

Resolution to Restore Article I Section I of the Diocesan Constitution and Canons to its Historic Form.

Whereas the Constitution of the Episcopal Church has from its first adoption in 1789 required all dioceses to place an unqualified accession to the constitution of The Episcopal Church in their diocesan constitutions and canons;

and whereas, General Convention of 1865 approved the creation of the Episcopal Diocese of Pittsburgh upon certification that the proposed diocese had such an accession statement in its constitution;

and whereas, The convention of the Episcopal Diocese of Pittsburgh amended Article I section I of the diocesan constitution to place qualifications upon that accession by adding additional language following the statement;

And whereas the Executive Council of The Episcopal Church is charged by the Constitution and Canons of The Episcopal Church with implementing the measures passed by General Convention ;

And whereas the Executive Council of The Episcopal Church passed a resolution at its June 14, 2007 meeting declaring the amendment passed by the diocesan convention in 2004 and those of three other dioceses "null and void" and that each of their diocesan constitutions "shall be as they were as if such amendments had not been passed";

And whereas leaving this amendment in the diocesan constitution and canons is therefore confusing and misleading,

Be it resolved that Article 1 Section 1 of the Episcopal Diocese of Pittsburgh Constitution and Canons the amended language added in 2004 be struck and the section restored so that in its entirety with no additions or omissions it reads as it did before convention 2004, that is: "The Church in the Diocese of Pittsburgh, being a constituent part of the Protestant Episcopal Church in the United States of America, accedes to, recognizes, and adopts the Constitution and Canons of that Church, and acknowledges its authority accordingly."

Rationale: The Executive Council passed its statement on the unconstitutionality of the 2004 Pittsburgh amendment after a full discussion and with the full support of its Chancellor, Sally Johnson, Esqr. The measure was brought forward from the Committee on National Concerns after full discussion there. At least six members of Executive Council are trained in the law and all supported this Executive Council resolution. Recently Bishop John Howe of Central Florida, (a founding member of the Anglican Communion Network) ruled out of order a proposal to add a qualification to the accession clause of that diocese because it was beyond the power of the diocese to change the clause. He had sought advice from 15 individuals, both liberal and conservative, including the two chancellors of the diocese of Central Florida and those of the dioceses of Utah, Colorado, and Upper South Carolina, the Chancellor to the Presiding Bishop, the Chancellor to the Executive Council, the past parliamentarian of the House of Bishops, four bishops with legal background (including Bishop William Wantland), and several other bishops and a leading expert on parliamentary procedure. This group overwhelmingly supported Bishop Howe's ruling that it is beyond the power of a diocese to alter the accession statement once the diocesan constitution has been accepted by General Convention. Thus the weight of legal opinion in the church has confirmed that our diocesan convention exceeded its powers in 2004. Leaving a statement which is null and void in the text of the Constitution and Canons is to confuse unnecessarily those who turn to the document for guidance.

Sponsors;

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