Thursday, April 14, 2016 by congregations, committees or clusters;
 - Thursday, May 19, 2016 for Synod Council initiated resolutions.
- B. Memorials and resolutions may only be submitted by vote of a cluster, a committee of the synod, or a congregation (by council or congregational vote).

Memorials and resolutions that conflict with the governing documents of the ELCA are “improper motions” and will not be considered.

The memorials and resolutions that meet these criteria are included in the Pre-Assembly materials. Anyone seeking to have additional memorials or resolutions considered may only do so by moving a suspension of the rules for the purpose of considering that memorial or resolution. Such a motion requires a 2/3 majority vote to carry.

- C. By synod council action (SC98.05.02), memorials or resolutions, when called onto the agenda, must be moved by a member of the Assembly acting as a sponsor, who would then be the first individual to speak in favor of the memorial or resolution after its reading by the chair of the Reference and Counsel Committee.
- D. In the event of anticipated prolonged debate, the chair may declare (or an assembly move as a matter of procedure) that speeches will be made in alternating order between supporting and opposing views. This is consistent with the 2013 Churchwide Assembly rules, which state in part:

“Insofar as is possible during discussion, a speaker on one side of the question shall be followed by a speaker on the other side.”

To facilitate alternating speeches, and when requested by the chair, Assembly members shall await recognition at the microphones, with those who wish to speak in favor of the pending matter (i.e., the question that will be voted upon, if there is no further motion of any kind) standing at a microphone with a green placard, and those wishing to speak against the pending matter standing at a microphone with a red placard. A white placard will be available at each microphone for members wishing to offer an amendment to the pending matter or to make some other motion that would be in order. The white placard should be held up to gain recognition by those wishing to make such motions.

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- E. All resolutions submitted by the deadline will be reviewed for editing, clarity and consistency prior to submission to the Reference & Counsel Committee. Entities submitting resolutions calling for synod action should be aware that, given limited resources, some detailed plans for action may not be feasible, and may not be supported by the Reference & Counsel Committee. Resolutions that would have the effect of increasing budgetary items without recommending corresponding decreases in other budgetary items will be ruled “out of order,” consistent with Rule VII below.

II. Motions

- A. When a member intends to bring a motion (whether a main motion, a secondary motion, or a motion to bring a question again before the assembly), the motion must be made and seconded, if applicable, before speaking to the issue. If a member speaks to a matter before bringing the motion, the motion will be considered out of order by the chair. Once the motion is properly made and seconded, if applicable, the member who made the motion shall have the privilege of speaking first in support of it, upon recognition by the chair.
- B. All motions amending a memorial or resolution must be presented to the chair of the Assembly in writing, preferably in advance of making the motion or, if that is not possible, immediately after making the motion.

III. Voting

- A. Voting generally will be conducted using an electronic voting system. Voting Members are given a voting device upon registration, which may only be used by that member, and must be returned before the end of the Assembly. Voting for the Election of the Bishop will follow the rules in Section VIII – Election of the Bishop.
- B. When a division of the house is ordered, the vote shall be by electronic device, by standing vote, or by written ballot as directed by the chair. No division of the house is in order when a vote has been taken by electronic device, by a counted standing vote, or by written ballot.

IV. Elections except Election of Bishop (see separate section on Election of Bishop)

- A. Nominees for the offices to be filled by Assembly action are listed in the Pre-Assembly materials. Additional nominations may be made from the floor at the Opening Plenary session for the Assembly. Anyone wishing to place a name in nomination must:
 - 1. Have the nominee's consent to run and serve if elected, and
 - 2. Submit to the Assembly office the required biographical data at the time of nomination.
- B. A simple majority shall be required for election. In the event that no majority is attained on the first ballot, the names of the two candidates receiving the highest number of votes shall be listed on the second ballot. In the case of

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groupings of nominees, twice the number of candidates to be elected shall advance to the next ballot. The first ballot will be taken as close to the First Plenary Session as feasible. A second ballot shall be taken, if necessary, within 24 hours.

V. Privilege of Voice

Guests, other than voting members, may be accorded the privilege of voice by a majority vote. Voice shall also be granted to those persons designated by the Synod Council, as provided for in S7.23. of the Synod's Constitution.

VI. Distribution of Materials

No materials may be distributed on the floor of the assembly without the advanced approval of the bishop or the Reference and Counsel Committee of the Assembly.

VII. Changing Synod Budget Amounts on Assembly Floor

All motions will be ruled "out of order" that seek to amend the synod budget by increasing the amount or percentage of any budget item or program in a Synod Council recommended synod budget which is to be considered on the floor of the assembly, without also proposing a dollar for dollar matching decrease in another budget item or program. For an amendment to the synod budget to be considered by the Assembly, the amendment to the synod budget must result in the total final income and expense amounts being exactly the same as proposed by the Synod Council for adoption by the assembly.

VIII. Election of Bishop

1. The representative of the Churchwide organization shall preside over the assembly whenever the assembly is in session and considering business related to the election of the synod bishop, or when the assembly is casting ballots in this election. Upon conclusion of balloting or of specific business related to the election, the Bishop shall resume presiding over the assembly.
2. Election Process: The Election of the Bishop shall follow the Ecclesiastical Ballot, as defined in the Constitution S9.04. In this Election Process there is the possibility that election to office exists on any ballot by achievement of the required number of votes cast by voting members of the assembly applicable to a particular ballot. The Elections Committee shall use only paper ballots for the first, second and third ballots, due to the limitations of the synod's electronic voting system. Subsequent ballots will be by the use of the synod's electronic voting system, unless limitations of the electronic voting system create the need for paper ballots. The final decision for using electronic voting will be at the discretion of the representative of the Churchwide organization, in consultation with the Bishop Elections Committee. Voting members of the assembly shall sit at tables identified with a colored table cloth specifically for voting members, while non-voting members shall sit at tables identified with

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another color table cloth. The Election Process precludes spoken floor nominations.

3. **Nominating Ballot:** In the Election Process, the first ballot is the nominating ballot if no election occurs on the first ballot. The first ballot defines the total slate of nominees for possible election on a subsequent ballot, with no additional nominations permitted.
4. **Second Ballot:** Nominees from the first ballot have until 8:00 a.m. Friday June 3, 2016 to remove their names from the second ballot. Rights to withdraw from subsequent ballots are precluded.
5. **Biographical Information:** Provided there is no election on the second ballot for bishop, the seven nominees (plus ties) who receive the greatest number of legal votes on the second ballot will be asked to provide a completed Biographical Information Form, and an Authorization and Release for Background Check before 11:00 a.m. Friday, June 3, 2016. The Bishop Elections Committee shall do work to verify information on the biographical information submitted by nominees from the second ballot, but shall complete such work by 1 p.m. Friday, June 3, 2016. The biographical information will be distributed to the voting members prior to the casting of the third ballot. Any changes to biographical information, submitted by nominees, will be at the discretion of the Bishop Elections Committee, in consultation with the representative of the Churchwide organization.
6. **Addressing Assembly prior to third ballot:** These nominees remaining after the second ballot will also be invited to address the assembly, with each speech limited to five minutes, including a response to one question from the Bishop Elections Committee. A timekeeper shall indicate to the speaker when 30 seconds remain of the allocated time and when the allocated time has elapsed. If any of the nominees are not present at the assembly, the representative of the Churchwide organization will consult with such persons, if possible, collect the biographical information, and if the persons desire, designate alternates to speak in their behalf. The sequence of the speeches shall be determined by lot.
7. **Addressing Assembly prior to fourth ballot:** Provided there is no election on the third ballot for bishop, the three persons (plus ties) receiving the greatest number of legal votes on the third ballot will be invited to respond to predetermined questions, with each candidate limited to nine minutes. The questions will not be known to the candidates prior to the opportunity to respond. If any of the nominees are not present at the assembly, the representative of the Churchwide organization will consult with such persons, if possible, and if the person's desire, designate alternates to speak in their behalf. The sequence of responses to questions shall be determined by lot.

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8. Addressing Assembly prior to the fifth ballot: Provided there is no election on the fourth ballot for bishop, the two person (plus ties) receiving the greatest number of legal votes on the fourth ballot will not respond to any questions or have any opportunity to speak to the assembly.
9. The Chair of the Assembly may adjust the agenda, including modifying any specified times for action, to facilitate the election of the bishop.
10. The Greater Milwaukee Synod's Discernment and Election Process for the Selection of a Bishop – 2016 ("Bishop Election Process"), as approved by the 2015 Greater Milwaukee Synod Assembly in Action SA15.05.05., is included by reference in these Rules. If there is any difference between the Assembly Rules, defined here, and the Bishop Election Process, previously defined, the Assembly Rules shall take precedence.