

# **DIOCESE OF MAINE**

## **THE CONSTITUTION**

### **ARTICLE I**

This Church, the Protestant Episcopal Church in the Diocese of Maine, as a constituent part of the Protestant Episcopal Church in the United States of America, accedes to the Constitution and Canons of that Church, and acknowledges its authority.

### **ARTICLE II**

Section 1. There shall be a Convention of the Church in this Diocese on the Third Wednesday of May at the Cathedral Church, Portland, in each year, unless some other time or place be appointed by the previous Convention or by the Ecclesiastical Authority.

Section 2. A Special Convention may be called by the Ecclesiastical Authority at any time, and shall be called when requested by the Standing Committee.

Section 3. Fourteen days notice of every Special Convention, and of every change in the time and place of the Annual Convention, shall be given to all the Clergy, Parishes and Missions of the Diocese.

### **ARTICLE III**

Section 1. The Convention shall be composed of both clergy and laity.

Section 2. The Bishop of the Diocese shall have a seat and vote in the Convention, and shall preside at all meetings. The Bishop Coadjutor, if there be one, shall have a seat and vote, and, in the absence of the Bishop, shall preside. The Suffragan Bishop, if there be one, shall have a seat and vote and, in the absence of the Bishop and the Bishop Coadjutor, shall preside. In the case of a vacancy in the Episcopate, or of the absence of the Bishop, the Bishop Coadjutor and the Suffragan Bishop, the Convention shall elect a President pro tempore from among the Presbyters entitled to vote.

Section 3. (1) Every Presbyter and Deacon canonically resident in the Diocese shall be entitled to a seat and vote in the Convention, provided that said Presbyter or Deacon be regularly engaged in some Church or Parish in union with the Convention, or be regularly engaged in Missionary or other work in the Diocese under the appointment of the Ecclesiastical Authority or as an officer of some Missionary Society recognized by the General Convention, or as a Military Chaplain, or as a Chaplain in some recognized hospital or other welfare institution, or as a Chaplain or instructor in some school, college, or other seminary of learning, or with some opportunity for the exercise of the office of Presbyter or Deacon judged appropriate by the Ecclesiastical Authority. Other Presbyters and Deacons canonically resident in the Diocese shall be admitted to seats with the right to take part in debate, but shall not have the right to vote; nor shall they be eligible for any office in the gift of the Convention.

(2) Notwithstanding any other provisions of the Constitution, every Presbyter or Deacon canonically resident in the Diocese shall be entitled to a seat and vote in any Convention of the

Diocese called to elect a Bishop of the Diocese or a Bishop Coadjutor.

(3) The right to a seat and vote in the Convention shall not be forfeited by any Presbyter or Deacon canonically resident in the Diocese who for at least five consecutive years shall have possessed such right under the provisions of this Article and, after having such right for five consecutive years shall be retired under the provisions of the Church Pension Fund, or shall by reason of age or infirmity, be disabled from the performance of the active duties of the ministry of such Presbyter or Deacon.

(4) A Presbyter of The Episcopal Church who is not canonically resident in the Diocese, but who is licensed to officiate in the Diocese and is appointed to serve as Priest-in-Charge of a congregation in the Diocese pursuant to Canon III.9.3(b) of the Canons of General Convention shall have seat, voice, and vote in the Convention, but shall not be entitled to vote in the election of a Bishop.

Section 4. Each Parish in union with the Convention, or the Vestry thereof, and each Organized Mission in union with the Convention, or the Bishop's Committee thereof, may, at any meeting duly convened for the purpose, elect Lay Delegates to represent them in the Convention as follows:

(1) Each having Average Sunday Attendance of fifty or fewer may elect two Delegates.

(2) Each having Average Sunday Attendance of more than fifty and not more than one hundred may elect three Delegates.

(3) Each having Average Sunday Attendance of more than one hundred and not more than one hundred fifty may elect four Delegates.

(4) Each having Average Sunday Attendance of more than one hundred fifty may elect five Delegates.

Section 5. Lay Delegates shall be persons of at least 15 years of age, communicants in the Parish or Mission by which they are elected, regular supporters of its work, and shall meet the eligibility standards of the Laws of Maine.

Section 6. (1) No delegate from a Parish or Mission shall be allowed to vote in the Convention unless the Parish or Mission which he or she represents shall have paid all assessments levied upon it pursuant to any Canon within the preceding calendar year. Such delegate shall, however, be entitled to be seated and to participate in the deliberations of the Convention.

(2) No delegate shall be allowed to vote in the election of a Bishop unless the Parish or Mission he or she represents shall have paid all sums due to the Episcopate Fund within the preceding three calendar years prior to the year in which the election is to occur.

(3) No delegate shall be allowed to vote in the election of a Bishop unless the Parish or Mission he or she represents shall have been represented by at least one lay delegate in the three preceding annual Conventions. This provision shall not apply in the event that such a Parish or Mission shall have been in union with the Convention for a lesser period.

(4) The Convention for good cause shown and by two-thirds majority vote, may excuse the

delegates of any Parish or Mission from the requirements of subsection 3 of this section so long as the Parish or Mission shall have been represented by a lay delegate at at least one of the three preceding annual Conventions.

(5) Any Parish or Mission wishing to apply for the excuse provided in subsection 4 shall state its case in writing to the Credentials Committee of the Convention, which shall report its recommendation to the Convention on such requests.

(6) No delegate from a Parish or Mission shall be allowed to vote in the Convention unless the Parish or Mission which he or she represents shall have filed with the Bishop of the Diocese, or where there is no Bishop, with the ecclesiastical authority of the Diocese, not later than three days before the start of the Convention or June 1 of the year in which such Convention is to occur, whichever comes first, a report prepared annually for the year ending December 31

preceding, in the form authorized by the Executive Council of the Episcopal Church of the United States and approved by the Committee on the State of the Church.

Section 7. The definition of the words "Average Sunday Attendance", the manner of ascertaining the number of Delegates to which each Parish or Mission is entitled, and of conducting and certifying their election shall be established by Canon.

Section 8. The evidence of the election of a Lay Delegate shall be a certificate prepared and submitted by the Rector or Priest in Charge (if there be one), or a Warden or Clerk of the Vestry or Bishop's Committee (if there is no Rector or Priest in Charge), which certificate shall declare that the provisions of this Article have been complied with.

Section 9. The Treasurer of the Diocese, the Treasurer of the Maine Episcopal Missionary Society, and the Chancellor of the Diocese shall be entitled to seats and votes in the Convention.

Section 10. No Lay Delegate shall be entitled to a seat in any Convention other than that for which the Delegate was elected.

#### **ARTICLE IV**

Section 1. A quorum for the transaction of business shall consist of one-fourth of the Clergy entitled to seats and Lay Delegates from one-fourth of the Parishes and Missions; provided that a smaller number shall have power to adjourn from time to time. In the election of a Bishop a majority of the Clergy and Lay Delegates entitled to vote in said election shall constitute a quorum.

Section 2. The Clergy and Lay Delegates shall vote in one body; provided that, on demand of five members, they shall vote in two distinct orders; and when so voting the concurrence of the two orders shall be necessary to enact a measure.

#### **ARTICLE V**

Section 1. A Secretary of the Diocese and a Treasurer of the Diocese shall be elected at each Annual Convention. Vacancies in the office of the Secretary or Treasurer shall be filled by appointment of the Ecclesiastical Authority.

Section 2. There shall be a Standing Committee of the Diocese consisting of three

ordained persons, Presbyters or Deacons, canonically resident in the Diocese, and three lay communicants of the Diocese. At the Annual Convention of the Diocese, one Presbyter or Deacon canonically resident in the Diocese and one lay communicant of the Diocese shall be elected to the Standing Committee to serve for the period beginning on the date of the Annual Convention at which the election is held and ending at the adjournment of the third succeeding Annual Convention.

Section 3. No person who has been elected to and served on the Standing Committee for terms totaling six consecutive years shall thereafter be elected to the Standing Committee until the expiration of at least one year following the end of the sixth year of service.

Section 4. The Standing Committee may fill vacancies in the membership occurring between Annual Conventions, provided, however, that a person so elected by the Standing Committee shall only serve by virtue of such election until the next Annual Convention and that at such Annual Convention the Convention shall elect a person to serve for the balance of the term in which the vacancy occurred.

## **ARTICLE VI**

Section 1. In case of a vacancy in the Episcopate of the Diocese the Standing Committee shall call a Special Convention for the election of a Bishop to be held within two years after the occurrence of said vacancy.

Section 2. The election of a Bishop shall be by concurrence of both orders voting separately by ballot. A majority of each order shall be necessary to a choice.

Section 3. The Clergy and Lay Delegates shall vote simultaneously and after said votes the choices of each order shall be communicated to the other. If both orders have chosen the same person, that person shall be declared elected; but if they have chosen different persons they shall vote again in the order and manner described.

## **ARTICLE VII**

Section 1. Parishes may be admitted into union with the Convention by a majority of the votes of the Convention, provided they shall furnish to the Convention:

(1) Evidence of the complete organization of the Parish under the laws of the State of Maine for the incorporation of the Parishes of the Protestant Episcopal Church.

(2) Vote of the Parish requesting such admission.

(3) Satisfactory evidence that said Parish, for at least two years immediately preceding said application, shall have been paying its Priest in Charge a minimum salary and such other amounts fixed by Canon, and paying in full its missionary apportionment and also satisfactory evidence that such Parish, for at least two years immediately preceding the date of its admission into union with the Convention, will have been self-supporting.

(4) A promise of obedience to the Doctrine, Discipline, and Worship of the Protestant Episcopal Church in the United States of America, and to the Constitution and Canons thereof and of the Diocese of Maine.

Section 2. The union of a Parish with the Convention and the right of representation may be forfeited by vote of the Convention on proof of refusal or neglect for two successive years to comply with the Constitution and Canons of the Diocese, or when for a period of two years said Parish has received missionary aid from either the Diocesan or General Missionary Societies, or if it shall not, within one year, have received from an endowment, or from the members of the Parish, and expended in the maintenance of regular public worship, at least six hundred dollars.

## ARTICLE VIII

Section 1. The form of organization of a Mission shall be approved by the Bishop and Standing Committee before the Mission is admitted into union with the Convention, and all changes in the organization of a Mission shall be approved by the Bishop and Standing Committee before taking effect. The first article of its Constitution shall state that the Mission accepts the Doctrine, Discipline, and Worship of the Protestant Episcopal Church in the United States of America, and promises obedience to the Constitution and Canons thereof and of the Diocese of Maine.

Section 2. There shall be in each Mission a Bishop's Committee consisting of lay persons as follows: one or two wardens, a clerk, a treasurer, and at least two other members, elected by the members of the Mission. No one shall be an officer who is not a stated contributor and worshipper at its services. No one shall be elected a warden who is not of full legal age. No one shall be elected to any other office who is not at least fifteen years of age. All officers shall be communicants in good standing. The Committee shall consult with the Bishop about the welfare of the Mission.

Section 3. A member of the clergy shall be appointed by the Bishop to act as the Bishop's vicar in the Mission. In the absence of the Bishop, the vicar shall preside at all meetings of the Bishop's Committee, have responsibility for the conduct of all services, and for the religious nurture and pastoral care of the members of the Mission. The vicar shall make monthly reports to the Bishop.

Section 4. All property of the Mission shall be held by the Trustees of Diocesan Funds. The treasurer shall receive and expend the monies of the Mission as directed by the Bishop, or the Bishop's Committee acting in the Bishop's stead; and shall meet such requirements of bonding and auditing and reports as are required by the action of the Convention.

Section 5. The union of an Organized Mission with the Convention and the right of representation may be forfeited by vote of the Convention on the recommendation of the Bishop and the Standing Committee, for reasons which they deem sufficient and which they report to the Convention.

## ARTICLE IX

This Constitution may be altered or amended at any Annual Convention if the proposition for such alteration or amendment, which must be in writing, shall have been approved by a vote of the Annual Convention next preceding.