



Canadian Association of Lutheran Congregations (CALC)

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Memorandum:

Dated: December 8, 2020

To: All Voting Congregations of CALC.

From: The Board of Elders

Re: Notice of Congregational Referendum – Amendments to Articles 9 & 10 of CALC's Constitution .

Dear Brothers and Sisters in Christ

Grace and peace to you.

On October 17, 2020, the delegates to the 2020 General Convention of the Canadian Association of Lutheran Congregations (CALC) unanimously approved certain amendments to CALC's constitution which would authorize: (a) CALC's Annual General Convention, or any other meeting of the members, to be an entirely online meeting, or a hybrid meeting, whereby delegates and visitors are able to participate in an in person meeting through an online connection; and (b) the National Council to form and appoint ad hoc committees. For these amendments to become effective, our congregations must ratify these amendments.

This procedure is followed in amending our constitution:

1. A ballot is sent to each member congregation eligible to send voting delegates to an annual general convention.
2. The ballot must contain the amendments to be voted on. The congregations must be given a reasonable time to vote on the amendments and return the ballot: by midnight Friday March 26, 2021 Pacific Daylight Time (PDT).
3. The referendum package sent to the voting congregations must include a full disclosure of the issues around the amendments.
4. Each congregation votes on the amendments at a legally called meeting of the congregation (either an annual general meeting or special meeting of the congregation). The amendments must be approved by a simple majority of those present and voting at said meeting.
5. Following the congregational vote on said resolution, the ballot shall be filled out by the congregation's Secretary, signed by the Chairperson and Secretary of the congregation and transmitted to CALC as follows: placed in a sealed envelope, and sent to the Secretary of the Canadian Association of Lutheran Congregations: Att: Vivien Georgeson, Secretary of CALC, C/O: Grace Lutheran Church, 1162 Hudson Road, West Kelowna, BC, V1Z 1J3.
6. CALC's National Council elects three people to count the ballots received.
7. If three quarters (75%) of the ballots, timely received, vote in favor of the amendments, the President shall immediately declare the amendments adopted through notice in the official Association periodical(s), whereupon the amendment shall become effective. The President shall include notice of its adoption in his/her report to the next General Convention of this Association.

Thank you in advance for considering these important amendments to our constitution.

Yours in Christ's service

Pastor Edward Paul Skutshek, President
On behalf of the Board of Elders

Vivien Georgeson, Secretary.

Disclosure Statement

Amendment to Article 9. The following amendment to Article 9 of the Constitution of the Canadian Association of Lutheran Congregations was approved by the delegates to CALC's 2020 Annual General Convention. Article 9 is entitled THE NATIONAL CONVENTION. Article 9 would be amended by the addition of Paragraph 10 below.

Paragraph 2, Part 2 of CALC's Bylaws authorizes the delegates to an Annual General Convention to approve the date, time and location of the next convention. It has been widely reported by reliable sources that COVID-19 will be with us in Canada for the foreseeable future. Unless and until a safe and reliable vaccine or effective treatments against COVID-19 are widely available, there will be significant restrictions on and risks associated with larger in-person gatherings and on interprovincial travel (particularly by air travel). The National Council believes that the suggested amendments are in CALC's best interests given the strictures imposed by the virus.

The amendment would give the delegates to an annual convention the authority to not only set the location, date and time for an Annual General Convention but also the authority to determine whether the convention will be an in person, totally online or an in person meeting were some visitors and delegates participate in the meeting online. Even when the pandemic has passed, and an in person convention is once again the norm, the amendment would permit visitors and delegates to participate in the meeting electronically. Congregations and individual members whose participation in an in person convention is hampered by finances could join the convention via the internet for the registration fee.

10. Meetings of the members of the Association held by electronic means.

(a) Entire meeting by electronic means. Any Annual General Convention, or any other meeting of the members of the Association, may be held entirely by means of a telephonic, an electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting.

(b) Participation in an in-person meeting by electronic means. Any person entitled to attend any meeting of the members of the Association may participate in the meeting by means of a telephonic, an electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting, if the National Council, acting in its sole discretion, makes available such a communication facility. A person so participating in a meeting is deemed for the purposes of CALC's constitution and bylaws to be present at the meeting.

Amendment to Article 10. The following amendment to Article 10 of the Constitution of the Canadian Association of Lutheran Congregations was approved by the delegates to CALC's 2020 Annual General Convention. Article 10 is entitled THE NATIONAL COUNCIL. Article 10 would be amended by adding the underlined and bolded phrase to Paragraph 4.1 as set forth below.

*4.1 The National Council shall function as the legislative agency of this Association in the interim between General Conventions in order to deal with situations which necessitate action before the next General Convention, **including the formation and appointment of ad hoc committees**. Legislative acts by the National Council shall require a majority vote of all its members and must be presented to the next General Convention for review.*

Section 4.1 authorizes National Council to take necessary legislative action between conventions, which could properly be interpreted to include the formation of ad hoc committees and the appointment of the members of said committees. In order to provide clarity on the issue of the National Council's authority in this important area of governance, the delegates are asked to approve the phrase granting the authority to form and appoint ad hoc committees. The details of the formation of the ad hoc committee and the appointment of members of the committee would be reviewed by the delegates to the next Annual General Convention

The ad hoc committees would, among other things, be tasked with assisting the Board of Elders in their mandate with respect to coordinating our congregations in the areas of: global and local missions; constitutional advancement (amending our constitution and bylaws); theological advancement (studying contemporary social issues and other theological issues); and media and outreach (maintaining and improving our website and emerging podcast network).

Congregational Ballot -
Canadian Association of Lutheran Congregations (CALC)

1. The delegates to the 2020 General Convention of the Canadian Association of Lutheran Congregations (CALC) unanimously approved the amendments to CALC’s constitution set forth below.
2. In accordance with the requirements of Article 17, Section 3, Sub-section 3.4 of CALC’s constitution and bylaws, the National Council published a complete disclosure of the amendments to CALC’s constitution dated December 8, 2020 which is attached hereto and is incorporated herein by this reference.
3. The proposed constitutional amendments must be approved by 75% of the congregational ballots timely received. Each congregation shall have one ballot, due at a reasonable date. The congregation may vote on these amendments at the annual meeting of the congregation or a special congregational meeting called for the purpose of voting to approve the subject amendments. The amendments must be passed by a simple majority of the congregational members present and voting at the congregational meeting.
4. The following motions are to be used:

Resolution #1: Resolved: Article 9 of CALC’s Constitution be amended by the addition of Paragraph 10:
10. Meetings of the members of the Association held by electronic means.

(a) Entire meeting by electronic means. Any Annual General Convention, or any other meeting of the members of the Association, may be held entirely by means of a telephonic, an electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting.

(b) Participation in an in-person meeting by electronic means. Any person entitled to attend any meeting of the members of the Association may participate in the meeting by means of a telephonic, an electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting, if the National Council, acting in its sole discretion, makes available such a communication facility. A person so participating in a meeting is deemed for the purposes of CALC’s constitution and bylaws to be present at the meeting.

Resolution #2: Resolved: Article 10 would be amended by adding the underlined and bolded phrase to Paragraph 4.1 as set forth below.

*4.1 The National Council shall function as the legislative agency of this Association in the interim between General Conventions in order to deal with situations which necessitate action before the next General Convention, **including the formation and appointment of ad hoc committees.** Legislative acts by the National Council shall require a majority vote of all its members and must be presented to the next General Convention for review.*

5. Following the congregational vote on said resolution, this ballot shall be filled out by the congregation’s Secretary, signed by the Chairperson and Secretary of the congregation and transmitted to CALC as follows: placed in a sealed envelope, and sent to the Secretary of the Canadian Association of Lutheran Congregations: Att: Vivien Georgeson, Secretary of CALC, C/O: Grace Lutheran Church, 1162 Hudson Road, West Kelowna, BC V1Z 1J3.
6. Ballots must be received by the Secretary of CALC by midnight Friday March 26, 2021 Pacific Daylight Time. Ballots received after that date will not be counted.
7. On Saturday March 27, a committee of three (elected by the National Council) shall count the ballots and report in writing the results to the President. (Art. 17, Sec. 3, Sub-sec. 3).

Date this ballot is filled out: _____

Name of Congregation: _____

Date of Congregational Meeting: _____

Check either passed or failed for Resolution #1 and Resolution #2

Results: Resolution #1: ___ Passed. ___ Failed. **Resolution #2:** ___ Passed. ___ Failed

Signature: _____
Chairperson

Secretary

Pint Names: _____
