



Preliminary Minutes

Evangelical Lutheran Church in America
Tenth Biennial Churchwide Assembly
August 6–11, 2007—Chicago, Illinois

Plenary Session One

Monday, August 6, 2007

7:30 P.M.—9:30 P.M.

Order for the Opening of an Assembly and Welcome

The tenth Churchwide Assembly of the Evangelical Lutheran Church in America was called to order at 7:30 P.M. Central Daylight Time by the Rev. Mark S. Hanson, presiding bishop, in Exhibition Hall A at Navy Pier, Chicago, Illinois. He welcomed more than a thousand voting members plus advisory members, resource members, and visitors who had come from throughout the Evangelical Lutheran Church in America to “breathe life into the documents in the binders before us.”

Presiding Bishop Hanson invited all those present to rise to participate in the Order for Opening of an Assembly. He led in a litany and declared the assembly to be in session. The assembly then joined in singing “A Mighty Fortress Is Our God.”

The presiding bishop informed the assembly that worship services would include materials from *Evangelical Lutheran Worship*. He noted that each day the assembly would begin with the sound of bells calling to a time of silence, followed by an order for Morning Prayer. At the end of the day, there would be silence and an order for Evening Prayer, ending with the sound of the bells. He observed that “prayer would support the work of the Churchwide Assembly,” with “prayer teams” that included synodical vice presidents, synodical bishops, and members of the Church Council, who would be prepared to lead the assembly in prayer at various points throughout its deliberations. He also pointed out that the people of this church had been invited on the assembly Web site to pray for the Churchwide Assembly.

Report of the Credentials Committee

(Reference: 2007 *Pre-Assembly Report*, Section I, pages 9 and 33.)

Bylaw 12.41.11. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* provides a formula to determine the number of voting members of the Churchwide Assembly. The Church Council and the Rev. Lowell G. Almen, secretary of the ELCA, had determined that 1,071 was the number of voting members for this assembly, including the officers. Secretary Almen, *ex officio* chair of the Credentials Committee, reported that, as of 7:20 P.M., 969 of the eligible voting members had registered with the Credentials Committee. On the basis of that report, Presiding Bishop Mark S. Hanson declared the presence of a quorum.

Introduction to Electronic Voting Procedures

(Reference: 2007 *Pre-Assembly Report*, Section I, pages 9–10.)

For those new to the Churchwide Assembly, as well as for returning voting members, Presiding Bishop Mark S. Hanson gave a demonstration of the electronic voting system, then had voting members respond to several practice questions. He announced that most votes would be taken using the electronic system but that on occasion he would call for a voice vote. He acknowledged a generous grant from Thrivent Financial for Lutherans, which had made this equipment available to the assembly. The presiding bishop reminded members that proxy voting was not permitted under the governing documents of this church and instructed them that they were to use only the voting keypad located at their assigned seat.

Organization of the Churchwide Assembly: Roll of Voting Members

(Reference: 2007 *Pre-Assembly Report*, Section I, pages 25–33.)

Presiding Bishop Mark S. Hanson called upon Secretary Lowell G. Almen, on behalf of the Credentials Committee, to present the roll of voting members, advisory members, and resource members of the assembly. Secretary Almen presented the roll as it appeared in the 2007 *Pre-Assembly Report*, stating that a revised list would be created when synodical bishops certified an absence and an alternate had been certified by the secretary. He stated that a revised listing of those registered as voting members would be included in the final minutes of the assembly.

Hearing no objection, the chair instructed the secretary to include the roll of members of the assembly in the official minutes.

Introduction of the Parliamentarian

Presiding Bishop Mark S. Hanson introduced Mr. David D. Swartling of Seattle, Washington, as the parliamentarian for the assembly. Mr. Swartling is a partner in the Seattle law firm of Mills, Meyers, and Swartling and also serves as the ELCA’s regional gift planner for Western Washington. The presiding bishop expressed appreciation for Mr. Swartling’s superb service at the 2005 Churchwide Assembly, and assured the assembly that it would be grateful for the parliamentarian’s able assistance in the course of its work.

Adoption of the “Rules of Organization and Procedure”

(Reference: 2007 *Pre-Assembly Report*, Section I, pages 5–20)

Presiding Bishop Mark S. Hanson directed voting members’ attention to the “Rules of Organization and Procedure” in Section

I of the 2007 *Pre-Assembly Report* and highlighted a number of the rules, giving particular attention to the deadlines that help the assembly order its business. He noted especially in the proposed rules that only voting members and those with appropriate credentials could come onto the assembly floor; that speeches during debate would be limited to three minutes; that voting members were to refrain from applause; and that a person speaking in favor of a resolution would be followed by another speaking against it.

The chair explained that those speaking in favor of a motion would need to go to a microphone with a green sign, while those speaking against a motion would go a microphone with a red sign. Those rising for other purposes could wait in line at any of the microphones, as long as they made use of their white cards. He placed special emphasis on the rules governing the use of white cards, which were to be used to offer motions that were properly in order or to interrupt debate for matters of an urgent nature, including the following: to raise a point of order, to make a parliamentary inquiry, to raise a matter of privilege, or to call for the orders of the day. He then offered examples of each of these. He further noted that members wanting to offer motions would be required to first make their motion before they began to speak to it, warning that if the speaker did not follow this rule, the motion could be ruled out of order.

Presiding Bishop Hanson pointed out that members wanting to introduce matters of new business to this assembly would have to submit proposed resolutions by 10:45 A.M., Thursday, August 9, for referral to the Reference and Counsel Committee. Such resolutions would need to be signed by two voting members, including the maker of the motion. Amendments would need to be submitted in writing to the secretary, and could be delivered to the Rev. Ruth E. Hamilton, deputy to the secretary, who was seated to the left of the speaker's platform.

If voting members were to offer substitute motions for a motion or resolution being debated, the assembly would first "perfect," or finish amending, the original motion, and then would deal with all amendments to the substitute motion, if there were any. Only then would a vote be taken on the substitute motion. If the substitute motion were defeated, the main motion would then be on the floor.

The presiding bishop then explained the votes required to pass motions and resolutions. He stressed that he was speaking generally, and that his comments were not to be taken as ruling on any particular motion that might be coming before the assembly. He reminded the assembly that the procedural rules of the assembly were governed by the *Constitution, Bylaws, and Continuing Resolutions of the ELCA*, the "Rules of Organization and Procedure" currently being considered, and by *Robert's Rules of Order, Newly Revised (10th edition)*. Motions to amend the constitution and bylaws would have to be made in accordance with the constitution and would require a two-thirds vote for passage. Motions to adopt and amend the "Rules of Organization and Procedure" for this assembly would require a two-thirds vote. The rules themselves called for two-thirds votes on certain issues. Certain parliamentary procedure motions such as moving the previous question also require a two-thirds vote. If none of the documents cited called for a two-thirds vote on a particular motion, then a majority vote ordinarily would be necessary to take action.

The chair told the assembly that 125 memorials calling for action by the Churchwide Assembly had been received from synods since the 2005 assembly. The Memorials Committee was recommending that most of these resolutions be voted *en bloc*. In its report, Section VI, page 1, the committee had identified certain resolutions that it recommended be considered separately. Presiding Bishop Hanson explained that, under the proposed rules, voting members could identify other memorials that they would like the assembly to consider separately or could offer a substitute for any of the recommendations of the Memorials Committee.

Requests for separate consideration or offers of substitute motions would have to be submitted in writing to the secretary's deputy by 10:45 A.M., Tuesday, August 7. Substitute motions would require full text of the proposed language on a Motions Form, accompanied by the signatures of 10 additional voting members. The Memorials Committee would then schedule debate. At the time set for debate, the recommendation of the Memorials Committee would become the main motion. The voting member proposing the substitute would then be called upon to make the motion to substitute. Following any amendments to the original motion and the substitute and general discussion, the motion to substitute would be voted upon. After the vote on the substitution, the main motion—either the original motion or the substitute—would be voted upon. Such votes would require a majority of members present and voting unless the vote involved a change in the constitution and bylaws.

The chair also pointed out that a voting member's motion or resolution dealing with the same or similar matter as a subject being reported by the Memorials Committee could not be considered prior to the committee's recommendation and motion with respect to that matter. The exception to this would involve proposed amendments to the governing documents, which would first have to be considered by the Committee of Reference and Counsel before presentation to the assembly.

Amendments to and votes on major statements would require a two-thirds vote. Presiding Bishop Hanson stated that only one social statement, on education, would be presented to this assembly, and that bylaw 12.12.01. required that it receive a two-thirds vote for passage.

Presiding Bishop Hanson then highlighted several rules related to floor nominations for various boards, committees, and the Church Council. He emphasized that Part Eleven of the proposed rules did not relate to nominations for the offices of presiding bishop or secretary. The deadlines for all other nominations was to be 2:00 P.M., Wednesday, August 8. Nominations were to be considered in the order in which they were filed at the Nominations Desk, and would be subject to certain restrictions necessary to achieve balance in the various bodies of the organization.

The deadline for proposing amendments to the budget for the 2008–2009 biennium was to be 8:30 A.M., Friday, August 10. The chair urged members to read pages 15–16 of the proposed rules if they intended to propose budget amendments.

Proposed changes to the *Constitution, Bylaws, and Continuing Resolutions of the ELCA* that had been recommended by the Church Council were also to be considered *en bloc*, unless separate consideration were requested in writing by a voting member, with

the signatures of an additional 10 voting members. Such request was to be submitted by 10:45 A.M., Wednesday, August 8.

The presiding bishop pointed out that constitutional amendments proposed by the Church Council could not be further amended since they were presented for final vote at this assembly. Any proposed changes in the constitution that were different from the text provided in the *2007 Pre-Assembly Report* would need to be presented as a main motion, which would be referred to the Committee of Reference and Counsel. This assembly would then be asked to consider the amendment for a first reading, with a subsequent assembly's vote required for ratification. Such proposed amendments would need to be submitted in writing to the secretary by 10:45 A.M., Wednesday, August 8.

Because this assembly would be asked to elect both a presiding bishop and a secretary, the chair highlighted the rules related to the use of the ecclesiastical ballot, along with rules specific to the elections of the presiding bishop and of the secretary.

The final rules that the presiding bishop mentioned related to refraining from the use of cell phones, pagers, and other electronic communication devices in the plenary hall. Members were asked to use such devices only in the corridors and common areas outside of the plenary and worship halls.

Presiding Bishop Hanson directed the voting members to the information on pages 21-24 concerning *Robert's Rules* to help guide them in doing the work of the assembly.

Having completed this general overview of the proposed rules, the chair reviewed the process for adoption of the "Rules of Organization and Procedure." He noted that any member could request a separate vote on an individual rule. He explained that because the rules involved parliamentary issues, they would require a two-thirds vote for passage. Under *Robert's Rules*, a motion to amend an individual rule required a majority vote for passage. Therefore, as a general rule, each amendment to the proposed rules would require two votes: one to amend (majority vote) and one to approve the language as amended (two-thirds vote). If a proposed rule were not adopted, the governing documents of the ELCA require that the assembly on that subject be governed by *Robert's Rules of Order*. He called upon Secretary Lowell G. Almen to present the motion for the adoption of the "Rules of Organization and Procedure."

Secretary Almen presented the motion.

Moved;

Seconded: To adopt the "Rules of Organization and Procedure" for the 2007 Churchwide Assembly (exclusive of quoted and highlighted constitutional provisions and bylaws that are already in force).

Presiding Bishop Hanson asked if there were any requests to discuss a rule separately or to propose amendments.

Mr. Kevin S. Bardonner [Indiana-Kentucky Synod] asked to have the rule on speeches in Part Three, "Procedure and Quorum," removed for separate consideration.

Hearing no other requests for amendment or separate consideration, Presiding Bishop Hanson called for a vote on all the remaining rules *en bloc*.

Assembly

Two-Thirds Vote Required

Action:

Yes-985; No-28

CA07.01.01

To adopt the "Rules of Organization and Procedure" for the 2007 Churchwide Assembly (exclusive of quoted and highlighted constitutional provisions and bylaws that are already in force and the material removed for separate consideration).

Mr. Kevin S. Bardonner [Indiana-Kentucky Synod] moved the following amendment.

Moved;

Seconded: To amend the "Rules of Organization and Procedure," Section I, Part Three, page 8, "Speeches" by substitution:

Unless otherwise determined by a majority vote of the assembly, all speeches during discussion shall be limited to ~~three~~ two minutes. [With the rest of the text to remain the same.]

Speaking to his amendment, Mr. Bardonner noted that a similar motion was adopted during the 2005 Churchwide Assembly and that it expedited the work of the assembly.

Hearing no further speaking to the amendment, the chair called for a vote on the amendment.

Moved;

Seconded;

Yes-766; No-242

Carried:

To amend the "Rules of Organization and Procedure," Section I, Part Three, page 8, "Speeches" by substitution:

Unless otherwise determined by a majority vote of the assembly, all speeches during discussion shall be limited to ~~three~~ two minutes. [With the rest of the text to remain the same.]

The amendment was approved. The chair then called for a vote on adoption of the amended rule, reminding the assembly that a two-thirds vote was required.

Assembly

Two-Thirds Vote Required

Action:

Yes-829; No-197

CA07.01.02

To adopt the amended rule, Part Three, page 8, "Speeches":

Unless otherwise determined by a majority vote of the assembly, all speeches during discussion shall be limited to two minutes. [With the rest of the text to remain the same.]

Presiding Bishop Hanson declared the "Rules of Organization and Procedure" as amended to be adopted.

Organization of the Churchwide Assembly: Constitution of Assembly Committees

(Reference: 2007 Pre-Assembly Report, Section I, page 3.)

Presiding Bishop Mark S. Hanson asked the assembly next to address the matter of the committees that would help the assembly in its work: the Nominating Committee (elected by previous assemblies), the Committee of Reference and Counsel, and the Memorials Committee (appointed by the Church Council as required by the bylaws). In addition, he reported, the rules just adopted provided for additional committees to aid the assembly. These committees and their members were listed in Section I, page 33. Hearing no objection from the assembly, the chair declared the committees authorized and constituted.

The presiding bishop, acting under the authority granted him by the “Rules of Organization and Procedure,” Part Ten, page 12, named an *ad hoc* committee to consider proposed amendments to the social statement on education. The following persons were appointed: Ms. Judy Biffle (chair), the Rev. Joseph G. Crippen, the Rev. Steven P. Loy, and Ms. Sandra Schlesinger, members of the Church Council; the Rev. Harold L. Usgaard, bishop of the Southeastern Minnesota Synod, member of the Conference of Bishops; the Rev. Rebecca S. Larson, executive director of the Church in Society program unit; the Rev. Roger A. Willer, director for studies for Church in Society; the Rev. Ronald W. Duty, member of the studies staff for Church and Society; and Dr. Paul J. Dovre and Ms. Kristi Lines, co-chairs of the ELCA Task Force on Education. Presiding Bishop Hanson noted that Bp. Usgaard would be unable to serve because of illness. There was no objection.

Adoption of the Order of Business

(Reference: *Order of Business*.)

Presiding Bishop Mark S. Hanson asked voting members to turn to the *Order for Business* that had been distributed to them. He noted that the agenda included an initiative for study of Scripture in the life of faith of this church; affirmation of this church’s new worship resource, *Evangelical Lutheran Worship*; adoption of a social statement on education; elections for presiding bishop and secretary; numerous synodical memorials; approval of the churchwide budget; various reports and official greetings; and a celebration of the 20th anniversary of the ELCA, along with many other items. He called upon Secretary Lowell G. Almen to read the motion for approval of the *Order of Business*.

Moved;

Seconded: To approve the *Order of Business* as the agenda of the 2007 Churchwide Assembly of the Evangelical Lutheran Church in America, in keeping with the provisions of the “Rules of Organization and Procedure” for the calling of items of business before the assembly.

Hearing no discussion, the chair called for a vote, noting that a simple majority would be required for approval.

Assembly

Action:

Yes-1,011; No-4

CA07.01.03 To approve the *Order of Business* as the agenda of the 2007 Churchwide Assembly of the Evangelical Lutheran Church in America, in keeping with the provisions of the “Rules of Organization and Procedure” for the calling of items of business before the assembly.

Presiding Bishop Hanson declared the *Order of Business* adopted. He then yielded the chair to Mr. Carlos E. Peña, vice president of the ELCA, to preside during the first ballot for the election of the presiding bishop.

Report of the Credentials Committee

(Reference: 2007 Pre-Assembly Report, Section I, pages 9 and 33.)

Vice President Carlos E. Peña called upon Mr. David A. Ullrich, vice chair of the Credentials Committee, for the report of the committee. Secretary Lowell G. Almen requested the bishops (or vice presidents in the absence of the bishop) of each synod to certify the number of voting members present from their synod prior to the conducting of the ballot. Mr. Ullrich reported that there were 1,056 voting members present for the ballot.

Elections:

First Ballot for Presiding Bishop

(Reference: 2007 Pre-Assembly Report, Section IV, pages 1 and 2; Section I, pages 17–19.)

Vice President Carlos E. Peña read to the assembly a verse from Acts 20: “Keep watch over yourselves and over all the flock, of which the Holy Spirit has made you overseers, to shepherd the church of God that he obtained with the blood of his own Son.” He reminded the assembly of the description of the office of presiding bishop in this church’s governing documents: “This church shall have a presiding bishop who, as its pastor, shall be a teacher of the faith of this church and shall provide leadership for the life and witness of this church” (ELCA 13.21.).

He stated further that “the tasks of bishop are surely daunting, and might seem beyond any one person’s ability, if not for the commitment of the people of our ELCA to our shared mission . . . and to the workings of the Holy Spirit in our midst. This bishop—this shepherd—will care for the whole of the Evangelical Lutheran Church in America, much as a synodical bishop cares for an individual synod. The presiding bishop also represents this church ecumenically and speaks for this church on public issues in accordance with the actions this church has taken. May God bless our deliberation and our decision.”

Vice President Peña then outlined the process to elect the presiding bishop of this church. He told the assembly that the rules for an ecclesiastical ballot provide that the name of any pastor who is an ordained minister of the ELCA may be submitted for nomination by a voting member of the assembly. After the first, or nominating ballot, no additional nominations are permitted. Persons who have been nominated are permitted to withdraw their names prior to the casting of the second ballot. He also noted that the election is to a six-year term.

Before casting the ballots the assembly sang the first stanza and refrain of “Gracious Spirit, Heed Our Pleading” and were led in prayer by Secretary Lowell G. Almen. Voting members were instructed to cast their ballots. After ascertaining that all ballots had been turned in, Mr. Peña declared the first ballot for presiding bishop closed. He indicated that the results of the first ballot would be announced officially in the morning session on Tuesday. He then returned the chair to Presiding Bishop Mark S. Hanson.

Greetings from the Metropolitan Chicago Synod

Presiding Bishop Mark S. Hanson called upon the Rev. Paul R. Landahl, bishop of the Metropolitan Chicago Synod, to greet the assembly on behalf of the host synod.

Bp. Landahl told the members that the title “Windy City,” often used to refer to the city of Chicago, is a reference to the bluster of politicians rather than the weather. He cautioned that the Chicago tradition of “voting early and often” would not be permitted at the assembly. He acknowledged with thanks the many volunteers of his staff and synod who were acting as hosts for the assembly. Concluding his remarks, he said, “It is our prayer that God will richly bless our time together as we take

seriously the call of our Lord to do the business of the Church and to make the Gospel of God a proclamation event here. In Jesus’ name, proclaim the Gospel.”

Presiding Bishop Hanson thanked Bp. Landahl, and asked the Rev. Larry W. Wick, the Rev. Bruce D. Johnston, and Ms. Nancy Johnston, co-chairs of the Local Arrangements Committee, to come to the dais to be acknowledged and receive a small token of appreciation.

Recess

Secretary Lowell G. Almen made a number of announcements concerning logistics, reminding members of various deadlines related to the business of the assembly.

The Rev. Richard W. Overcash [New Jersey Synod] asked about recycling instructions and was told that information would be provided in the “Pier Review,” the daily newsletter of the assembly.

Mr. Allan E. Thomas, member of the Church Council from Yeadon, Pennsylvania, led the assembly in a closing hymn and prayer. At 9:25 P.M., the chair declared the assembly in recess until 8:30 A.M., Tuesday, August 7, 2007.

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