

Constitution & Canons

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Constitution

(Adopted in the Convention of the Diocese of Central New York, June 14, 1870; as amended in subsequent Conventions)

Article I.

Sec. 1. There shall be an annual Convention of the Church in the Diocese of Central New York, meeting on such day as the Ecclesiastical Authority may determine and select.

Sec. 2. For sufficient cause occurring after the designation of the date or place of meeting the Ecclesiastical Authority may appoint another date or place or both for the meeting of the Convention.

Article II.

The Ecclesiastical Authority may call Special Conventions. The purpose or purposes for which a Special Convention is called shall be stated in the call for such Convention, and no business not germane to such purpose or purposes shall be in order except by the affirmative vote of two-thirds of those present and voting in each of the clerical and lay orders.

Article III.

Sec. 1. The members of any Convention shall be:

- (a) The Bishop;
- (b) The Bishop Coadjutor, if there be one, and also, if there be any, the Assisting Bishop;
- (c) All members of the clergy canonically resident in the Diocese not under Discipline;
- (d) All shared community pastors in charge of parishes in union with the Convention, who shall be clerical members of the Convention;

(e) From each parish in union with the Convention that number of lay delegates to which it is entitled according to the following table, based on the Table of Parochial Statistics in the Journal of the preceding Convention:

Less than 200 communicants - 1 delegate

200 - 399 communicants - 2 delegates

400 - 599 communicants - 3 delegates

600 - 799 communicants - 4 delegates

800 communicants and over - 5 delegates;

provided, however, that no parish shall be entitled to lay representation in any Convention if it is in arrears in payment of its assessment to the Church Pension Fund, or for the Diocesan Mission Apportionment for the calendar year prior to January the first preceding the Convention, unless, if it is in arrears in such payment for the Diocesan Mission Apportionment, the Convention shall remit such arrearage; and

(f) All Commissioned Evangelists of the Church Army, resident and working in the Diocese for at least one year, who shall be lay members of the Convention.

Sec. 2. Each member of Convention shall be entitled to one vote.

Sec. 3. The lay delegates shall be chosen by the governing body of the parish. Persons of full age shall be eligible to serve as lay delegates to and to vote at any Convention and shall also be eligible for election or appointment to any lay office of the Diocese.

Sec. 4. The definition of a parish, the mode of admitting parishes into union with Convention, and the conditions under which union or representation shall be forfeited, may be prescribed by Canon.

Article IV.

Every Convention shall be opened with prayers and there shall be a Celebration of the Holy Communion during the meeting of Convention at a time set by the Bishop.

Article V.

The Bishop or, if there be one, the Bishop Coadjutor or the Suffragan Bishop, shall preside in the Convention; but in case of a vacancy in the Episcopate, inability to act, or necessary absence, the members shall elect a President from among the presbyters.

Article VI.

A Secretary shall be chosen upon the assembling of the Annual Convention, who shall remain in office until the meeting of the next Annual Convention or until a successor shall be appointed. The manner of nomination of the Secretary may be prescribed by Canon. The Secretary may be removed at any time from office by the Standing Committee for any neglect or misconduct, of which they shall be the judge. The duties of the Secretary shall be to take minutes of the proceedings of the Convention, to preserve the journals and records, to attest the public acts of the body, and faithfully to deliver into the hands of his or her successor all books and papers relative to the concerns of the Convention which may be in his or her possession. It shall also be the duty of the Secretary to give due notice to each member of the clergy and the governing body of each parish of the time and place appointed for the meeting of each Convention. The Secretary shall also perform such other duties as may be prescribed by the Canons of General Convention and of the Diocese.

Article VII.

Sec. 1. In all matters which come before the Convention, the clergy and laity shall deliberate, and, except as otherwise provided in the next section, may vote in one body; but if in any case it shall be required by Canon or by ten members the two orders shall vote separately, the clergy as individuals, and the laity as individual delegates; and the concurrence of a majority of each order present and voting shall be necessary to constitute a decision.

Sec. 2. In case of the election of a Bishop, the two orders shall always vote separately by ballot, and the concurrence of a majority of those present and voting in each order shall be necessary to constitute an election.

Article VIII.

The mode of altering the Constitution shall be as follows: A proposition for an amendment shall be introduced in writing, and considered in the Convention; and if approved shall lie over till the next Annual Convention; and, if again approved in such next Convention by a majority of those present and voting in each order, the change shall take effect immediately unless otherwise expressly provided.

Article IX.

No amendment of the Canons shall be made during the sessions of the Convention in which the same shall be proposed, unless by a two-thirds majority of the members present and voting in which event the amendment shall take effect immediately unless otherwise expressly provided; but any amendment, if approved by a majority less than two-thirds, shall lie over for the consideration and final action of the next Annual Convention, and, if again approved by a majority vote, shall take effect immediately unless otherwise expressly provided.

Canons

Canon I.

Of the Clerical Members of Convention.

Sec. 1. At least one week before the meeting of every Convention of this Diocese, the Ecclesiastical Authority shall cause to be prepared a list of all the members of the clergy canonically resident in this Diocese, annexing the names of their respective parishes, or places of residence, designating those who are entitled to seats in the Convention. No member of the clergy, while suspended from the ministry, shall have a place on the list. Such list shall be available to the Convention on the first day of meeting and shall be prefixed to the Journal.

Sec. 2. At least one week before the meeting of every Convention of this Diocese, the Ecclesiastical Authority shall cause to be prepared a list of all shared community pastors in charge of parishes in union with the Convention, annexing the names of their respective parishes or places of residence, who shall be clerical members of the Convention pursuant to the provisions of Article III, Section 1, paragraph (d) of the Constitution. Such list shall be available to the Convention on the first day of meeting and shall be prefixed to the Journal.

Sec. 3. The right of any member of the clergy of this Diocese to a seat in the Convention if disputed shall be determined by a vote of the Convention itself in accordance with the provisions of Article III of the Constitution.

Sec. 4. The proof of the regular admission of a member of the clergy into this Diocese shall consist of evidence satisfactory to the Convention of a compliance with the Canons of the General Convention; and the proof of a settlement in a parish thereof shall consist of evidence satisfactory to the Convention of a like compliance.

Canon II.

Of the Lay Members and Organization of the Convention.

Sec. 1. The lay delegates and alternates from each parish shall be chosen by the Vestry from laypersons eighteen years of age or older belonging to the parish, who shall be confirmed communicants and who shall have been regular attendants at its worship and contributors to its support for at least twelve months prior to being chosen. The choice of lay delegates and their alternates shall be certified in writing by the rector, vicar or priest-in-charge of the parish which they represent, or by one of the wardens or the clerk of the governing body of the parish. Such certificate shall be forwarded to the Secretary not later than May 31st of each year and shall also state that each delegate and alternate so certified was eligible to be chosen, that the parish is not in arrears in payment of its assessment to the Church Pension Fund, and that the parish is not in arrears in payment of its assessment for the mandatory portion of the Diocesan Mission Apportionment for the calendar year prior to the Convention (or if the parish is in arrears in such payment for the mandatory portion of the Diocesan Mission Apportionment, that the parish prays that such arrearage be remitted by the Convention for the good and sufficient reasons presented in a paper accompanying such certificate). The Secretary, upon receipt of such paper, shall transmit the same without delay to the Diocesan Board through its Secretary, which body shall review the case and make recommendation to the Convention thereon. The form of said certificate may be prescribed by the Convention; when so prescribed no other certificate of the appointment of any lay delegate or alternate to the Convention of this Diocese shall be allowed or received.

Sec. 2. At least one week before the meeting of every Convention of this Diocese, the Ecclesiastical Authority shall cause to be prepared a list of all Commissioned Evangelists of the Church Army resident and working in the Diocese for at least one year, annexing their place of residence, who shall be lay members of the Convention pursuant to the provisions of Article III Section 1, paragraph (f) of the Constitution. Such list shall be available to the Convention on the first day of meeting and shall be prefixed to the Journal.

Sec. 3. At every Convention the Bishop, as Presiding Officer, shall take the chair and shall continue to preside during its sitting, shall possess the usual powers of presiding officers in deliberative assemblies and, subject to an appeal to the Convention, shall decide all questions of order without debate. The Bishop shall have the right to call the Bishop Coadjutor, if there be one, to the chair, or there being no Bishop Coadjutor, the Suffragan Bishop, or there being no Suffragan Bishop, to name any clerical member as Presiding Officer; but such substitution shall not extend beyond an adjournment unless agreed to by the Convention.

Sec. 4. In case of the absence or disability of the Bishop or of a vacancy in the office, the Bishop Coadjutor, if there be one, or the Suffragan Bishop, if there be one, and there be no Bishop Coadjutor, or the Bishop Coadjutor be absent or disabled, or if there be no bishop present and able to act the President of the Standing Committee, or, in his or her absence, the senior in office among the clerical members of the Standing Committee present shall call the Convention to order and act as Presiding Officer pro tempore, until the Convention shall be organized and shall have elected a Presiding Officer.

Sec. 5. The presence of at least twenty clerical members of the Convention and of delegates from at least twenty parishes shall be necessary to the transaction of business, except that a smaller number may adjourn from day to day.

Sec. 6. A quorum being found in attendance, the Presiding Officer shall declare the Convention duly organized. The Secretary shall then be elected, who then may nominate one or more assistant secretaries to be approved by the Convention. In the absence of the Secretary, the assistant secretaries shall be nominated from the floor of the Convention. The assistant secretaries shall serve during the sessions of the Convention.

Sec. 7. The Rules of Order of the preceding Annual Convention shall be the Rules of Order until altered by a vote of a majority of the Convention.

Sec. 8. Laypersons, other than delegates, who are members of the Diocesan Board, or members of the Committees of the Board, or trustees of Diocesan corporations, members of the Standing Committee or of standing committees of Convention, or other officers of the Diocese, shall have the privilege of the floor.

Sec. 9. Prior to every Convention the Bishop may appoint a Committee on Agenda and Arrangements to make appropriate provision for both agenda and program as well as for facilities for such Convention. To the extent practicable all groups and persons desiring inclusion of agenda items shall submit requests therefore to such Committee at least ten weeks prior to such Convention, together with an identification of the subject matter, whether inclusion is sought for action or information only, the form of the presentation proposed, and the time allocation desired. To the same extent all groups and persons desiring space, services, or other facilities in connection with such Convention shall submit requests therefore with appropriate details to such Committee at least ten weeks prior to such Convention.

Canon III.

Of the Call of a Convention and Notices Pertaining thereto.

Sec. 1. Notice of the meeting of any Convention shall be given by the Secretary in a letter, transmitted by mail, at the expense of the Convention, to every member of the clergy canonically resident in the Diocese, to every shared community pastor in charge of a parish in union with the Convention, to every Commissioned Evangelist of the Church Army resident and working in the Diocese for at least one year, to the lay authorities in every vacant parish, and to all delegates whose election has been certified to the Secretary, at least six weeks before the meeting. Extracts from the Constitution and Canons relating to the appointment of lay delegates, and a form of certificate of their election shall be sent by the Secretary to every parish by the end of the last full week of April of the year in which Convention is held.

Sec. 2. Whenever, under the provision of the Constitution, a special Convention is called it shall be the duty of the Secretary, in the notice thereof, to specify the purpose or purposes for which it is called.

Sec. 3. The Secretary shall, not less than six months before the meeting of each Annual Convention, notify by letter all trustees or individuals having in charge any funds belonging to the Diocese of the responsibility imposed upon them by Canon XXV, Section 1. The Secretary shall also notify the chair of each special committee appointed by the preceding Convention to report to the next Convention, of the requirements of Canon XXV, Section 2.

Sec. 4. All proposed amendments to the Constitution, or Canons, should be submitted to the Committee on Constitution and Canons at least six weeks before the meeting of Convention; and, after consideration by the committee, a copy of the amendments so submitted shall be sent to all members of the Convention at least two weeks before the meeting at which they are to be considered.

Canon IV.

Of Attending the Meetings of the Convention.

Sec. 1. The regular attendance of the clergy and laity at the meetings of the Convention being of essential consequence to the interest of the Church, this duty is hereby enjoined upon them.

Sec. 2. No member of the clergy of the Diocese actively engaged in work in the Diocese shall, except for good and reasonable excuse, absent himself or herself from meetings of the Convention. In the event of such absence he or she shall make known to the Ecclesiastical Authority the reasons therefore.

Sec. 3. No member of the Convention shall leave during its session without having applied for and received leave of absence from the Presiding Officer.

Canon V.

Of Parishes and Diocesan Chapels.

Sec. 1. **Parishes.** (a) One or more groups of Episcopalians, whether or not incorporated, (joined in appropriate instances with other Christians) shall be a parish when so certified and admitted into union by a majority vote of the members of the Convention present and voting. The application for such certification and admission shall be filed with the District Dean where the applicant is located. The application, with a report of the action taken thereon by the Dean, shall be forwarded to the Bishop within ninety days after the filing thereof. Thereafter, within one hundred twenty days of receipt, it shall be forwarded with advice of the action of the Bishop thereon to the next Convention of the Diocese for final action by such Convention. The distinctions between parishes and missions shall be obliterated except to the extent required by the Canons of General Convention and the Religious Corporations Law of the State of New York.

(b) A parish in union with Convention shall continue to be in union unless it is determined by Convention that the parish has failed to conduct regular worship services, or has failed to maintain an organized Vestry which meets regularly, or has failed for three consecutive years to meet its pledge for General & Diocesan Work of the Church as accepted by the Vestry, or is failing to make a good faith attempt to compensate its clergy at or above the guidelines adopted by Convention. A recommendation may be submitted to Convention by the Bishop, together with the Standing Committee, that a determination be made that a parish is no longer in union with Convention; furthermore, the Convention vote to terminate requires a two-thirds majority.

(c) The Bishop may suggest a parish self-study at any time for the purpose of developing programs to assist the parish.

(d) No certificate of consent to the incorporation of a parish shall be given by the Bishop or by the majority of the Standing Committee unless the applicant for such consent shall then be a certified parish admitted into union with the Convention as provided in Section 1 or 2 of this Canon.

(e) Whenever hereafter any parish shall neglect to make the annual parochial report, and to forward the same to the Secretary of the Convention as required by Canon XXII.5, the Committee on Credentials of Lay Delegates shall so report to the Convention, and such parish shall be denied representation in the Convention of that year; except that, because of unusual circumstances explained to the Convention, such parish may be admitted to representation by a majority vote of the members of the Convention present and voting.

(f) Each parish desiring financial aid from the Diocese shall make application therefore to the Diocesan Board.

(g) No parish shall establish a new place of worship without the consent of the Bishop and the Standing Committee after consultation with the Dean and the District Council, if there be one.

(h) No parish shall encumber or alienate any real property, or any interest therein, other than by lease for not more than five years, without the consent of the Bishop and the Standing Committee.

(i) In incorporated parishes the qualified voters at any election or special meeting shall be those persons of full age belonging to the parish, who have been baptized and are regular attendants at worship and contributors to its support for at least twelve months prior to such election or special meeting, or since the establishment of the parish.

(j) In unincorporated parishes:

(i) Qualified Voters. Laypersons of full age belonging to the parish, who have been baptized and are regular attendants at its worship and contributors to its support for at least twelve months prior to such meeting or since the establishment of the parish shall be qualified voters at any annual or special meeting of the parish.

(ii) Parish Meetings.

(I) Annual Meeting. The annual meeting of each parish shall be held on the day, either a Sunday or a secular day, fixed by the vestry.

(II) Special Meetings. Special meetings may be held on any Sunday or secular day fixed by the vestry.

(III) Notice. Notice of each annual and of any special meeting of the parish shall be read by the priest-in-charge, or if there be none or he or she be absent, by the officiating minister or by a warden, on each of the two Sundays next preceding such annual or special meeting, in the time of divine service, or, if for any reason, the usual place of worship of the parish shall not be open for divine service, the notice shall be posted conspicuously on the outer door of the place of worship for two weeks next preceding the annual or special meeting. Such notice shall specify the place, day and hour of holding the annual or special meeting. The notice of each annual meeting shall also specify the number and terms of office of each warden and the vestry persons whose terms of office shall then expire, or whose office shall then be vacant for any cause, and the office for which each such officer is to be then elected. The notice of any special meeting shall specify the matter or question to be brought before such meeting and no matter or question not specified in such notice shall be acted on at such meeting.

(IV) Presiding Officer. The presiding officer of each annual or special meeting shall be the priest-in-charge of the parish, if there be one, or if there be none or he or she be absent, one of the wardens elected for the purpose by a majority of the qualified voters present, or if no warden be present, a vestry person elected in like manner. Such presiding officer shall be the judge of the qualifications of voters, shall receive the votes cast, and shall declare the result of the votes cast.

(V) Action. The action of an annual or special meeting on any matter or question shall be decided by a majority of the qualified voters present and voting thereon. The polls of an election shall continue open for one

hour and longer, in the discretion of the presiding officer, or if required by a majority of the qualified voters present and voting. The wardens and vestry persons shall be elected by ballot from qualified voters at the meeting, and no person shall be eligible for election as a warden unless he or she is also a confirmed communicant in the Episcopal Church.

(iii) Vestry.

(I) The vestry shall consist of three, six or nine vestry persons as shall be determined by the parish at any annual or special meeting and of two wardens. At each annual election after the initial election of the vestry, one warden shall be elected to hold office for two years, and one-third of the total number of vestry persons of the parish shall be elected to hold office for three years. Each warden and vestry person shall hold office after the expiration of his or her term until his or her successor shall be chosen.

(II) The vestry of an unincorporated parish shall have the powers, discretion, and responsibilities corresponding to the extent applicable, to those of the vestry of an incorporated parish, and shall likewise be subject to corresponding limitations.

(iv) Other Form of Organization. Notwithstanding any other provision hereof, any unincorporated parish may propose such other or different provision for its own organizational structure and operation as it shall deem appropriate. Any such proposal shall be submitted to the District Dean, the Bishop and the Convention in the same manner as an application for certification as a parish in union with the Convention under the provisions of Section 1 of this canon, and the organizational structure and operation of such parish shall conform to the action of the Convention.

(k) When any real estate is acquired or to be acquired for an unincorporated parish, "The Diocese of Central New York" shall have the power to take and hold bare legal title thereto for the benefit of such parish subject to its direction and control as to the acquisition, use and disposition of such property. All expenses incident to the acquisition, management, maintenance and disposition of such property shall be borne by such parish. In the event that an unincorporated parish on re-examination pursuant to the provisions of Section 1 Paragraph (b) of this Canon is not recertified, "The Diocese of Central New York" shall have the power to make such disposition of any real property, title to which shall have been held by it for the benefit of such former parish (and of the proceeds of any disposition of such property) as to it shall seem appropriate, subject to the directions of the Convention contained in its determination not to recertify such former parish.

Sec. 2 **Diocesan Chapels.**

a) Any group of Episcopalians, whether theretofore comprising an incorporated parish, an unincorporated parish, other association or college chaplaincy or ministry, shall upon their request and certification by the Bishop and designation as such by the Convention of the Diocese become either a Diocesan Chapel or a Diocesan College Chapel.

b) Each Diocesan Chapel shall be under the supervision of the Bishop and, subject to the approval of the Bishop, may adopt such procedures for the conduct of its affairs as it may desire. It shall not be a parish in union with the Convention or subject to the provisions of the Canons or other prescriptions with respect to parishes. Each Diocesan Chapel shall have the right, by whatever procedural means it may choose, to designate one lay representative to the Convention of the Diocese, which representative, although not a member of the Convention, shall have the privilege of the floor. Each Diocesan Chapel shall submit an Annual Parochial Report, or at the direction of the Bishop, prepare a Report of such form and content as the Bishop may prescribe.

c) A Diocesan College Chapel may be established on the campus of a University or College situated within the Diocese for the expressed purpose of ministry and chaplaincy to the students, faculty and staff of that University or College. A majority of its Vestry or other Representative Body must be composed of persons who are adult members of the Episcopal Church as defined in Title I Canon 17, 1(b) of the Constitution & Canons of the Episcopal Church* and if a majority of its Vestry, or other Representative Body, is composed of adult members of the Episcopal Church as described above, at least one of whom serves as one of the Wardens, Chair or other leader of the Representative Body, the Diocesan College Chapel shall have the following privileges:

1) Each Diocesan College Chapel shall have the right, by whatever procedure it may choose, to designate one adult student Lay Representative to the Convention of the Diocese, which representative shall be a full member of Convention and shall have full privileges of the floor and vote.

2) Each Diocesan College Chapel shall qualify under Title III, Canon 4 of the Constitution and Canons of the Episcopal Church* as a congregation for the purpose of sponsoring members of the congregation for Holy Orders.

*Title I, Canon 17, 1(b) of Regulations Respecting the Laity

Canon VI.

Of Diocesan Clusters.

Sec. 1. Three or more parishes which are geographically related may apply for recognition as a Diocesan Cluster.

Sec. 2. Such application shall set forth the terms of the proposed Cluster organization, including provisions for governance, for engagement of clergy, for contemplated activities, for financial support, for operating procedures and for such other matters as

may be appropriate; and shall be accompanied by agreements of the several parishes involved to participate in the Cluster, signed by the rector or priest in charge or, if there be none, the District Dean, and the vestry of each parish.

Sec. 3. The application for recognition as a Diocesan Cluster shall be submitted to the Bishop. On approval by the Bishop of the application as originally submitted or as subsequently amended, the Diocesan Cluster shall be entitled to recognition as such.

Sec. 4. After Cluster recognition, proposed amendments to the terms of Cluster organization shall be submitted to the Bishop for approval.

Canon VII.

Of the Ecclesiastical Authority.

In the event of the death, resignation, disability or prolonged absence of the Bishop of the Diocese, the Bishop Coadjutor shall become the Ecclesiastical Authority of the Diocese; if there be no Bishop Coadjutor, the Suffragan Bishop, if there be one, shall become temporarily the Ecclesiastical Authority. The Standing Committee of the Diocese shall be the Ecclesiastical Authority of the Diocese for all purposes declared by the General Convention only in the event of the absence or disability of all the Bishops herein named or of a vacancy in the Episcopate.

Canon VIII.

Of the Bishop and the Cathedral.

The Bishop, with the approval of the Diocesan Convention or, if it not be in session, of the Standing Committee, may from time to time and until a permanent Diocesan Cathedral shall be established, and with the consent of the Rector and Vestry of the parish concerned, select a parish church which shall be known as the Cathedral Church of (here insert the name of the parish). The Bishop, with the approval of the Standing Committee, may thereupon enter into such stipulations, in writing, with the Rector and Vestry of such parish concerning the rights of the Bishop in the use of the church building in Diocesan affairs, as may be agreed upon, which stipulations shall be known as "The Institutes of the Cathedral".

Canon IX.

Of the Standing Committee of the Diocese.

Sec. 1. The Standing Committee of the Diocese, provided for by the General Convention in Article IV of the Constitution of the General Convention, shall consist of four members of the clergy of this Diocese in priest's orders, and four laypersons, confirmed communicants of full age of the Church in this Diocese, one such member of the clergy and one such layperson to be elected annually by the Convention of the Diocese, each for a term of four years. The election shall be by ballot, and by the concurrent vote of a majority of those present and voting in each order. Vacancies in the Standing Committee occurring by death or otherwise may be filled until the next meeting of Convention by the concurrent vote of the clerical and lay members of the Committee. Any member of the Committee having served two consecutive full terms shall not be eligible for immediate re-election.

Sec. 2. In case the Bishop of the Diocese be incapable of acting or in case there is no Bishop, and there is no Bishop Coadjutor or Suffragan Bishop capable of acting, the powers to be exercised and duties to be performed by the Bishop in matters of discipline shall be exercised and performed by the Standing Committee, except in those cases where such powers and duties are or may devolve and be enjoined upon the clerical members of the Committee in which case such powers shall be exercised and duties performed by the clerical members only provided that no sentence shall be pronounced upon a member of the clergy save by a Bishop.

Sec. 3. The Secretary of the Standing Committee shall keep a true record of its proceedings and shall preserve all books, journals and papers belonging to the committee and transmit the same to his or her successor in office. The President of the Standing Committee shall report the proceedings annually to the Diocesan Convention.

Sec. 4. In addition to action taken at a meeting duly convened, the Standing Committee is empowered and authorized to take action as follows:

(a) By mail, telegraphic or electronic communication ballot. Notice shall be given to each member of the Standing Committee by mail, telegram or electronic communication describing the action proposed to be taken and setting forth the time (which shall be reasonable) within which and the name and address of the person or persons to whom ballots or other communications with reference thereto shall be sent. Members of the Committee may return ballots by mail, telegram or electronic communication and the results thereof shall be binding and any action so approved shall be the action of the Committee, provided that

- (i) The ballots of at least two-thirds of all the members of the Committee favor the proposed action; and,
- (ii) Prior to the time set forth in the notice no member of the Committee shall have advised any person designated in the notice of his or her objection in the particular instance to action by mail, telegraphic or electronic communication ballot.

(b) By conference telephone. By means of a conference telephone or similar communications equipment allowing all persons participating in the meeting to hear each other at the same time. Participation by such means shall constitute presence in person at the meeting.

Canon X.

Of the Secretary of Convention.

Sec. 1. The Secretary of Convention shall be nominated to the Convention by the Standing Committee with the approval of the Bishop. In case the Convention declines to elect the nominee, the Bishop shall appoint a member of the Convention as secretary of the Convention pro tem, and the Standing Committee shall make, during the same Convention, a new nomination.

Sec. 2. In the event of a vacancy occurring in the Office of Secretary of Convention, the Bishop or other Ecclesiastical Authority, may, in consultation with the Standing Committee or the President thereof, appoint a Secretary pro tem, who shall serve until the next Annual Convention.

Sec. 3. The Secretary of Convention in addition to discharging the duties imposed by the Constitution and other provisions of these Canons, shall, subject to the orders of the Convention, issue the *Journal* of the Annual Convention and accompanying documents, and when published distribute copies of the same as follows: one copy to each member of the clergy of the Diocese, to each lay delegate attending the Convention, to each member of the Diocesan Board, to each member of the Standing Committee and to each parish in the Diocese, (it shall be the duty of the clerk of the vestry to preserve the parish copy in the parish records) two copies to the Secretary of the House of Deputies of General Convention and one copy to the Archives of the Church, and upon request, one copy to each of the Bishops of the Church and to the Secretary of every Diocesan Convention, requesting these last to send in return a copy of their respective journal which when received shall be deposited in the Diocesan Library.

Sec. 4. As required by Title I, Canon 1.1(c) of the Canons of the General Convention*, the Secretary shall prepare a certified copy of the testimonials of the deputies elected to the General Convention and forward the same to the Secretary of the House of Deputies, together with a copy of the latest Journal of the Diocesan Convention. The Secretary shall also transmit to the Secretary of the House of Deputies the other documents required by Title I, Canon 6.5(a) of the Canons of the General Convention**.

Sec. 5. The Secretary shall maintain the Canonical Register of all clergy canonically resident in the Diocese which shall include the records required by Title III Canon 12.7(a) of the Canons of the General Convention***.

* Title I, Canon 1.1c of the General Convention

** Title I, Canon 6.5(a) of the Mode of Securing an Accurate View of the State of this Church

*** Title III, Canon 12.7(a) of Renunciation of the Ordained Ministry

Canon XI.

Of the Treasurer.

The Diocesan Convention shall from time to time elect as Treasurer of the Diocese a person skilled in financial matters, including budgeting, accounting, banking, investment, and financial planning, on nomination of the Bishop with the approval of the Diocesan Board. The Treasurer shall serve at the pleasure of the Bishop and the Board. A vacancy in the office of Treasurer shall be filled by similar election, provided that a vacancy occurring between meetings of the Convention may be filled until the next meeting of the Convention by appointment of the Bishop with the approval of the Board.

Canon XII.

Of the Chancellor of the Diocese.

The Bishop may nominate for the approval of the Convention a person or persons skilled in ecclesiastical and civil law to be the Chancellor or Vice-Chancellor of the Diocese, who shall act as legal advisers and counselors to the Bishop, the Standing Committee, ecclesiastical courts and the Convention, when called upon to do so, and advisor to the Diocesan Board and its Committees. It shall also be their duty to review any proposed amendments to the laws of the State which affect the Religious Corporations Law or the property interests of the Church and to cooperate with the representatives of the other Dioceses of the State in securing the passage or defeat of such proposed amendments, after reference to the Convention whenever appropriate.

Canon XIII.

Of Deputies to the General Convention and to the Provincial Synod and of Delegates to the Triennial Meeting of the Women of the Church.

Sec. 1. The Convention shall, at either one of its two regular annual meetings held not later than twelve months preceding the opening date of the General Convention as shall be determined by the Bishop with the consent of the Standing Committee, elect by the concurrent ballot of the clerical and lay members present and voting, four members of the clergy and four laypersons, who shall be confirmed communicants of full age and residents of the Diocese, to act as Deputies from this Diocese to the General Convention. When the election of Clerical and Lay Deputies shall have been completed, the four members of the clergy and the four laypersons next in order in the balloting shall be declared duly chosen Alternate Deputies. The Deputy who has served as a Deputy at the greatest number of previous General Conventions shall be chair of the Deputation. The Deputies and Alternate Deputies shall hold office during the term of three years and until Deputies and Alternate Deputies shall next be elected.

Sec. 2. It shall be the duty of the Deputies-elect to signify in writing to the Bishop, not more than four weeks and not less than three weeks before the meeting of the General Convention, the acceptance of the appointment and their intention to perform its duties.

Sec. 3. All vacancies occurring by reason of default in acceptance of appointments under Sec. 2 of this Canon shall be filled by designation of the Bishop from the list of members of the clergy and laypersons elected as Alternate Deputies, and such person or persons when certified by the Bishop, shall have all the power and authority of Deputies duly elected by the Convention.

Sec. 4. Prior to each meeting of the Provincial Synod, the Bishop, with the advice and consent of the Standing Committee, may appoint not more than four members of the Clergy and not more than four laypersons Deputies to the Provincial Synod and name one of such Deputies the chair of the deputation. The Deputies and the chair so appointed shall hold office until a new deputation and chair shall be appointed. Any vacancy in the deputation shall be filled by similar appointment. Deputies so appointed shall be members of the Synod of the Second Province from the Diocese of Central New York and as such shall represent the Diocese in the House of Deputies of the Synod. The names of the persons so appointed shall be announced to the Diocese.

Sec. 5. In case of the inability of the Bishop to act or of a vacancy in the Episcopate, the power conferred upon the Bishop by this Canon shall be exercised by the President of the Standing Committee.

Sec. 6. At the regular Annual Meeting at which it elects Deputies to the General Convention, the Convention shall also elect by the concurrent ballot of the clerical and lay members present and voting, two persons who shall be confirmed adult communicants or members of the clergy of the Church and residents of the Diocese, to act, together with the Diocesan Custodian of the United Thank Offering and a representative from the Diocesan Commission of the Episcopal Church Women chosen by the Commission, as Delegates from this Diocese to the Triennial Meeting of the Women of the Church. When the election of these Delegates shall have been completed, the two laypersons or members of the clergy next in order in the balloting shall be declared duly chosen Alternate Delegates. Sections 2 and 3 of this Canon shall apply to the Delegates elected under this section in purpose and intent. The elected Delegates and Alternate Delegates shall hold office during the term of three years and until Delegates and Alternate Delegates shall next be elected. The Diocesan Custodian of the United Thank Offering shall hold office as a Delegate until a successor Diocesan Custodian is designated.

Sec. 7. The necessary expenses of the Deputies attending the General Convention and the Provincial Synod and of the Delegates attending the Triennial of the Episcopal Churchwomen and their meetings held in conjunction with the Provincial Synod shall be paid by the Diocese in such amount as the Diocesan Board shall determine upon due presentation of proper vouchers signed by the Secretary of the same.

Canon XIV.

Of the Diocesan Board.

Sec. 1. The Diocesan Board shall be the policy making organization of the Diocese, subject to the authority of the Diocesan Convention. It shall articulate the mission of the Diocese, formulate strategies to carry out that mission, and be responsible for all programmatic activities of the Diocese. It shall be responsible for preparation and submission to the Diocesan Convention of the budget in accordance with Canon XVIII and for the administration of such budget and the collection of the income therefore and the expenditures of Diocesan funds in accordance therewith. It shall direct the operating structures of the Diocese, except as to matters within the jurisdiction of the Standing Committee, and shall coordinate the units of the Diocese.

Sec. 2. (a) The Board shall be composed of the following members:

- (i) The Bishop and the Bishop Coadjutor if there be one;
- (ii) A member of the Standing Committee elected by that Committee.
- (iii) The Treasurer of the Diocese; and
- (iv) Four persons, adult members of the Episcopal Church and residents of the Diocese, elected by the Diocesan Convention, each to serve for a three year term beginning at the close of the Convention at which elected and until his

or her successor is elected, as follows:

- in years divisible by three, one member of the clergy and one member of the laity;
- in the following year, one member of the laity; and
- in the second following year, one member of the clergy.

(v) Three persons, adult members of the Episcopal Church and residents of the Diocese of either the clerical or lay order, one elected by the Convention on nomination of the Bishop each year, to serve a term of three years beginning at the close of the Convention at which elected and until his or her successor is elected.

(vi) Provided, however, that no member elected by the Convention under paragraph (iv) may serve for more than two successive full terms.

(b) Vacancies in the membership of the Board elected under paragraph (iv) of subsection (a) shall be filled for the unexpired term by election of the Diocesan Convention (on nomination of the Bishop if the previous occupant of the office was so nominated), provided that a vacancy occurring between meetings of the Convention may be filled until the next meeting of the Convention by the remaining members of the Board.

Sec. 3. The members of the Board shall be the Trustees of “The Diocese of Central New York”.

Sec. 4. The Bishop shall be the President and presiding officer of the Board. The Board shall choose, from time to time, one of its members to be Vice President and another person, who need not be a member of the Board, to be its Secretary, each to serve at the pleasure of the Board.

Sec. 5. The Board shall meet at stated intervals but at least four times a year, and at such other times as the Bishop or the Board may determine.

Sec. 6. The Board shall organize itself into such Committees of the Board, and other committees and other subgroups as it may determine appropriate for the discharge of its responsibilities, including Committees on Finance, Human Resources, Investment, and Property. The Finance Committee shall be the Diocesan body contemplated by Title I, Canon 7.2 of the Canons of the General Convention*. Additional Board committees shall include the Parish Visitation and Mission Review Committee, and may include the Long Range Planning Committee. Other committees shall be established as determined by the Board. The charge, scope and operating methods of all such Committees and other committees shall be set by the Board.

Sec. 7. The Board shall adopt Bylaws for its governance and the conduct of its affairs.

Sec. 8. The Board shall present to each Diocesan Convention, a report of its activities, including a written report by appropriate category of all moneys and other property received and all moneys expended. The Board shall also cause to be prepared for publication in each *Journal* of the Convention a table by Districts of all parishes in the Diocese, showing the Diocesan Mission Apportionment (including the mandatory portion) and the pledge of each parish. Information concerning the amount of aid given to parishes shall be available from the Diocesan financial office.

*Title I, Canon 7.2 of Business Methods in Church Affairs

Canon XV.

Of the Commission on Ministry.

Sec. 1. At each Annual Convention of the Diocese, subject to confirmation by the vote of the Convention, the Bishop shall nominate a Commission on Ministry to consist of not less than six nor more than twenty persons, one half of whom shall be of the lay order and one half of whom shall be of the clerical order, who shall hold office until their successors are nominated and confirmed.

Sec. 2. It shall be the duty of this Commission on Ministry to assist the Bishop in all matters pertaining to lay and ordained Ministry in accordance with the Constitution and Canons of the General Convention of this Church.

Canon XVI.

Of Elections.

Sec. 1. All elections required by the Constitution and Canons to be determined by ballot, except the election of a Bishop, Bishop Coadjutor, or Suffragan Bishop, shall be held according to the system of preferential voting known as the Single Transferable Vote. The regulations governing the use and counting of the ballots shall be those issued by the Diocese of Long Island, as revised in 1939, a copy of which has been deposited with the Secretary. Revisions of these regulations which do not affect the principles of the Single Transferable Vote, may be made by resolution of the Convention on the recommendation of the tellers, and filed with the Secretary.

Sec. 2. A concurrent quota of both clerical and lay votes shall be necessary for election, with a majority of both orders present

and voting.

Sec. 3. (a) With the notice of the meeting of the Convention, the Secretary shall send to all clergy entitled to vote, to all shared community pastors in charge of parishes in union with the Convention, to all Commissioned Evangelists of the Church Army entitled to be lay members of the Convention, and to all delegates entitled to seats in the Convention a nomination blank, which shall contain the names of all offices to be filled at such Conventions under Canons IX, XIII and XIV, and under the Institutes of the Cathedral adopted pursuant to the provisions of Canon VIII, together with the names of the office holders whose terms of office expire.

(b) Clergy, shared community pastors, Commissioned Evangelists of the Church Army, or Lay Delegates, or a duly certified alternate who has been designated to attend the Convention in place of any Lay Delegate, entitled to a seat in the forthcoming Convention, may file, prior to the assembling of the Convention, nominations for the offices to be filled at the Convention provided:

(i) Such nominations shall be made on the nomination blank furnished by the Secretary and shall be signed by a member of the clergy, a shared community pastor, a Commissioned Evangelist of the Church Army entitled to a seat in the Convention, or a Lay Delegate.

(ii) With such nominations shall be forwarded the written consent of the nominee to serve if elected, a biographical sketch of the nominee in not more than one hundred words (to include residence, parish, Ecclesiastical status, age, profession or occupation, family status, and a brief description of participation in relevant activities of the community, Diocese and national Church), and, if possible a photograph of the nominee.

(iii) Such nominations and accompanying data shall be filed with the Secretary at least four weeks before the opening of the Convention.

(iv) Such nominations shall not be accepted unless the certificate of election of delegates to the Convention which includes the name or names of those making the nominations has been first filed with the Secretary and also complies with Section 1 of Canon II.

(c) The Secretary of the Convention shall prepare and forward to all members of the clergy, shared community pastors, Commissioned Evangelists of the Church Army entitled to be members of Convention, and Lay Delegates, so that it shall be received at least four days before the opening of Convention, a brochure containing a statement of all offices to be filled at the Convention, and the names, biographical sketches and photographs of the persons nominated in accordance with this Canon for each office, arranged in alphabetical order.

(d) All nominations made in accordance with this Canon shall be reported by the Secretary to the Convention on the first day according to the Rules of Order. The form of ballot shall include the names of the nominees for each office nominated in accordance with this canon and arranged by lot, together with the names of persons nominated from the floor of Convention, arranged thereafter in the order of such nomination. After each list of nominations a blank space shall be left which may be filled in by any qualified voter.

Sec. 4. In all cases of failure or omission to elect officers by the Convention, the persons last elected shall continue in office until others be chosen.

Sec. 5. In case of vacancies in office, the filling of which is not otherwise provided for in the Canons, occurring during recess, it shall be competent for the Standing Committee, with the approval of the Bishop, to fill, ad interim, any position which the Convention, if in session, might fill.

Canon XVII.

Of Districts of the Diocese.

Sec. 1. The Diocese shall be divided into Districts, the number and boundaries of which may be changed from time to time by the Bishop, after consultation with the Districts involved, and with the advice and consent of the Diocesan Board. Consultation with the Districts shall be with the District Council, if there be one, and with the Dean.

Sec. 2. It shall be the responsibility of each District, in concert with the Diocesan Board, to undertake and coordinate regional ministries that fall predominantly within the District. The Dean shall report thereon as required by the Diocesan Board.

Sec. 3. Each District shall meet in Convocation at least once in each year, prior to Diocesan Convention. The members of each Convocation shall include the members of the clergy and shared community pastors resident in the District and such number of lay delegates representing each parish within the District as the District shall determine. Such lay delegates shall be chosen in the manner determined by the governing body of the parish.

Sec. 4. The principal officer of each District shall be the Dean, who shall be appointed by the Bishop, from the members of the clergy of the District. The Dean shall take office immediately upon appointment, and shall serve at the pleasure of the Bishop. The Dean shall have such responsibilities as may be required by the Bishop, the Diocesan Board, or the District Council, if there be one.

Sec. 5. There may be a District Council in each District comprised of the Dean, other officers determined by the District, and additional members, the number and method of election of whom shall be determined by the District, taking into consideration the various interests to be represented within the District.

Sec. 6. Each District, meeting in Convocation, may make by-laws, not inconsistent with the Canons, for the conduct of its own affairs and those of its District Council, if there be one.

Canon XVIII.

Of the Budget of the Diocese and the Diocesan Mission Apportionment.

Sec. 1. The Diocesan Board shall prepare an annual budget for consideration by the Diocese. Expenditures shall be divided into mandatory and non-mandatory categories.

(a) Expenditures identified as mandatory shall include only those items of expenditures deemed appropriate:

- (i) to the discharge of the Ecclesiastical functions of the Office of the Episcopate in the Diocese;
- (ii) to the conduct of the Diocesan Convention and to the participation of the Diocese in the General Convention and in the Provincial Synod, and in the Lambeth Conference; and
- (iii) to the payment of financial support of the National Church.

(b) Mandatory expenditures shall be identified by a separate tabulation, or equivalent means. The mandatory expenditures shall be met from endowment income restricted to these purposes and the mandatory portion of the Diocesan Mission Apportionment assessed upon each parish.

(c) All other Diocesan expenditures shall be non mandatory.

Sec. 2. The Diocesan Board, as a first step, shall prepare a draft unified budget. Such draft budget shall be presented to all Members of Convention by mail; and as appropriate, by Regional meetings in the Diocese; to facilitate, review and respond.

Sec. 3. Thereafter the Diocesan Board shall prepare a proposed unified budget and shall submit such budget to the Diocesan Convention.

Sec. 4. The Diocesan Convention may make changes to the proposed budget by a two-thirds vote of its members present and voting. On approval by the Convention, the budget so approved shall become the budget for the Diocese for the ensuing calendar year, provided however, that the Diocesan Board shall have authority from time to time to make such adjustments thereto, as to items of either income or expenditures or both, as it deems necessary and appropriate to accommodate changes that occur after the approval by the Convention.

Sec. 5. After approval of the budget by Diocesan Convention, the Diocesan Board shall have authority and responsibility to determine, and thereafter to adjust, the Diocesan Mission Apportionment of each of the parishes of the Diocese to fund the budget and to designate the portion thereof that shall be mandatory. In making such apportionment the Board shall use a uniform percentage applied to the average of the income of each parish for the preceding three years, provided that in determining the non-mandatory portion of the apportionment the percentage may be set higher to compensate for predictable shortfalls based on historical giving patterns. Income shall be defined as all parish income, including but not limited to, income from pledges and plate collections, net receipts from special parish projects, and investment income, but excluding income or receipts designated for non-operating expenses or for purposes external to the parish, and shall not include proceeds from the sale of property, receipts from capital drives, loans, diocesan aid or shared clergy compensation received from another religious body, or gifts or bequests designated for capital improvements or as trust principal by the donor or by the vestry in the year of such receipt. The Board shall inform the parishes of the apportionments so made.

Sec. 6. The Diocesan Board shall have authority and responsibility to make expenditures of Diocesan moneys in accordance with the budget as approved by the Diocesan Convention and subsequently adjusted by the Board.

Sec. 7. The Secretary of the Diocesan Convention shall prepare, before the opening of each Convention, a list of those parishes that are in arrears in the payment of the mandatory portion of the Diocesan Mission Apportionment with the amount of such arrears for the preceding calendar year and the same shall be placed in the hands of the Convention Committee on Credentials of Lay Delegates. Each such parish shall be excluded from representation in the Convention until such arrears have been paid in full or have been remitted by the Convention for satisfactory reasons. Application for remission of arrears shall be made no later than thirty days prior to the Convention to the Diocesan Board in the first instance, and the recommendations of the Board with respect thereto shall be reported to the Convention.

Canon XIX.

Of the Church Pension Fund.

Sec. 1. The Treasurer of the Diocese shall provide for the annual payment of the premiums assessed on salaries paid directly by the Diocese to the Bishops and other clergy employed by the Diocese.

Sec. 2. (a) The Secretary of the Convention, whenever required, shall furnish or cause to be furnished to the Church Pension Fund the canonical roll of the members of the clergy of this Diocese, and of the members of the clergy canonically belonging to other dioceses who may be licensed to officiate in this Diocese, with a statement of the stipends received by each from any parish or other Ecclesiastical organization in the Diocese.

(b) The Secretary shall inform the Church Pension Fund or cause it to be informed of the members of the clergy and widows and minor orphans of members of the clergy canonically connected with this Diocese, who may be entitled to receive pensions from the Church Pension Fund.

Sec. 3. Every member of the clergy receiving a stipend or stipends and every parish or other Ecclesiastical organization in the Diocese paying a stipend or stipends, shall furnish a statement of such stipend or stipends to the Treasurer of the Diocese whenever the Treasurer of the Diocese shall, in writing, ask for such statement, and shall furnish to the Treasurer of the Diocese a statement of such stipend or stipends and the name and address of the treasurer and the name of the rector or minister-in-charge whenever there occurs any change in such stipend, treasurer, rector, or minister-in-charge.

Sec. 4. The Secretary of the Convention shall prepare, before the opening of the Annual Convention, a list of such parishes as are in arrears to the Church Pension Fund, with the amount of such arrears for the period prior to January first preceding, and the same shall be placed in the hands of the committee on Credentials of Lay Delegates. Each such parish shall be excluded from representation in the Convention until such arrears are paid in full.

Canon XX.

Of Diocesan Corporations.

Sec. 1. The Diocese Of Central New York. The trustees of the corporation shall be the members of the Diocesan Board.

Sec. 2. The Foundation of the Diocese. The directors of the corporation shall be not less than seven nor more than twenty-five persons, as prescribed in the By-laws of the corporation, elected by the Convention annually on nomination of the Bishop (or Ecclesiastical Authority). The Bishop and the Bishop Coadjutor, if there be one, shall be ex-officio directors of the corporation. Vacancies in the Board of Directors shall be filled for the unexpired term by a majority of the remaining directors.

Sec. 3. Central Investment Fund No. 2. The trustees of the corporation shall be the members of the Diocesan Board.

Sec. 4. Central Investment Fund No. 3. The directors of the corporation shall be the members of the Diocesan Board.

Sec. 5. Thornfield Foundation, Inc. The directors of the corporation shall be the members of the Diocesan Board.

Sec. 6. A person may serve as a trustee of one or more or all of the diocesan corporations at the same time. Vacancies in the office of trustee of any diocesan corporation described in sections 3 through 5 above shall be filled for the unexpired term by election of the Convention on nomination of the Bishop (or the Ecclesiastical Authority), provided that a vacancy occurring between meetings of the Convention may be filled until the next meeting of Convention by the remaining trustees of the corporation.

Canon XXI.

Of the Calling of a Rector.

Sec. 1. Whenever a parish is without a rector it shall be the duty of the governing body to give immediate notice thereof to the Bishop. The procedures to be followed in calling a rector shall comply with the requirements contained in the Canons of the General Convention and otherwise shall conform to the process therefor prescribed from time to time by the Bishop. If a call shall be extended to a member of the clergy of this Church, there shall be included an agreement of the governing body to pay the premiums as assessed by the Church Pension Fund.

Sec. 2. Whenever a parish is without a rector, the Bishop shall appoint a member or members of the clergy of this Church to supply such parishes as have been reported to be without a rector at such time as may be deemed convenient and proper. Any parish thus supplied shall defray all the expenses incident to such occasional services.

Canon XXII.

Of Parish Registers, Parochial Reports and the Removal of Communicants From One Parish to Another.

Sec. 1. The Parish Register, in which the minister is required by Title III, Canon 9.5(c) 1 & 3 of the Canons of the General Convention*, to record all Baptisms, Confirmations, Marriages, Burials and the names of Communicants, shall be provided by the governing body at the expense of the parish and shall be in the custody of the Rector or priest-in-charge for the purpose of such record. Every Parish Register, when it has been filled, shall be carefully preserved by the governing body as a part of the records of the parish.

Sec. 2. The record in the Parish Register shall specify the names and dates of birth of children baptized, with the names of parents and sponsors; the names of adults baptized and their chosen witnesses; the names of persons confirmed; the names of parties married and of two or more witnesses of the marriage, and the place where the marriage was solemnized; the names of persons buried; and also the date when each Rite was performed. The Parish Register shall also contain a list of the families and adult persons of the cure as far as practicable.

Sec. 3. The governing body of a parish shall be jointly responsible with the Rector or priest-in-charge for an accurate record of communicants and baptized persons resident in the parish and that the record be available at the annual election of the parish and be submitted to the Bishop at the time of the Bishop's Visitation, together with such changes as have occurred since the previous report.

Sec. 4. No name shall be removed from the lists of communicants in the parish except by: (1) death, (2) removal by issuance of a certificate of membership or letter of transfer, or (3) disciplinary action by competent Authority. There shall be indicated on the list of communicants those (a) whose domicile is unknown and (b) who live in the community but are inactive.

Sec. 5. In order that the annual report of the ministers of parishes in this Diocese may contain the information which is required by Title I, Canon 6.1 of the Canons of the General Convention**, such annual reports shall be made out in accordance with the form therefore authorized by the General Convention, which reports shall be forwarded to the Secretary of the Diocesan Convention on or before May first in each year.

Sec. 6. In every case where a parish is without a rector, the Register contemplated by this Canon shall be kept by the governing body thereof, or by some person appointed by the governing body whose duty it shall also be to prepare and forward to the Bishop the Annual Parochial Report.

Sec. 7. No rector or priest-in-charge of any parish in the Diocese shall receive as a regular communicant, or enter upon the list of communicants the name of any person who has been a communicant in any other parish without a certificate of membership or letter of transfer from the parish to which the communicant last belonged. Except, however, if it shall appear that a communicant not under censure of Ecclesiastical discipline has not received a certificate of membership or letter of transfer within six months after request therefore, the name of such person shall be added to the list of communicants in the new parish, and written notice of this action shall be sent to the former parish.

Sec. 8. Any communicant not under censure of Ecclesiastical discipline shall be entitled to such a certificate of membership or letter of transfer on application therefore to the rector or priest-in-charge of the parish to which the communicant belongs, and in case of a vacancy in the pastoral cure of a parish, and in case of any person under discipline, the application shall be referred to the Bishop of the Diocese, or, if the Episcopal office be vacant, to the President of the Standing Committee, and the answer and decision of the Bishop or of the President of the Standing Committee as above provided shall be final.

* Title III, Canon 9.5(c) 1 & 3 of Clergy and their Duties of the life and work of priests

** Title I, Canon 6.1 of the Mode of Securing an Accurate View of the State of this Church

Canon XXIII.

Of Parishes and Diocesan Properties.

In conformity and consistent with the provisions of Title I, Canon 7.4 and .5 of the Canons of the General Convention*, it is hereby explicitly reaffirmed that all real and personal property held by or for the benefit of any parish, mission, chapel, or congregation located in the Diocese of Central New York is held in trust for the Episcopal Church and The Diocese of Central New York. The existence of this trust, however, shall in no way limit the power and authority of the parish, mission, chapel, or congregation, or the power and authority of the Trustees of the Diocese holding title thereto, otherwise existing over such property so long as the particular parish, mission, chapel, or congregation remains a part of, and subject to, The Episcopal Church and the Diocese of Central New York and the Constitution and Canons of each of them.

* Title I, Canon 7.4 & 7.5 of Business Methods in Church Affairs

Canon XXIV.

Of the Dissolution of the Pastoral Relation.

Sec. 1. Subject to the provisions of Section 2 of this Canon, a priest who after January 1, 1986 is canonically elected rector of a parish and the vestry that elects such priest may, with consent of the Ecclesiastical Authority of the Diocese, at the time of such election enter into a written agreement specifying the term for which the priest is to serve as rector of the parish. Not earlier than six months nor later than three months prior to the expiration of the term agreed on, the rector and the vestry may, with the consent of the Ecclesiastical Authority of the Diocese, by written instrument further extend the term for which the priest is to serve as rector. Subsequent extensions may similarly be made. The failure of either the priest or the vestry to agree to any such extension at least three months prior to the expiration of the term previously agreed on or extended shall constitute a failure to agree on any further extension.

Sec. 2. Notwithstanding the provisions of Section 1 of this Canon, the provisions of Sections 1, 2 and 3 of Canon 19 presently contained in Canon 9 of the 2006 General Convention of Title III* of the Canons of the General Convention (as amended from time to time) shall apply in this diocese in the event no agreement is made pursuant to Section 1 of this Canon and as well during the term of any agreement so made or extended, but the provisions of Section 1 thereof shall not apply to preclude dissolution of the pastoral relation at the end of the term so agreed on or extended.

* Title III, Canon 9.13, 9.14, 9.15, 9.16(a-g) of the Dissolution of the Pastoral Relation

Canon XXV.

Of the Fiscal Year and Reports to the Convention.

Sec. 1. The fiscal year of the Diocese shall begin on the first day of January in each year, and the Treasurer of the Diocese and all trustees having in charge any funds belonging to the Diocese shall make their reports annually to the Secretary of Convention at least four months before the meeting of the Convention in each year.

Sec. 2. All special committees appointed by one Convention to report to the next Convention shall send their report to the Secretary of the Convention four weeks before the date of Convention, and the Secretary may cause such report to be printed, and a copy to be sent to each member of the clergy and lay delegate at least one week before the meeting of Convention.

Canon XXVI.

Of Episcopal Offerings

At the Episcopal Visitations, each parish shall take an offering, which shall be given to and used at the discretion of the Bishop.

Canon XXVII.

Of Ecclesiastical Discipline of Members of the Clergy not being Bishops.

Sec. 1. (a) All matters with respect to Ecclesiastical Discipline of members of the clergy not being Bishops in the Diocese of Central New York shall be governed by the relevant provisions of Title IV of the Canons of the General Convention*, as amended from time to time, which provisions are hereby incorporated by reference.

(b) The Standing Committee shall act in the capacity of the Diocesan Review Committee required by Title IV, Canon 3.1 of the Canons of the General Convention**.

Sec. 2 (a) There shall be elected by each annual Diocesan Convention, on nomination of the Standing Committee, an Ecclesiastical Trial Court consisting of three priests who are canonically resident in the Diocese and two lay persons who are adult confirmed communicants in good standing of the Episcopal Church residing in the Diocese, one of whom shall be an attorney admitted to the Bar of the State of New York, to serve until the next annual Diocesan Convention and until their successors have been elected; provided, however, that if at the time of any annual Diocesan Convention the Court is engaged in trial the members then comprising the Court shall continue to serve and to constitute the Court for such matter until such trial and all matters related thereto shall be concluded and until the next following annual Diocesan Convention.

(b) Within two months following each annual Diocesan Convention at which members of the Court are elected, such members shall elect from their number a Presiding Judge to serve until the next annual Diocesan Convention at which a full court is elected.

(c) Any vacancy in the Court, other than for cause under Title IV, Canon 4.8 of the Canons of the General

Convention*** (or its successor canon, if any) shall be filled by appointment of the Standing Committee to serve, other than in any pending matter, until the next annual Diocesan Convention.

Sec. 3. There shall be a church attorney who shall be a member of the Bar of the State of New York, appointed by the Bishop with the consent of the Standing Committee to serve at the pleasure of the Bishop and the Standing Committee. In the event of a vacancy in the office of church attorney it shall be filled by similar appointment.

* Title IV, Ecclesiastical Discipline

** Title IV, Canon 3.1 of Presentments

*** Title IV, Canon 4.8 of Diocesan Courts, and Courts of Review for the Trial of a Priest, Deacon, their Membership and Procedure.

Rules Of Order

(for conducting the business of the Convention of the Diocese)

First Day

I. On the first day the order of business shall be:

A. After opening prayers, the Presiding Officer having taken the chair, the Presiding Officer shall be informed of the presence or non-presence of a quorum, the knowledge of which shall be obtained from the registration of the clergy and lay delegates immediately before the opening of Convention, which registration shall be the responsibility of the Secretary or Assistant Secretary of the prior Convention, or if there be neither, the Chancellor or Vice Chancellor of the Diocese.

B. If a quorum be found in attendance, viz., at least twenty clerical members entitled to vote in the Convention, and delegations from at least twenty parishes, the Presiding Officer shall declare the Convention duly organized for business.

C. The Secretary shall be elected, who may nominate one or more Assistant Secretaries to be approved by the Convention.

D. The Diocesan Board shall report its recommendations on requests to remit arrearages to the mandatory portion of Diocesan Mission Apportionment, and action thereon shall be in order.

E. The Committee on Credentials of Lay Delegates shall make its report, which shall include the number of parishes entitled to representation in the Convention, including the number of parishes which have been late in filing their Annual Parochial Report for the prior year but which have accompanied their late Reports with letters of explanation, thereby admitting them to representation. The Report shall also include the names of parishes which have failed to file a Parochial Report or to accompany a late Report with a letter of explanation. If unusual circumstances for such failure are explained, action shall be in order by a majority vote of the members of Convention present and voting to admit any of such parishes to Convention.

F. The Presiding Officer shall report the announcement of the schedule and agenda of the Convention as contemplated by General Rule A.

G. The Diocesan Unified Budget recommended by the Diocesan Board shall be presented by the Treasurer or by a member of the Board, with any comments deemed appropriate.

H. The Bishop shall deliver an Annual Report, unless another time for its delivery has been determined by the Bishop.

I. The Bishop Coadjutor, if there be one, and the Suffragan Bishop, if there be one, shall deliver their addresses unless the Bishop has designated another time for their delivery.

J. Resolutions shall be presented and referred to appropriate committees, or placed on the Convention Agenda without debate, but any resolution by unanimous consent may be acted on at this time.

K. The Presiding Officer, or the person designated by the Presiding Officer, shall announce the procedures for nominations and elections (see Canon XVI).

L. The Secretary shall report all nominations made pursuant to Canon XVI for offices to be filled by election of the Convention.

M. Additional nominations may be made from the floor of Convention.

N. The Presiding Officer shall appoint tellers.

O. The Presiding Officer shall make a last call for resolutions.

P. The polls shall be opened and voting proceed.

Second Day

II. On the second day the order of business shall be:

A. The Committee on Memorials of Deceased Clergy shall make its report.

B. The necrology of members of the Diocese shall be read.

C. An abstract of the proceedings of the Standing Committee of the Diocese shall be submitted.

D. Reports, including a statement of unfinished business and any special communication to the Convention, shall be made by the Secretary.

E. The Treasurer of the Diocese shall report.

F. Action shall be taken on the proposed Diocesan budget.

G. Committees of Convention shall make reports, which may be by title and action shall be taken thereon, as appropriate.

H. Diocesan units and groups shall make reports and presentations, and action thereon taken as appropriate.

I. The Resolutions Committee shall make its report and action shall be taken thereon.

J. The Elections Committee shall make its report.

K. Unfinished business shall be considered.

L. Members of the Diocesan Board and of other Diocesan bodies shall be elected.

M. Appointments shall be made to standing committees of the Convention.

N. Announcements.

O. Adjournment.

Subsequent Days

III. On any subsequent day the order of business shall be the disposal of the unfinished business of the Convention in the order above prescribed for the Second Day; the business, if any, however, which was under consideration at the time of adjournment of the Convention shall be disposed of first.

General Rules

IV. The following general rules shall apply to the Convention:

A. The schedule and agenda of the Convention shall be determined by the Presiding Officer and to the extent practicable shall be announced prior to the opening of the Convention. The Convention shall have the right, however, by a vote of two-thirds of the members of the Convention present and voting to modify or change such schedule or agenda or both, or to adopt a schedule or agenda or both.

B. The procedures for nominations and elections to be made by the Convention shall be as follows:

(1) Each person in the clerical and in the lay order whose name appears in the brochure forwarded to the members of the Convention by the Secretary in conformity with the provisions of Canon XVI, Section 3, Paragraph (c) shall be deemed thereby to have been duly nominated for the office so indicated, and no member of the Convention shall be recognized to speak from the floor in his or her behalf.

(2) Additional nominations may be made from the floor, in which event not more than one member of Convention shall be recognized to speak for not more than one minute on behalf of each additional nominee, and the content of such nominating speech shall be limited as provided in Canon XVI, Section 3, Paragraph (b), Subparagraph (ii).

(3) The Presiding Officer shall appoint tellers, one for each order for each ballot box, together with a chair of tellers, who shall tally the votes of the Convention and report the results thereof.

C. Resolutions may be offered to the Convention only by members of the Convention or by its committees. Resolutions of members of the Convention shall be presented no later than the end of the first session of the first day of Convention, unless later presentation is authorized by a vote of two-thirds of the members of the Convention present and voting. All resolutions shall be referred to the Resolutions Committee for review and report, except that resolutions presented by a committee of Convention need not be so referred. When a special committee has been assigned responsibility for a particular subject at Convention, all resolutions relating to that subject shall, on recommendation of the Resolutions Committee Chair, be referred to such special committee for its review and report. Each resolution presented by a committee of Convention, or being reported by a special committee thereof, shall first be submitted to the Resolutions Committee Chair for review and comment as to form and procedural aspects.

D. Every member of the Convention present who is entitled to vote when a question is stated by the Presiding Officer shall vote thereon unless excused by the Convention.

E. No motion shall be put or debated until it is seconded, and when seconded it shall be stated by the Presiding Officer before the debate; and every motion shall be reduced to writing when required by the Presiding Officer or requested by any member of the Convention.

F. If the question in debate contains several distinct propositions, at the request of any member of the Convention the question shall be divided.

G. When a question is under debate, no motion shall be received, except to vote immediately, to lay it on the table, to postpone it indefinitely, to postpone it to a certain time, to commit it, to amend it, and motions for any of these purposes shall have precedence in the order here set forth. A motion to adjourn shall always be in order when no member of the Convention is speaking, and shall be decided without debate, and if it be defeated shall not be renewed until some other business has intervened.

H. A motion to lay on the table shall be decided without debate; but any matter thus laid on the table may be called up again during the same Convention on the motion of any member of the Convention who voted in the affirmative.

I. On the question being put by the Presiding Officer it shall be determined in the manner prescribed by the Presiding Officer; but at the request of any member of the Convention a count of the votes shall be taken, and tellers for that purpose shall be appointed by the Presiding Officer, or at the request of any ten members of the Convention prior to a decision by count, the ayes and nays shall be taken by calling the names of the clerical members and of the lay delegates of the parishes represented, and the votes shall be entered on the minutes.

J. At the request of any ten members of the Convention the ayes and nays shall be taken by orders and when so taken they shall be entered on the minutes, and the concurrence of a majority in each order of those present and voting shall be required for adoption.

K. No member of the Convention or person entitled to the privilege of the floor shall speak more than twice for more than five minutes on each occasion on the same question without leave of the Convention, except that this Rule shall not limit the presentation of reports on behalf of committees or Diocesan units.

L. A question that has been decided shall not be reconsidered during the same Convention without the consent of two-thirds of the members of the Convention present and voting, nor without the motion for that purpose being made by a member of the Convention who voted in the majority on the prior decision; nor shall any question be reconsidered more than once.

M. All reports of committees shall be in writing and shall, on reading or presentation, become the property of the Convention without any motion for acceptance, and any report recommending action by the Convention shall be accompanied by a proposed resolution.

N. At each Diocesan Convention the privilege of the floor shall be extended to the Sisters of St. Margaret, to members of the clergy licensed to officiate in the Diocese and to all official youth representatives and members of WINGS for Youth or other similar organization designated by the Bishop. Official youth representatives shall be invited to sit with their parish delegates.

O. All special committees shall be appointed by the Bishop unless otherwise directed by the Convention in which case they shall be designated by majority vote of the members of the Convention present and voting.

P. No rule of order shall be suspended, changed or rescinded unless by the vote of two-thirds of the members of the Convention present and voting or by such other vote as may be provided therein.

Q. Smoking shall not be permitted in the room or other facility in which the Convention is held.