Proposed Resolution

To amend Canon 3.2. Proposed by The Reverend Benedict Varnum.

WHEREAS, additional language added to diocesan canon 3.2 at Annual Council 2018 carries redundancies that are not desired in our diocesan Constitution and Canons,

BE IT RESOLVED, that the following language be removed from Canon 3.2:

A concurrent vote by orders is hereby defined as a vote of the delegates in both orders (clergy and laity) voting at the same time for the candidates presented for the vote to be declared valid for Standing Committee and Deputies to General Convention. When a Vote by orders is otherwise called for it shall follow the procedures set forth in Article V Section 3 of the Constitution of the Diocese of Nebraska. Results of all elections are to be reported by order.

Explanation:

The above language was added to diocesan canon 3.2 at Annual Council 2018. The resolution adding this language was offered as a substitute for a more complex resolution regarding voting. A small group offered this substitute language overnight, which was approved with little floor discussion.

However, this work seems to be redundant, in the following areas of our Diocesan Constitution:

- Constitutional Article V.3 already describes a vote by orders by noting “On the call of any five members the two orders shall vote separately, and a concurrence of a majority of both orders shall be necessary to carry a proposal.”
- Constitutional Article XI.1 already calls for Standing Committee elections to require a concurrent vote by orders.
- Constitutional Article XII already calls for General Convention deputy elections to require a concurrent vote by orders.

It is to be noted that the word “majority” is only used within Article V.3 of the diocesan constitution, and that the Standing Committee and General Convention Articles (XI and XII) do not include the term “majority.” However, the 2018 addition does not address this, and the constitution as it stands without the above language addition from 2018 allows for any five members of the Annual Council to call for a concurrent vote by orders in which a majority is required to carry a vote, by article V.3 (as above).

In addition, the Committee on Elections already has the authority to determine whether the elections for Standing Committee and General Convention deputy elections will require a majority in the concurrent votes of the lay and clergy orders, or whether some other voting system may be used; it is to be noted, again, that if any five members of the Annual Council would prefer to apply the restrictions of Article V.3, they are able to do so for any vote, including an election, which would immediately overrule the proposal of the Committee on Elections.