

# **RULES OF ORGANIZATION AND PROCEDURE FOR THE 2010 NORTHWESTERN MINNESOTA SYNOD ASSEMBLY**

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## **NOTES**

The gray shadowed boxes contain provisions from the constitution, bylaws, and continuing resolutions of this synod. They are provided here for the purpose of explaining rules and procedures that apply to the Synod Assembly. The full text of the governing documents may be found on the synod's Web site. The vote to approve the Rules of Organization and Procedure does not include adoption of the material in gray, which is already in effect and can be amended only as described in Part Ten.

[Brackets in the gray shadowed boxes are provided for clarity and context.]

## **PART ONE: Authority and Duties**

### *Authority of the Synod Assembly*

†S7.01. This synod shall have a Synod Assembly, which shall be at its highest legislative authority. The powers of the Synod Assembly are limited only by the provisions in the Articles of Incorporation, this constitution and bylaws, the assembly's own resolutions, and the constitutions and bylaws of the Evangelical Lutheran Church in America.

### *Assembly Presiding Officer*

†8.12.i.2 [The Bishop] . . . [shall] preside at all meetings of the Synod Assembly . . .

The Bishop may appoint a chair pro tem to preside during selected portions of the assembly.

### *Assembly Secretary*

†S8.32. The secretary shall:  
Keep the minutes of all meetings of the Synod Assembly . . . , be responsible for the printing and distribution of such minutes, and perform such other duties as this synod may from time to time direct.

### *Agenda*

†S8.12.i.2 [The Bishop] . . . [shall] provide for the preparation of the agenda for the Synod Assembly, . . .

## **PART TWO: Membership of the Synod Assembly**

### *Voting members*

†S7.21. The membership of the Synod Assembly, of which at least 60 percent of the voting membership shall be composed of lay persons, shall be constituted as follows:

a. All ordained ministers under call on the roster of this synod in attendance at this Synod Assembly shall be voting members.

b. All associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers, under call, on the official lay rosters of the synod shall have both voice and vote as lay voting members in the Synod Assembly, in addition to the voting membership of lay members of congregations provided in item †S7.21.c.

c. A minimum of one lay member elected by each congregation with fewer than 175 baptized members and a minimum of two lay members elected by each congregation with 175 or more baptized members related to this synod, normally one of whom shall be male and one of whom shall be female, shall be voting members. The Synod Council shall establish a formula to provide additional lay representation from congregations on the basis of the number of baptized members in the congregation. The Synod Council shall seek to ensure that, as nearly as possible, 50 percent of the lay members of the assembly shall be female and 50 percent shall be male.

Additional members from each congregation normally shall be equally divided between male and female.

d. Voting membership shall include the officers of this synod.

†S7.25. Except as otherwise provided in this constitution or in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, each voting member of the Synod Assembly shall be a voting member of a congregation of this synod.

†S7.28. Duly elected voting members of the Synod Council who are not otherwise voting members of the Synod Assembly under †7.21. shall be granted the privilege of both voice and vote as members of the Synod Assembly.

†7.27. This synod may establish processes through the Synod Council to grant an ordained minister from a church body with which a relationship of full communion has been declared and established by the Churchwide Assembly of the Evangelical Lutheran Church in America the privilege of both voice and vote in the Synod Assembly during the period of that ordained minister's service in a congregation of this church.

S7.22.01. All retired ordained ministers on the roster of this synod in attendance at the Synod Assembly shall be voting members.

### *Non-voting members*

†S7.23. All...ordained ministers on leave from call, all associates in ministry on leave from call or retired, all deaconesses of the Evangelical Lutheran Church in America on leave from call or retired, and all diaconal ministers of this church on leave from call or retired,...shall have the privilege of voice but not vote at all meetings of the Synod Assembly. The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of this church as may be designated from time to time by the Church Council shall also have voice but not vote in the meetings of the Synod Assembly. Like privileges shall be accorded to those additional persons whom the Synod Assembly or the Synod Council shall from time to time designate.

### *Seating of Voting Members*

Only voting members displaying appropriate credentials may be seated in the area designated for voting members in the assembly hall. Separate areas have been set aside for other persons.

### *Designation of Alternate Members*

In the event that a voting member from a congregation is unable to serve, upon request of a representative from that congregation, the assembly registrar may authorize the seating of an alternate voting member.

### *Non-voting members and Guests*

Non-voting members and guests shall be seated in the designated areas of the assembly hall. They may have voice to address the assembly only if provided in the agenda, invited by the chair to speak, or upon majority vote of the voting members present and voting.

## **PART THREE: Meetings of the Synod Assembly**

### ***Regular and Special Meetings***

†S7.11. A regular meeting of the Synod Assembly shall be held at least biennially.

S7.12. Special meetings of the Synod Assembly may be called by the bishop with the consent of the Synod Council, and shall be called by the bishop at the request of one-fifth of the voting members of the Synod Assembly....

### ***Notice of Meeting***

S7.13. Notice of the time and place of all meetings of the Synod Assembly shall be given by the secretary of the synod.

### ***Assembly Properly Constituted***

†S6.05. Each assembly, council, committee, board, commission, task force, or other body of this synod or any synodical units shall be conclusively presumed to have been properly constituted, and neither the method of selection nor the composition of any such assembly, council, committee, board, commission, task force, or other body may be challenged in a court of law by any person or be used as the basis of a challenge in a court of law to the validity or effect of any action taken or authorized by any such assembly, council, committee, board, commission, task force, or other body.

## **PART FOUR: Quorum and Procedure**

### ***Quorum***

S7.14. One-half of the members of the Synod Assembly, as defined by †S7.21., S7.24., S7.27., shall constitute a quorum.

### ***Parliamentary Procedure***

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

### ***Obtaining the Floor***

Except in circumstances in which *Robert's Rules of Order* authorizes interruption of a speaker, a voting member may obtain the floor by going to a microphone and being recognized by the chair. Ordinarily, a voting member desiring to make a motion or ask a question should display a white card; a voting member desiring to speak in support of a pending motion should display a green card; and a voting member desiring to speak in opposition to a pending motion should display a red card.

Upon recognition, a person speaking should identify himself or herself and state her or his congregation or agency or institution.

### ***Speeches***

Unless otherwise provided in the agenda or determined by a majority vote of the assembly, all speeches during discussion of a motion or resolution shall be limited to two (2) minutes. A signal shall be given one minute before the speaker's time ends. A second signal shall be given thirty seconds later, and the speaker shall then sit down, unless the chair proposes and receives consent

that an additional minute or minutes be allowed the speaker. No person shall speak more than twice on the same subject.

Insofar as possible during discussion of a motion or resolution, 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 awaiting recognition at the microphones shall display one of the cards (green, red, blue) found in their registration packets.

- Green: The green card is to be used to identify a member who will speak in favor of the pending matter on the floor.
- Red: A red card is to be used to identify a member who wishes to speak against the pending matter.
- Blue: A blue card is to be used to identify a member who wishes to offer an amendment to the pending matter, or some other motion that would be in order.

### ***Moving the Previous Question***

A member who has spoken on the pending question(s) may not move the previous question, [if there are other members who wish to speak to the issue].

### ***Applause***

In the give-and-take of debate on issues before the Synod Assembly, voting members and others shall refrain from applause.

### ***Departing from the Agenda***

With the consent of a majority of the voting members, the chair shall have the authority to call items of business before the assembly in whatever order he or she considers most expedient for the conduct of the assembly's business. A motion to alter the agenda shall require for adoption a two-thirds vote of the voting members present and voting.

### ***Suspending or Revising the Rules***

After the adoption of the Rules of Organization and Procedure, and any amendments offered to them prior to adoption, any further amendment to, revision of, or suspension of the rules shall require for adoption a two-thirds vote of the voting members present and voting.

### ***Unfinished Business***

Upon adjournment of the Synod Assembly, all remaining unfinished items of business shall be referred to the Synod Council for disposition.

## **PART FIVE: Committees**

### ***Synod Assembly Committees***

The Synod Council establishes committees to facilitate the work of the Synod Assembly.

### ***Synod Assembly Planning Committee***

The Synod Assembly Planning Committee shall provide for the arrangements of the Synod Assembly and such other responsibilities as may be assigned by the Synod Council.

### ***Nominating Committee***

**S9.03.** There shall be a Nominating Committee, appointed by the Synod Council to a term of one year, of no less than 3 nor more than 10 members. Fifty percent of the members of the Nominating Committee shall be female and fifty percent shall be male. Additional nominations

may be made from the floor for all elections for which nominations are made by the Nominating Committee

### ***Elections Committee***

There shall be a Committee on Elections whose responsibility it is to prepare ballots, count ballots, report elections to the assembly, and otherwise oversee the election process.

### ***Reference and Counsel Committee***

The Reference and Counsel Committee shall review resolutions and other main motions submitted for consideration by the Synod Assembly, other than proposed amendments to the constitution, bylaws, and continuing resolutions and resolutions and main motions originating in the Synod Council. See PART SEVEN (below) for a more detailed description of the responsibilities of this committee.

### ***Minutes Committee***

The Executive Committee shall serve as the Minutes Committee. They shall review minutes of the Synod Assembly prepared under the supervision of the secretary of this synod. They shall also have the authority to approve the minutes on behalf of the Synod Assembly and shall deposit in the archives of this church the protocol copy of the assembly's minutes.

## **PART SIX: Voting Procedures**

### ***Methods of Voting***

As directed by the chair, voting may be by electronic device, by voice, by show of hands, by standing, or by written ballot. Any member who because of a physical limitation has difficulty voting should contact the Elections Committee for assistance. Abstentions ordinarily will not be recorded in the minutes. Any member wishing to have an abstention from a vote recorded should contact the secretary immediately after the vote is taken.

### ***Proxy and Absentee Voting Precluded***

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

## **PART SEVEN: Motions and Resolutions**

### ***Written Motions and Resolutions Required***

Main motions or resolutions, or amendments to either, must be presented in writing to the secretary of this synod immediately after being moved at the Synod Assembly.

### ***Nature of Motions and Resolutions***

A motion is a proposal for the assembly to take action. The basic form of motion which introduces business before the assembly is a main motion. A resolution is a form of main motion which usually is more complex and may contain "Whereas" clauses that accurately describe the background of the resolution and will contain "Resolved" clauses that describe the proposed action. A memorial is a particular form of resolution that requests action to be taken by the Churchwide Assembly of the Evangelical Lutheran Church in America. Other motions are as described in *Robert's Rules of Order*, 10<sup>th</sup> edition.

### ***Deadline for Motions and Resolutions***

Unless an exception is granted by the Synod Council, to be considered by the assembly a resolution must be submitted to the synod office 60 days prior to the assembly.

Untimely motions will be reported for information purposes to the assembly, by the Reference and Counsel Committee and referred to the Synod Council, unless a motion to consider the matter is adopted by a two-thirds vote of the voting members present and voting.

### ***Handling of Motions and Resolutions***

All main motions and resolutions shall be referred to the Reference and Counsel Committee, other than proposals to amend the constitution, bylaws, and continuing resolutions of this synod and resolutions and main motions originating from the Synod Council. Any recommendation for action presented on behalf of the Synod Council shall be the main motion before the Assembly. Such a recommendation does not require a second.

### ***Resolutions that may be considered after the assembly begins***

#### **Non-Germane Resolutions Submitted after the Deadline for Resolutions:**

Non-Germane Resolutions submitted after the deadline for resolutions may be considered by the assembly only if they are brought before the assembly by a 2/3 majority approval of a motion to suspend the rules and to consider the specific resolution. The secretary shall refer non-germane resolutions to the Committee of Reference and Counsel.

#### **Germane Resolutions (motions):**

Germane resolutions and motions include incidental main motions, secondary motions, motions that bring a question again before the assembly, and main motions that, in accord with a strict standard of relevance, are on the same subject as a report or pending resolution.

- Germane motions may be offered by any voting member from the floor by going to a microphone and being recognized by the chair.
- When the chair recognizes you, give your name, the congregation you represent, and your community, and then state the motion beginning, "I move that...."
- Unless the Rules of Procedure permit otherwise, a germane motion must be seconded before the assembly may consider it. The mover must submit a written copy of the motion to the secretary as stated above.

In determining if a main motion is germane, the chair shall use as a standard the principle that to be germane a motion must, according to a strict standard of relevance, be on the same subject as a report or pending matter before the assembly.

The chair shall refer a germane main motion to the Committee of Reference and Counsel if the chair determines referral is in the best interests of the assembly.

The motion will be restated by the chair before the assembly debates or votes on the motion.

A motion or resolution which is germane to the matter before the assembly may be offered by any voting member from the floor by going to a microphone and being recognized by the chair, unless a deadline previously has been established that would prevent such a motion or resolution.

In reviewing proposed resolutions and main motions, the Reference and Counsel Committee may edit, prepare an alternative resolution or motion, or consolidate into a single proposed action multiple resolutions or main motions on the same or similar subjects. Whenever the Reference and Counsel Committee recommends an edited or alternative resolution or motion, the report to the assembly shall contain the original maker's text.

### ***Work of the Committee on Reference and Counsel***

- The purpose of the work on resolutions of the Committee of Reference and Counsel is to expedite the work of the assembly.
- The Committee of Reference and Counsel may edit resolutions while seeking to retain their substance.
- The committee may combine similar resolutions into one substitute resolution.
- The Committee will usually consult with the author of a resolution regarding issues of editing, combining or substituting for the author's resolution. In some situations the Committee may wish to encourage the author to take action that would not bring the resolution to the assembly.
- The Committee, in consultation with the chair, shall recommend the order in which resolutions are transmitted to the assembly. Whenever possible, resolutions of a similar nature should be presented consecutively. The Committee may recommend that a resolution be considered as a special order.

### ***Debate and Working With Resolutions and Motions***

The chair shall regard all motions transmitted to the assembly through the Synod Council or the Committee of Reference and Counsel to be resolutions that have been both moved and seconded. The chair may invite members of the assembly to engage in small group discussion of a resolution before it is open for debate.

When a resolution is open for debate, the right to speak first belongs to a member of the assembly who speaks in favor of the resolution. A member of the synod council will also usually speak to the assembly, summarizing observations that have arisen out of the council's prior discussion of the resolution.

A member who has spoken on the pending question(s) may not move the previous question(s), if there are other members who wish to speak to the issue.

### ***Substitute Motions***

When a substitute motion is made, secondary amendments may be offered first to the original motion. After all secondary amendments to the original motion have been disposed of, secondary amendments to the substitute motion may be offered. When all amendments to the substitute motion have been disposed of, the vote shall be taken on whether the substitute motion is to be substituted as the original motion or rejected.

### ***Status of Reports***

A motion is not in order to approve or receive reports. All reports shall be received for information and referred to the Synod Council.

## **PART EIGHT: Nominations and Elections**

### ***General Provision***

†S9.01. The Synod Assembly shall elect such officers of this synod and such other persons as the constitution and bylaws may require, according to procedures set forth in the bylaws.

### ***Role of Nominating Committee***

The Nominating Committee shall nominate qualified persons to positions for which elections will be held at the Synod Assembly. The Nominating Committee shall ensure that nominated persons

meet the applicable qualifications for the position, including the representational principles enumerated in †S6.04.

#### ***Nominations from the Floor***

Nominations may be made from the floor. Biographical information on all such nominations shall be submitted in a timely fashion in writing to the secretary.

#### ***Nomination of Officers***

**S9.05, S9.06 and S9.07** provide direction for nomination of persons for synod vice president, secretary and treasurer.

#### ***Vote Requirement for Elections***

†**S9.02.** In all elections by the Synod Assembly, other than for bishop, a majority of the legal votes cast shall be necessary for election

#### ***Report of Election Results***

**S9.09.** The result of each ballot in every election shall be announced in detail to the assembly.

#### ***Runoff Elections***

**S9.08.** In all elections, except for the bishop, the names of the persons receiving the highest number of 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.

#### ***Balloting and electioneering***

All elections for which there is more than one candidate shall be by ballot.

- In non-bishop elections, a majority of the votes cast on any ballot shall elect.
- For those offices for which the constitution does not require election by ballot and there is only one candidate nominated at the time of the election, a motion to instruct the secretary to cast a unanimous ballot on behalf of the one nominee shall be in order.

Ballots for all elections will be distributed only to voting members who are seated at their places within the voting member area.

Any public audio or visual display of support for a candidate for election by this assembly is out of order and inappropriate.

### **PART NINE: Budget Proposals**

**S10.04.** Any proposal to appropriate funds, whether by amendment to the budget or otherwise, which is presented to a meeting of the Synod Assembly without the approval of the Synod Council, shall require a two-thirds vote for adoption.

Motions to amend that increase a line item or add an additional line item in the proposed budget must specify the source of funds for the increase or added line item.

### **PART TEN: Amendments to Constitution, Bylaws and Continuing Resolutions**

Procedures for amending the Synod Constitution, Bylaws and Continuing Resolutions are described in **Chapter 18** of the Synod Constitution.

***Process for Proposing Amendments***

Proposed amendments to the governing documents of this synod shall be submitted by the deadline established by the Synod Council for resolutions. All proposed amendments shall be referred to the Synod Council.

**PART ELEVEN: MISCELLANEOUS PROVISIONS**

***Display Space***

If space is designated for display at the Synod Assembly, approval must be obtained from the synod assembly planning committee for any such displays. Normally only church-related organizations may display at the Synod Assembly.

***Distribution of Materials***

Any materials for distribution in the Synod Assembly must be approved in advance by the synod assembly planning committee.

***Electronic Devices***

Use of cell phones and electronic transmission devices is prohibited in the assembly hall. Cell phones, pagers, and electronic transmission devices should be turned off or be in silent mode while the assembly is in session. Use of computers for business or activities unrelated to the assembly in a manner that would distract others is strongly discouraged.