

Constitutional Provisions and Continuing Resolutions to Guide Procedures and Elections

Constitution, Bylaws and Continuing Resolutions *South Carolina Synod, Evangelical Lutheran Church in America* 2019 South Carolina Synod Assembly

Italics = Continuing Resolutions
Bold = Constitutional Provisions

Chapter 7. **SYNOD ASSEMBLY**

S7.01.A11. Resolutions which could not have reasonably been submitted before the 15-day deadline may be submitted to the Committee of Reference and Counsel after the opening of the assembly. A signer of the resolution, preferably its primary author, shall meet with the Committee of Reference and Counsel at the time appointed in the Rules of Procedure adopted for that assembly. Regardless of the recommendation of the Committee of Reference and Counsel, the consideration of such resolutions by the assembly shall require the approval by a two-thirds vote of voting members to place the resolution before the Synod Assembly. If a resolution is received after the deadline of 15 days prior to the formal opening of the assembly, the resolution shall be processed according to the provisions of this continuing resolution.

†**S7.31. Proxy and absentee voting shall not be permitted in the transaction of any business of this synod.**

S7.32. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of the Synod Assembly, unless otherwise ordered by the assembly.

S7.32.A14. The following rules of procedure shall be in force at meetings of the Synod Assembly:

- a. Unless otherwise determined by vote of the assembly, all speeches in general discussion shall be limited to two minutes and no member shall be permitted to speak the second time on the same subject when others desire to speak.*
- b. A resolution of a general character which is not germane to the pending question or report shall be given by the proposer to a Committee of Reference and Counsel.*
- c. All reports published in the Bulletin of Reports shall be received as information by the assembly by virtue of that fact without vote.*
- d. All other reports shall be in writing and in such form as the assembly or the Synod Council may determine.*
- e. The minutes of each assembly shall be submitted to the Synod Council for approval.*
- f. The bishop and secretary shall, after making any necessary corrections therein, certify two copies of the printed minutes of each assembly as the official protocol of said assembly, and shall submit the same to the next regular assembly for approval and deposit in the archives.*
- g. Holy Communion shall be administered at each assembly.*

Chapter 8. **OFFICERS**

†**S8.01. The officers of this synod shall be a bishop, a vice president, a secretary, and a treasurer.**

S8.20. Vice president

†**S8.21. The vice president shall be elected by the Synod Assembly. The vice president shall be a layperson. The vice president shall be a voting member of a congregation of this synod. The vice president shall not receive a salary for the performance of the duties of this office.**

S8.22. The vice president shall chair the Synod Council.

S8.50. General Provisions

- †S8.51. **The terms of office of the officers of this synod shall be:**
- a. **The bishop of this synod shall be elected to a term of six years and may be reelected.**
 - b. **The vice president and secretary of this synod shall be elected to a term of six years and may be reelected.**
 - c. **The treasurer of this synod shall be elected to a six year term and may be reelected.**
- S8.52. **The terms of the officers shall begin on the first day of the third month following election or, in special circumstances, at a time designated by the Synod Council.**
- †S8.53. **Each officer shall be a voting member of a congregation of this synod, except that the bishop need not be a member of a congregation of this synod at the time of election.**

Chapter 9. NOMINATIONS AND ELECTIONS

- S9.05. **The vice president shall be elected by the Synod Assembly by ecclesiastical ballot as specified in S9.04.**
- S9.04. **The bishop shall be elected by the Synod Assembly by ecclesiastical ballot. Three-fourths of the legal votes cast shall be necessary for election on the first ballot. If no one is elected, the first ballot shall be considered the nominating ballot. Three-fourths of the legal votes cast on the second ballot shall be necessary for election. The third ballot shall be limited to the seven persons (plus ties) who received the greatest number of legal votes on the second ballot, and two-thirds of the legal votes cast shall be necessary for election. The fourth ballot shall be limited to the three persons (plus ties) who receive the greatest number of legal votes on the third ballot, and 60 percent of the legal votes cast shall be necessary for election. On subsequent ballots a majority of the legal votes cast shall be necessary for election. These ballots shall be limited to the two persons (plus ties) who receive the greatest number of legal votes on the previous ballot.**
- S9.04.A94. *An "ecclesiastical ballot" is an election process:*
- a. *In which on the first ballot the name of any eligible individual may be submitted for nomination by a voting member of the assembly;*
 - b. *Through which the possibility of 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;*
 - c. *That precludes spoken floor nominations;*
 - d. *In which the first ballot is the nominating ballot if no election occurs on the first ballot;*
 - e. *In which the first ballot defines the total slate of nominees for possible election on a subsequent ballot, with no additional nominations permitted;*
 - f. *That does not preclude, after the reporting of the first ballot, the right of persons nominated to withdraw their names prior to the casting of the second ballot;*
 - g. *In which any name appearing on the second ballot may not be subsequently withdrawn;*
 - h. *That does not preclude an assembly's adoption of rules that permit, at a defined point in the election process and for a defined period of time, speeches to the assembly by nominees or their representatives and/or a question-and-answer forum in which the nominees or their representatives participate; and*
 - i. *In which the number of names that appear on any ballot subsequent to the second ballot shall be determined in accordance with provisions of the governing documents (or, if the governing documents are silent, in accordance with rules adopted by the assembly).*
- S9.08. **All elections shall be by ballot. In all elections, other than for the bishop, vice president and the secretary, the names of the persons receiving the highest number of legal votes, but not elected by a majority of the legal votes cast on a preceding ballot, shall be entered on the next ballot to the number of two for each vacancy unfilled. On any ballot when only two names appear, a majority of the legal votes cast shall be necessary for election.**
- S9.09. **The result of each ballot in every election shall be announced in detail to the assembly.**