

MINUTES
COMMISSION ON HANDBOOK
Internet Conference Meeting (Zoom.us)
January 19, 2023

44. Call to Order and Opening Prayer

The meeting of the Commission on Handbook (COH) was called to order by Chairman Dr. Dale Sattgast with other voting members Ms. Heidi Abegg, Mr. David Hawk, and Rev. David Totsky present. Rev. Roger Carlisle was absent but reported favorably reviewing the meeting material. Advisory members Dr. George Gude, chairman and representative of the Commission on Constitutional Matters (CCM), Dr. John Sias, Secretary of the Synod, and Mr. Frank Simek, Chief Administrative Officer of the Synod, were also in attendance. Chairman Sattgast opened with a devotion on Matthew 4:12–17, in which the light of Jesus dawns on the people dwelling in darkness and the Lord’s preaching opens, as Luther’s later 95 Theses would, speaking to the whole life of the Christian, with “*Repent!*”—repentance being a gift of God, with faith, that opens to forgiven joy.

45. Review /Adoption of the Agenda

Chairman Sattgast introduced the proposed agenda, which had been distributed electronically prior to the meeting, noting the addition of Items 19-030 and 19-031 after its initial circulation. The agenda was moved and adopted.

46. Unfinished Business: Overture Drafts

Chairman Sattgast led review of overtures drafted by the Secretary to present substantive action items in which the commission had devised proposed solutions throughout the triennium. These the Secretary grouped into four overtures, the first three dealing with specific topics and the fourth a “catchall” omnibus for more varied and more pedestrian “tweaks” to the Bylaws. The latter is nonetheless “severable” for the commission, the floor committee, or even the convention to remove items of interest for individual consideration.

- a. COH Issue 19-003: Appointment of Reconcilers and Hearing Facilitators (Bylaws 1.10.10-1.10.10.1, 1.10.12) *and*
- b. COH Issue 19-009C: Dispute Resolution and Expulsion Clarifications (Bylaws 1.10, 2.14-17)

Two items dealing with dispute resolution and expulsion bylaws were grouped into one overture, “COH Overture 1,” given the likelihood of a specific floor committee addressing these topics. The Secretary prepared additional changes to Bylaw sections 2.15 and 2.17 harmonizing them with the change to Bylaw section 2.14 in the latter item.

COH Overture 1, inclusive of the additional changes to Bylaw sections 2.15 and 2.17 proposed by the Secretary, was adopted by the commission as introduced for presentation to the convention.

- c. COH Issue 19-005: Meaning of Call and be Served by in Regard to Non-Congregation Calling Entities (Bylaws 2.5.2-3)

An item dealing with the placement of call process requirements on non-congregation calling bodies, because it treats several sections of the bylaws and a CCM opinion regarding the meaning of “be served by,” was prepared as a stand-alone “COH Overture 2,” probably also destined to an ecclesiastical supervision floor committee.

COH Overture 2 was adopted by the commission as introduced for presentation to the convention.

- d. COH Issue 19-019: Cross-Circuit and Cross District Multi-Congregation Parishes (Const. Art. XII 10 a-b; Bylaws 4.2.2, 3.1.2.1 (c), 5.3.2, 2.5.5-6)

“COH Overture 3” treats of cross-circuit and cross-district multi-congregation parishes, a somewhat lengthy and potentially discussion-worthy topic.

COH Overture 3 was adopted by the commission as introduced for presentation to the convention.

- e. COH Issue 19-004: Clarify / Define “Surplus Funds” (Bylaws 3.10.5.5 (e)(2) and 3.10.6.4) *and*
- f. COH Issue 19-014B: Regional Vice-President Nomination Procedure (Bylaw 3.12.3.7) *and*
- g. COH Issue 19-018: Circuit Forum Suggestion Procedure (Bylaw 5.2.2 (b)) *and*
- h. COH Issue 19-021: Lutheran Church Extension Fund (LCEF) District Member Formula (Bylaw 3.6.4.2.2) *and*
- i. COH Issue 19-022: CTCR Executive Staff Representation at Synod Conventions (Bylaw 3.1.4.1) *and*
- j. COH Issue 19-024: Election of District President and Vice-Presidents (Bylaw 4.7.3; Const. Art. XII 5)

“COH Overture 4” contains a potpourri of smaller and generally more pedestrian items, either reflecting a rewording of Bylaws to reflect more clearly their sense as interpreted by the Commission on Constitutional Matters, or to make minor adjustments to better accommodate practical considerations. The Secretary introduced COH Overture 4.

When the material presently included in COH Overture 4 had been reviewed, the commission postponed further handling of COH Overture 4 to treat items below. Subsequent to handling those items, COH Overture 4 was taken up again and adopted by the commission, subject to inclusion of items designated below (Items 19-029, 19-030, 19-031) for inclusion by the Secretary.

47. Unfinished Business: Overture Drafts

Chairman Sattgast led review of the items previously assigned for evaluation and development of proposals:

- a. COH Issue Ag. 19-031: Electronic Registration of Presidential Voters (Bylaw 3.12.2.3)

Dr. Gude, in review of Issue 19-014B for inclusion in an overture, noted that it would be well to make a similar change to the language of Bylaw 3.12.2.3 to make explicit the determination of CCM Op. 20-2930 that presidential voter registration can be done via a secure online process that, in effect, retains the essential assurances that the former paper process contained. Proposed language was drafted and circulated in advance of the meeting.

The proposal of the Secretary and Dr. Gude was, during the handling of COH Overture 4, adopted by the commission for inclusion in that omnibus, the Secretary being directed to make this inclusion.

- b. COH Issue 19-028: Slate of Candidates for Synodwide Corporate Entities (Bylaw 3.6.1.5)

Sias presented for the committee of Sias, Gude, and Abegg a draft proposed revision to Bylaw 3.6.1.5, already stated in the form of an overture. The draft reorganizes the bylaw to proceed in chronological fashion and to reflect the substance of CCM Op. 21-2970.

The commission reviewed the draft, making some adjustments to the language.

The commission approved the proposal on Issue 19-028 as an overture for separate presentation to the convention, “COH Overture 5.”

- c. COH Issue 19-027: Commission on Theology and Church Relations (CTCR) Proposed Revisions (Bylaw 3.9.5.2.2)

The Commission on Constitutional Matters (CCM) reviewed the proposal the Commission on Handbook adopted at its last meeting as a non-substantive change, subject to the determination of CCM as to its substantive nature. CCM now advises that “while [the change] may in the end be non-substantive, allowing the same scope of actions under new bylaw language—is, nonetheless, a substantial change of language regarding a critical function of the Synod, namely the determination of church fellowship between the Synod and other church bodies.” CCM recommends inclusion of the item in a convention overture.

The commission approved the overture as introduced for presentation to the convention as a separate overture, designated “COH Overture 6.”

- d. COH Issue 19-029: Election of Synod Convention Advisory Delegates (Bylaws 3.1.3–3.1.3.1)

Dr. Gude noted CCM Op. 22-2999, which was mentioned at the commission’s last meeting as “in process.” The opinion has now been issued and notes potential unclarities in the language of Bylaws 3.1.3–3.1.3.1, some of which were introduced accidental to changes made by the 2019 convention. While there is no suggestion of a substantive change in established practice, the language could be improved to prevent misunderstanding, which has occurred.

The commission approved the overture as introduced for inclusion in omnibus COH Overture 4.

Noted also by Dr. Gude was the distinction of representatives of boards of directors from the other categories of Bylaw 3.1.4 and the thought that the potential for inclusion in this category of representation should not exclude ordained or commissioned ministers from election as advisory delegates under Bylaw 3.1.3.1. This would be a substantive change and, indeed, a constitutional one (Const. Art. IX 2). The chairman suggested that this additional item be carried over to the next triennium.

- e. COH Issue Ag. 19-030: Election of Synod Educational Institution Convention Advisory Representatives (Bylaw 3.1.4.2)

Dr. Gude noted CCM Op. 22-3000, which was mentioned at the commission’s last meeting as “in process.” The opinion has now been issued and identifies an unclarity as to who does the electing of and who is eligible to serve as faculty advisory representatives at the Synod convention. Proposed language was drafted and circulated before the meeting.

The commission approved the proposal as introduced for inclusion in the omnibus COH Overture 4.

- f. COH Issue 19-007: Concordia University System Governance Proposal (2019 Res. 7-03)

Secretary Sias briefly updated the commission on the ongoing work of the drafting committee and related developments.

- g. COH Issue 19-026: Removal of a District President from Office (Information Only) (Bylaw 1.5.8.1)

The Secretary reported presenting this material to the Council of Presidents in November, which has recently reconstituted its committees. The council may take up this issue at a future date but will not be able to prior to this convention.

The commission noted the item to be carried over to the next triennium for discussion with the Council to continue.

48. New Business / Other Matters

a. 2023 Convention Overture Preview

Noted was the placement by the Secretary of preliminarily edited overtures headed to the 2023 Convention on the COH Portal, for review by the committee members for relevant items that may take time to address.

49. Upcoming Agenda and Meeting(s)

The commission reviewed the pre-convention schedule. Barring other urgent business, the commission's next scheduled meeting is set to be an in-person meeting, Friday Noon (lunch provided) to Saturday Noon (box lunch provided), for March 17–18, 2023, principally for review of overtures submitted by others to the convention of the Synod and evaluation of potential impacts on the *Handbook*.

Floor committee weekend is scheduled for June 9–12, 2023, in St. Louis. The weekend event is expected to commence late Friday afternoon and to continue all day Saturday and Sunday, with extension possible into Monday for any floor committees needing extra time.

Noted again was the schedule for the 68th regular Synod convention, which is to be held July 29–August 3, 2023, with the usual pre-convention meetings, details to be determined (with the commission planning to be in attendance at least by mid-day on the Thursday preceding), in Milwaukee, Wisconsin.

The Secretary noted that Synod no longer has an established partnership with a travel agent, so members may book their own flights and be reimbursed through submission of travel expense reports available on the portal.

50. Adjournment and Closing Prayer

The commission's scheduled work having been completed, Chairman Sattgast closed the meeting with prayer. The commission adjourned.

John W. Sias
Secretary

Appendices:

2023 Commission on Handbook Overtures 1–6