

## Legislation Committee Report for the 2019 Diocesan Convention

Two pieces of legislation were submitted prior to the 60-day deadline of this convention. Under the authority of Canon 3, Section 5, parts b and d of the Canons of the Diocese of Montana our report is as follows:

Regarding the legislation entitled, “Amend Canon 16 Professional Standards,” the Committee recommends adoption of the amendment.

Regarding the legislation entitled, “Amend Diocesan Canons to allow Members of the Diocesan Council, Members of the Standing Committee, Lay college chaplains, the Diocesan Youth Coordinator, the Diocesan Camp Director and one youth from each Deanery, to vote in the election of Bishop of Montana,” there are two key parts to this resolution, therefore, the Committee will address our observations to them individually and offer a concluding recommendation:

Regarding the striking of “and geographically” from Canon 3, Section 2, part b of the canons, we note that this language was debated extensively at the 2016 Convention. This language was intentionally added at that time and we find that these former deliberations received a thoughtful and careful treatment then. Additionally, research we conducted finds that requiring geographic residency of clergy within the diocese is not an uncommon practice within our province of The Episcopal Church for voting rights at diocesan conventions.

Regarding the revision of diocesan canons to expand the eligibility to vote in bishop elections to the individuals listed in the title of the resolution, the Committee deliberated numerous facets of this proposal. One of the points we focused on is the issue that those to whom the voting eligibility is proposed to be extended were not elected for that function. They were elected to carry out the administration of the Diocese as members of the Diocesan Council or to offer advice to the bishop as the Standing Committee and those who elected them did so with that assumption. Therefore, we suggest that eligibility not be extended, until such time if and when that electing members to these functions includes the eligibility to vote at convention and for a bishop.

As for the Committee’s overall view on this proposal, we feel that it would better be addressed during the proper order of a diocesan convention. We feel that it was widely known at the time of the 2018 Diocesan Convention that the 2019 Convention would include the election of a bishop and therefore, that was the correct time to change the eligibility of who could vote in that election. Additionally, we have concerns about its canonical status of this proposal, because in one resolution there is an attempt to modify two separate diocesan canons which cover different topics. Given all of this, it is the recommendation of the committee that this proposal be tabled until a fuller discussion and deliberation can take place.

For more information on our research of practices in other dioceses, please see our attached document, entitled “Who Votes at Diocesan Conventions in The Episcopal Church.”

Respectfully Submitted by: Rev. Janis Hansen, Chair, Rev. Stephen Day, Brad Foster,  
Chancellor, Pat Sylvia  
July 15, 2019