

E1 Constitution and Canons Committee Report

At its (virtual online) meeting this year, the Constitution and Canons Committee considered several revisions to the Constitution and Canons proposed by the Bishop and other staff, together with a few clarifications originating with our Committee. As a result, the following are changes that the Committee recommends for passage at Convention.

AMENDMENTS TO CONSTITUTION

First Vote on Changes to Constitution

Our diocesan Constitution provides (in Article XXI) that it may be amended by a majority vote of the two orders voting separately at two successive annual meetings of Convention. The following amendments are proposed for their first vote.

Article VI, Section 1 (The Convention of the Diocese):

There shall be held an annual meeting of the Convention of the Church in this Diocese. In order that proper notice be given, the time and place shall be fixed by the Bishop ~~no less than 120 days before the convening of said Convention.~~ ...

[NOTE: This change eliminates a conflict with Article VI, Section 3, which calls for notice of the Convention to be given 90 days before the annual Convention.]

E1 Constitution and Canons Committee Report

Second Vote on Changes to Constitution

The following amendments are proposed for a second vote, after which they will take effect:

Article XVII, Section 1 (Assessments):

The Convention shall have the power to raise money by ~~tax or~~ assessment on the Parishes and Missions...

[NOTE: "Tax" seems an inappropriate label.]

Article XVII, Section 2 (Assessments):

The Convention ~~may establish procedures to govern congregations that fail to remain in good standing with regard to payment of diocesan assessments, and those procedures may include loss of certification to vote at the Annual Convention. shall also have power to impose such penalty as it may deem proper within its lawful power for neglect to pay such assessment when imposed. If a congregation has paid less than 75% of its assessment in any two consecutive years, then in the following year Convention may vote to deprive that congregation's lay delegates to their right to vote at Convention, but no Non-payment of an assessment, however, congregation shall not deny a congregation its under this article be denied rights to a seat or voice at Convention. A motion to deny voting authority at any Convention meeting must be made no later than the first report of the Committee on Privilege.~~

[NOTE: The existing penalty language conflicts with the process set forth in Canon 14. See voting certification based on Good Standing or Provisional Good Standing in Canon 2, Section 4(b) and the process for assisting Parishes who fail to pay assessments in Canon 14, Section 3.]

ARTICLE XVIII, Section 2 (Incorporation of the Diocese):

The Bishop, ~~and the~~ Treasurer, ~~and Chancellor~~ of the Diocese, ~~and also the Secretary of Convention~~, shall be ex-officio members of the Board of Directors of said corporation. The other members of the Board shall be chosen in the manner prescribed by the Articles of Incorporation.

[NOTE: This update is consistent with current practice and our corporate bylaws.]

ARTICLE XX (Authentication and Preservation):

The Secretary of ~~the~~ Convention shall procure and keep an updated record book entitled "Constitution and Canons of the Diocese of Olympia," ~~in which shall include be recorded~~ this constitution and also a with the certificate of its adoption. All articles, canons and additions thereto, hereafter adopted by the Convention, shall be certified to by the President and Secretary of the Convention, as having been duly adopted, and shall, with the certificate of adoption, be ~~included recorded~~ in the said record, which book, and the said book shall be taken and regarded as prima facie evidence of the due adoption and correctness of all papers recorded therein ~~under the Article~~. The Archivist and Records Manager, under the direction of

E1 Constitution and Canons Committee Report

the Secretary of Convention, shall ~~keep a~~ record ~~of~~ each change adopted by Convention each year.

[NOTE: This amendment catches up with the fact that these records are no longer in a “book”, but rather in an electronic records format.]

ARTICLE XXII: (Nomenclature)

~~Wherever in this Constitution the reference to a person is in the masculine gender, such reference shall be deemed, where appropriate, to also refer to or include the feminine gender.~~

[NOTE: By deleting the references to “he” and “him” in Canons 3, 5(b) and 9, this Article XXII becomes unnecessary.]

E1 Constitution and Canons Committee Report

AMENDMENTS TO CANONS

Votes on Changes to Canons:

Pursuant to Canons 28 and 29, canons can be enacted or amended by a "vote of a majority of each Order." These amendments "take effect upon the adjournment of the meeting of Convention at which they are enacted," unless the Convention votes unanimously for the changes to take immediate effect.

CANON 4 (Committees of Convention)

...The members shall be appointed by the Bishop no later than within ninety days before the next following the adjournment of each Annual Convention.

Section (d):

Constitution and Canons: at least two clergy and two lay members. This Committee may recommends changes or additions to the Constitution and Canons. The Committee will review and report on any proposed resolutions amending the Constitution or Canons. Any resolution proposing a change to the Constitution or Canons, other than those drafted by the Committee, these must be submitted to the Committee all members of Convention at least ten days before the Annual Meeting of Convention. Any proposed changes shall be submitted to the Committee for its consideration at least 45 days before the Annual Meeting of Convention. The Committee may propose amendments to any such resolution and must issue a written report. The report and the final form must be submitted to the members of Convention at least ten days before the Annual meeting of Convention.

Section (e):

Resolutions: two clergy and two lay members.

1. All Resolutions shall be submitted to the Resolutions Committee at least 45 days prior to Convention and shall be distributed to delegates and alternates by the Secretary. The Resolutions Committee will review and report on any proposed resolution other than amendments to the Constitution and Canons and the Budget. A resolution may be submitted by (a) two voting members of Convention, one clergy and one lay, or (b) an official governing body, committee, task force, or commission established by the Convention, Diocesan Council, or the Bishop. A Diocesan body submitting a resolution shall authorize the submission in accordance with its governing procedures and designate a voting member of Convention to serve as its proposer.
2. Each resolution shall be submitted to the Resolutions Committee at least 45 days before Convention on a form prescribed by the Secretary and approved by Diocesan Council. The form shall include an explanation of the resolution and a statement of its anticipated budgetary impact, including a statement that no budgetary impact is anticipated when applicable. The Secretary will distribute submitted resolutions to all members of Convention.

E1 Constitution and Canons Committee Report

32. The Committee shall have the authority to combine similar Resolutions or to divide them ~~so long as the intent of the originals is retained.~~

43. The Committee ~~shall amend Resolutions in order to assure that the Resolution is in the form proper for consideration by Convention.~~ may propose amendments to a resolution to place it in prescribed form. The Committee may also propose substantive amendments. Unless the proposer agrees to a substantive amendment, the original resolution and the Committee's proposed amendment must both be reported to Convention.

54. The Committee shall consider everyall Resolutions received and issue a written report stating a recommendation, which may include ~~shall report them to Convention, either as received or as amended, combined, or divided, with recommendation, "do not consider", "do pass", "do not pass", "adopt with amendment," "refer to other committees or commissions", or "no opinion".~~ The report shall identify any amendment, combination, division made or proposed by the Committee. The Committee recommendation will be submitted for action by the Convention.

65. The Committee may meet during Convention.

~~6. The Committee shall be appointed by the Bishop no later than 90 days before the next Annual Convention.~~

7. Any Resolution not submitted to the Committee at least 45 days prior to Convention shall be considered by Convention only if it does not propose to modify the Constitution and Canons of the Diocese and does not require call for an appropriation from the Diocesan ~~b~~Budget, and further provided that it has been submitted, in writing, to the Resolutions Committee no later than seven days ~~forty-eight (48) hours~~ before the convening of Convention, and consideration of such resolution is approved by a majority vote of the Convention without debate.

[NOTE: This amendment cleans up and clarifies who may submit resolutions, requires two individual submitters from different orders, recognizes submissions from Diocesan bodies, requires a standard resolution form and Budget impact statement, and changes the late submission deadline from 48 hours to 7 days.]

CANON 6, Section 2 (The Diocesan Council)

The Diocesan Council shall consist of up to six BIPOC (~~black~~Black, ~~indigenous~~Indigenous, and people of color) members (clergy or laypersons) appointed by the Bishop.

[NOTE: Restoring capitalization from before the 2025 amendments.]

CANON 7, Section 3 (The Funds of the Diocese)

There shall be an Episcopal Endowment Fund for, ~~from which the income shall be appropriated to~~ the support of the Bishop of the Diocese, and of any Bishops Coadjutor or Bishop and Suffragan and the ~~(if there by such).~~ Any surplus current income from this Fund may be used

E1 Constitution and Canons Committee Report

~~to meet~~ administrative expenses of the Diocese. The Fund will be held and managed by the Diocesan Corporation. The Board of Directors may establish a reasonable annual draw for expenditure as the Board determines is prudent for the uses, benefits, purposes, and duration for which this Fund is established. In making that determination the Board must consider legal restrictions, as relevant, and the duration and preservation of this Fund as a permanent fund; the mission of the Diocese and this Fund; general economic conditions; the possible effect of inflation or deflation; the expected total return from income and appreciation of investments; other resources of the Diocese; and the investment policy of the Diocese.

[NOTE: The amendment grants flexibility as needed for investments in growth stocks that do not produce regular “income”. Modern endowment management allows an annual draw rate based on the entire fund value after considering several factors. The Board would establish a prudent draw after reviewing those factors, based on the Fund’s purposes, the need to preserve long term corpus, honoring donor intent, economic conditions, and other aspects of the Diocesan investment policy.]

CANON 12, Section 1 (Business Methods in Church Affairs):

- d. The accounts and business records of Parishes, Missions, and other diocesan institutions ~~must~~shall be audited or reviewed annually by an independent Certified Public Accountant, or independent Licensed Public Account, or such other audit committee as ~~is~~shall be authorized by the Finance Committee of the Diocese. Such audits and reviews shall follow all applicable guidelines established by the diocesan ~~Joint Finance Committee~~Panel as defined in the following section.
- e. ~~For purposes of the Canons of the Episcopal Church, the Joint Finance Panel shall operate as the Finance Committee of the Diocese. The Joint Finance Panel shall comprise the diocesan Treasurer and representatives selected by Diocesan Council, Standing Committee and the Office of the Bishop. There will be a Finance Committee of the Diocese consisting of two members selected by the Board of Directors of the Diocese of Olympia, Inc., two members selected by the Diocesan Council, and two members selected by the Standing Committee. The Chancellor and Treasurer of the Diocese shall serve ex officio without vote. The Committee shall elect a chair from among its elected voting members and shall serve as the audit and finance committee of the Diocese. The Joint Finance Committee~~Panel shall have authority to approve depositaries for church funds, to require submission of account documents for review, and to approve audit committees for congregations other than independent public accountants.
- ...
- i. The ~~Joint Finance Committee~~Panel shall report annually to the Convention of the Diocese upon administration of this Canon. With respect to the accounts of the Diocesan Corporation, the Committee shall also report its findings and recommendations to the Board of Directors.

[NOTE: This clarifying amendment assigns financial oversight to the Finance Committee that meets canonical requirements. It specifies a balanced selection of Finance Committee members, retains the Chancellor and Treasurer as ex-officio non-voting members, provides for election of a chair, and assigns responsibility for audits.]

E1 Constitution and Canons Committee Report

CANON 22, Section 1 (The Commission on Ministry):

Delete subsection (d):

~~Beginning in 2021, the commission will begin the above structure, with the Bishop appointing one-sixth and convention electing one-sixth of the commission's membership each year, maintaining the lay/ordained 50%/50% balance.~~

[NOTE: This language was inserted as a transition in 2021 but is now obsolete. Its repeal does not change the Commission's current membership structure or duties.]

Faithfully submitted,
COMMITTEE ON CONSTITUTION & CANONS

Douglas Oles, Chair
Jamie Balducci, Secretary of Convention
Bryan Krislock, Chancellor
Sarah S. Mack
Donna R. McNamara

The Rev. Stephen Moore
Karen Petersen, Office of the Bishop
The Rev. Canon Dr. Marda Steedman
Sanborn
The Rev. Janet Waggoner

P.S. Having served for 28 years as Chair of this Committee and for over 35 years as a member thereof, Mr. Oles acknowledges a deep debt to the ingenuity and humor of the other Committee members and to the indulgence of multiple Bishops.