

Report of the Committee on Constitution and Canons to
The 2023 Annual Meeting of the Convention of the Diocese of El Camino Real

The Committee on Constitution and Canons is pleased to submit its report to the 2023 Annual Meeting of the Convention of the Diocese of El Camino Real.

The following resolutions use “marked-up” text. The “normal” font is existing text with no changes. The text with the strike-out (~~like this, for example~~) is to be deleted, while the underlined text is to be inserted (like this, for example). The deleted or inserted text may be shown in several colors, but it is the same insertion or deletion. In some cases, vertical change bars are shown in the margin (to the left, in this case) to flag the change and make it easier to see. In all cases, the text of the resolution proper is shown in italics, as is any commentary from the resolution’s proponents, which is shown in italics and indented.

In addition, the Committee would remind Members of the Convention that per Canon 25.4, when new Canons are added, the Secretary “shall adjust any references to such ... as necessary.” Thus these resolutions will not delineate all such changes.

Resolution 1

RESOLVED, that Article VI.4 and Article VI.5. of the Constitution of this Diocese be amended as follows:

Article VI. Convention Organization

VI.4. The lay delegates from each Parish and Mission shall be elected by the congregation at its annual meeting or, if the congregation fails to act, or if the number of delegates and alternates is insufficient, or if one or more is unable to act, by the Vestry of the Parish or Bishop's Committee of a Mission. Failing that, they shall be appointed by the Rector or Vicar. Each delegate must be a communicant entitled to vote in the annual meeting of the congregation the delegate represents. The number of lay delegates shall be as determined by the Canons.

~~**VI.5.** A Parish or Mission shall be entitled to elect the following number of lay delegates, based upon the number for average Sunday attendance, defined as the total Sunday attendance divided by the number of Sundays, for the year previous to the year of the meeting of the Convention:~~

1-49 average Sunday attendance	2 delegates
50-74 average Sunday attendance	3 delegates
75-99 average Sunday attendance	4 delegates
100-149 average Sunday attendance	5 delegates
150-199 average Sunday attendance	6 delegates
200-299 average Sunday attendance	7 delegates
300-399 average Sunday attendance	8 delegates

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400-499 average Sunday attendance	9 delegates
500-599 average Sunday attendance	10 delegates
600-699 average Sunday attendance	11 delegates
700 or more average Sunday attendance	12 delegates

And be it further RESOLVED that Canon 1. "Membership of the Convention" - be amended as follows:

Canon 1. Membership of the Convention

1.1. The membership of the Convention is defined in Article VI of the Constitution of the Diocese of El Camino Real. A Parish or Mission shall be entitled to elect the following number of lay delegates, based upon the number for average Sunday attendance, defined as the total Sunday attendance divided by the number of Sundays, for the year previous to the year of the meeting of the Convention:

<u>1-49 Average Sunday Attendance</u>	<u>2 delegates</u>
<u>50-74 Average Sunday Attendance</u>	<u>3 delegates</u>
<u>75-99 Average Sunday Attendance</u>	<u>4 delegates</u>
<u>100-149 Average Sunday Attendance</u>	<u>5 delegates</u>
<u>150-199 Average Sunday Attendance</u>	<u>6 delegates</u>
<u>200-299 Average Sunday Attendance</u>	<u>7 delegates</u>
<u>300-399 Average Sunday Attendance</u>	<u>8 delegates</u>
<u>400-499 Average Sunday Attendance</u>	<u>9 delegates</u>
<u>500-599 Average Sunday Attendance</u>	<u>10 delegates</u>
<u>600-699 Average Sunday Attendance</u>	<u>11 delegates</u>
<u>700 or more Average Sunday Attendance</u>	<u>12 delegates</u>

And be it further RESOLVED, that Article VI.6 through Article VI.10. of the Constitution of this Diocese be renumbered as appropriate.

Explanation

This is the second reading of an Constitutional amendment proposed by the Chancellors. There is a need to review Average Sunday Attendance (ASA) numbers from time to time, especially as they affect the number of delegates elected by each congregation to the Convention. By moving this requirement to the Canons, which can be changed by a single vote of the Convention, the Diocese will have more flexibility and can be more timely in effecting any changes to these numbers.

Resolution 2

RESOLVED, that Article XI.1. of the Constitution of this Diocese be amended as follows.

Article XI. Deputies to General Convention and Provincial Synod

- XI.1.** At the Annual Meeting of the Convention held more than twelve months but less than twenty-four months before the opening date of a meeting of the General Convention, four priests or deacons entitled to vote in the Diocesan Convention and four lay adult confirmed or received communicants in good standing as defined by Canons of The Episcopal Church each of whom has been listed in the Treasurer's books of a congregation in the Diocese of El Camino Real as a contributor during the calendar year of election, and has been a member of that congregation for the same year, communicants resident in the Diocese shall be elected as Deputies of the Diocese to the General Convention and to the Provincial Synod, to serve until their successors are elected. The election shall be by a concurrent majority vote of each order, clergy and lay, voting separately by ballot.

Explanation

This is the second reading of an amendment to the Constitution proposed by the Constitution and Canons Committee which provides that communicants who were received as well as confirmed are persons qualified to be Deputies to General Convention and the Provincial Synod.

Resolution 3

RESOLVED, that Section 3 of the Rules of Order in the Convention be amended by the addition of a new Section 3.12 to read as follows:

RULES OF ORDER IN THE CONVENTION

Section 3 Concerning the Business of the Convention

3.11 The courtesy of seat and voice shall be granted the heads of all Committees and Task Forces and the representatives of special projects for the purpose of explaining their work and responding to questions.

3.12 Should the Convention of the Episcopal Diocese of El Camino Real be conducted as a synchronous electronic video screen meeting, such meeting shall support electronic voting and visible displays that (i) identify those participating, (ii) identify those seeking recognition to speak, (iii) show (or permit the retrieval of) the text of pending motions, and (iv) show the results of votes. An electronic meeting of the Convention shall otherwise be subject to all rules adopted by the Convention to govern its annual meeting, which may include any limitations on, and requirements for, members' participation. This rule shall supersede any conflicting rules in Roberts Rules of Order. In addition, the following procedures shall apply:

(a) An electronic vote conducted by an administrator under the direction of the Secretary shall be deemed a written ballot vote, fulfilling any requirement in the Constitution and Canons or any applicable rule that a vote be conducted by written ballot. An electronic vote by an individual shall be deemed confidential so long as the vote cast by the individual is available only to the administrator of the voting system. The administrator shall not disclose the specific vote of any Delegate to which the administrator shall have access and shall only report aggregate voting tallies.:

(b) Except when a written ballot is required, business may be conducted by unanimous consent.

(c) Members shall identify themselves as required to sign in to the Internet meeting service, and shall maintain Internet and audio access throughout the meeting whenever present, but shall sign out upon any departure before adjournment.

(d) The presence of a quorum shall be established by the online list of participating members.

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- (e) Each member is responsible for the member's audio and Internet connections; no action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the meeting.
- (f) The President may cause or direct the disconnection or muting of a member's connection if the member or the member's connection is causing undue interference with the meeting. The President's decision to do so is subject to a nondebatable appeal that can be made by any member to Convention. The President's decision, if sustained on appeal, shall be recorded in the minutes of Convention.
- (g) In addition to display of pending motions or results of votes, a video image of any member currently recognized to speak or report shall be displayed, while speaking. Any other video image as the President designates shall be displayed in the President's discretion.

Explanation

Each of the past several years, the Convention has had to adopt a special rule to set procedures for an electronic meeting. To eliminate the need to do so in any future convention held electronically, the Committee On Dispatch proposes, pursuant to Canon 2.2., to amend the Rules of Convention to add the rule above. The proposed rule is based on the special rule adopted last year with some clean up editing by the Constitution & Canons Committee. The rule would govern only when the Convention meets using a synchronous or "real time" electronic screen process.

Resolution 4

RESOLVED, that Section 4.1 of the Rules of Order in the Convention be amended to read as follows:

RULES OF ORDER IN THE CONVENTION

Section 4 Concerning Parliamentary Procedure

- 4.1 Except for principal motions arising from Reports of standing diocesan bodies. ~~No~~ principal motion, amendment thereto, or substitute therefor shall be acted upon by the Convention until duly seconded and submitted in writing. No amendment or substitute shall be finally adopted until the same has been read to the Convention.

Explanation

This is in keeping with Robert's Rules "A motion made by ... a ... duly appointed committee ... requires no second from the floor." Robert's Rules Section 4 notes that the motion's "introduction has been directed by a majority vote within the board or committee and is therefore desired by at least two assembly members ..."