

Report of the Resolutions Committee
(5/16/2024)

1. **Subject: Resolution to Adopt Amendments to the Constitution of the South Dakota**
Source: Synod Council
Recommendation: Do Pass
2. **Subject: Continuing Resolution for Identifying Potential Nominees for Bishop**
Source: Synod Council
Recommendation: Do Pass
3. **Subject: Continuing Resolution for the Election of a Bishop**
Source: Synod Council
Recommendation: Do Pass
4. **Subject: Elect 2025 ELCA Churchwide Assembly Voting Members**
Source: Resolutions Committee
Recommendation: No Recommendation at this time, waiting for conferences to finish nominations
5. **Subject: Transfer of Conferences for Immanuel Lutheran Church, Canova**
Source: Resolutions Committee
Recommendation: Do Pass
6. **Subject: Reception of Walla Lutheran Church**
Source: Resolutions Committee
Recommendation: Do Pass
7. **Subject: 2025 Compensation and Guidelines for Rostered Ministers and Lay Staff**
Source: Committee for Support to Ministries and its Compensation Task Force
Recommendation: Do Pass
8. **Subject: Dedicated Chapel in New Prisons in South Dakota**
Source: Crossroads Conference Assembly
Recommendation: Do Pass
9. **Subject: Resolution to Change the Days of the Synod Assembly**
Source: Crossroads Conference
Recommendation: No recommendation at this time, referred by to Crossroads Conference
10. **Subject: ELCA World Hunger 50th Anniversary**
Source: Medary
Recommendation: Do Pass
11. **Subject: Elect South Dakota Synod Council Members**
Source: Resolutions Committee
Recommendation: Do Pass
12. **Subject: Resolution on Protecting Health Coverage for the Vulnerable People in South Dakota**
Source: Crossroads Conference, Bear Butte Conference
Recommendation: No recommendation
13. **Subject: Express Scripts**
Source: Resolutions Committee
Recommendation: Do Pass as Amended
14. **Subject: Resolution to Adopt Certain Resolutions En Bloc**
Source: Resolutions Committee
Recommendation: Do Pass

**Subject: Resolution to Adopt Amendments to the Constitution of the South Dakota
Source: Synod Council**

WHEREAS, the 2019 Churchwide Assembly adopted amendments to the model constitution for synods; and

WHEREAS, the Synod Council at the Fall 2023 meeting received notice that one required provision of the Model Constitution for Synods had not yet been adopted,

THEREFORE, BE IT RESOLVED, that the South Dakota Synod amend the Constitution, Bylaws, and Continuing Resolutions of the South Dakota Synod as follows:

Additions are underlined. Deletions are ~~struck through~~ in the text.

Chapter 8: Officers

†S8.52. The terms of the officers shall begin on the first day of the September month following election or, in special circumstances, at a time designated by the Synod Council.

~~S8.52. The terms of the officers shall begin as determined by the Synod Council.~~

~~S8.52.A17 The term of the bishop shall begin the first day of September following the election, or in special circumstances at the time designated by the Synod Council.~~

~~S8.52.B17 The term of the other officers (vice president, secretary, and treasurer) shall begin at the start of new business at the Synod Council meeting following the election, or in special circumstances at the time designated by the Synod Council.~~

Subject: Continuing Resolution for Identifying Potential Nominees for Bishop
Source: Synod Council

Whereas, the 2025 Synod Assembly will hold an election for Bishop of the South Dakota Synod;

Whereas, bylaw S9.04.02 of the synod directs the Synod Assembly to adopt a Continuing Resolution outlining the process for identifying potential nominees for the office of bishop, one (1) year prior to the assembly at which an election is to be held,

Be it resolved that, the South Dakota Synod, meeting in assembly, amend the Constitution, Bylaws, and Continuing Resolutions of the South Dakota Synod to strike S9.04.A18 and insert S9.04.A24, "Process of Identifying Potential Nominees Leading to the Election of a Bishop".

S9.04.A18 Process of Identifying Potential Nominees Leading to the Election of a Bishop

- 1. An incumbent bishop shall announce to the Synod Council whether he or she is willing to serve a subsequent term. Such announcement shall take place no later than the Synod Council meeting the fall prior to the Synod Assembly during which a bishop is to be elected.*
- 2. The processes for identifying potential nominees for Bishop and election of a Bishop shall apply for all elections of a Bishop.*
- 3. The Synod Council shall arrange for a synod study to be completed by the Synod Council meeting the fall prior to the beginning of the election process. The synod study shall be distributed to rostered ministers and congregations of the synod six months prior to the election, providing guidance throughout this synod as potential nominees for bishop are identified.*
- 4. At the assembly of each conference prior to the election of a bishop, held no later than 75 days prior to the Synod Assembly, the voting members will be asked to use the synod study document to guide conversation regarding the gifts desirable and necessary in a bishop.*
- 5. At the same conference assembly, the voting members will be asked to identify current rostered ELCA ministers of Word and Sacrament whom the voting members believe have gifts desirable in a bishop. Identified pastors do not need to be members of the conference or of the South Dakota Synod. All ELCA pastors are encouraged to give permission to be considered in the discernment process.*
- 6. The names of ministers of Word and Sacrament identified by conference assemblies will*

**Resolution #2:
Recommendation: Do Pass
Action Taken:**

be forwarded to the Bishop Election Committee on the day of the conference assembly.

7. The Bishop Election Committee will contact the individuals identified by the conferences to confirm their willingness to have their names included as possessing gifts for the office of bishop. If these individuals reaffirm their willingness to be so identified, the Bishop Election Committee will facilitate their completion of a biographical information form. The potential nominees are to submit these completed forms to the Bishop Election Committee within ten days of the conference assembly.

8. Forty-five days before the Synod Assembly begins the names and biographical information of the potential nominees for the office of bishop identified by the conferences will be posted on the synod website.

9. While these individuals are identified as potential nominees for the office of bishop, the South Dakota Synod will use the ecclesiastical ballot in which the name of any ELCA rostered minister of Word and Sacrament may be placed in nomination on the first ballot. Any person identified as a potential nominee must still be nominated on the first ballot by a voting member at the assembly.

10. The Synod Assembly will adopt Rules of Procedure for the Election of a Bishop based upon the ecclesiastical ballot as required by the South Dakota Synod Constitution.

Subject: Continuing Resolution for the Election of a Bishop
Source: Synod Council

Whereas, the 2025 Synod Assembly will hold an election for Bishop of the South Dakota Synod;

Whereas, bylaw S9.04.02 of the synod directs the Synod Assembly to adopt a Continuing Resolution outlining the rules of procedure for the election of a bishop, one (1) year prior to the assembly at which an election is to be held,

Be it resolved that, the South Dakota Synod, meeting in assembly, amend the Constitution, Bylaws, and Continuing Resolutions of the South Dakota Synod to strike S9.04.B18 and insert S9.04.B24, “Rules for the Procedure for the Election of a Bishop”.

S9.04.B18 Rules for the Procedure for the Election of a Bishop

1. In accordance with the South Dakota Synod Constitution, the election of a bishop shall be by ecclesiastical ballot. There shall be no spoken nominations from the floor.

2. Any ELCA rostered minister of Word and Sacrament is eligible for nomination for bishop. A valid ballot is to contain the nominee’s full name and any other applicable identifying information. All registered voting members of the South Dakota Synod Assembly shall be eligible to cast a ballot.

3. Three-fourths of the legal votes cast on the first ballot shall be necessary for the election of a bishop.

4. If no election occurs, the first ballot is the nominating ballot. This ballot becomes the total slate of nominees. The Bishop Election Committee will attempt to contact all nominees identified on the first ballot.

5. Ministers of Word and Sacrament nominated on the first ballot shall have the right to withdraw their names from subsequent ballots before the casting of the second ballot. A form requesting the name to be withdrawn must be secured from and returned to the Bishop Election Committee by a time designated in the Standing Rules. This may be done electronically or via phone for candidates not present.

6. On the second and all subsequent ballots, the order of listing of the nominees on the ballot shall be from the greatest number of ballots cast to the least. Ties shall be listed alphabetically. Three-fourths of the legal votes cast on the second ballot shall be necessary for election.

**Resolution #3:
Recommendation: Do Pass
Action Taken:**

7. *Following the report of the second ballot, biographical data for the seven nominees (plus ties) who receive the greatest number of ballots cast on the second ballot shall be available to all voting members. Background checks will be conducted for all nominees, to be reviewed by the Bishop Election Committee.*

8. *Before the casting of the third ballot, the seven nominees (plus ties) who receive the greatest number of ballots cast on the second ballot shall be invited to the stage and be introduced by name to the members of the assembly. There shall be no applause before, during, or after each individual introduction. After time has been allotted for all voting members to review the biographical information of the seven nominees (plus ties), they will be invited to address the assembly on a subject of their own choosing, with each speech limited to five minutes. If any such person is not present at the assembly, the individual may address the assembly in real time via audio or audiovisual means. A time keeper shall indicate to the speaker when 30 seconds remain of the allocated time and when the allocated time has elapsed. The sequence of the speeches shall be determined by lot. There shall be no applause before, during, or after individual speeches; only after all have spoken is there to be such affirmation. There shall be ten minutes' time allotted after these speeches for voting members to engage in prayer, reflection on the speeches, and informal conversation with other voting members before the third ballot is cast.*

9. *Two-thirds of the legal votes cast shall be necessary for election on the third ballot.*

10. *Prior to the fourth ballot for synod bishop, the three persons (plus ties) who received the greatest number of votes on the third ballot will be invited to participate in a question-and-answer period. The period shall be moderated by the designated presider for the election process. The same five questions shall be asked of each of the nominees. Only one nominee shall be in the assembly room at a time. The order that the nominees shall appear on stage to answer the questions shall be determined by the draw of name. Each nominee shall have a maximum of two minutes to respond to each question. If any nominee is not present at the assembly, that individual may address the assembly in real time via audio or audiovisual means. A time keeper will indicate to the speaker when 30 seconds remain of the allotted time and when the allotted time has ended. The time for the question-and-answer period shall be a maximum of 45 minutes. There shall be no applause before, during, or after each answer; only after the question-and-answer period has come to an end is there to be such affirmation. Questions to be asked shall be determined by the Bishop Election Committee. Any voting member of the Synod Assembly may submit questions in a process determined by the Bishop Election Committee by a time designated in the Standing Rules.*

Resolution #3:
Recommendation: Do Pass
Action Taken:

11. Prior to the casting of the fourth ballot, there will be time for prayer, reflection on the speeches, and informal conversation with other voting members. Sixty percent of the legal votes cast shall be necessary for election on the fourth ballot.

12. On ballots after the fourth ballot, the ballots shall be limited to the two nominees (plus ties) who receive the greatest number of votes cast.

13. On all subsequent ballots a majority of the legal votes cast shall be necessary for election.

14. The results of each ballot shall be announced to the assembly.

**Resolution #5:
Recommendation: Do Pass
Action Taken:**

Subject: Transfer of Conferences for Immanuel Lutheran Church, Canova
Source: Resolutions Committee

WHEREAS, Immanuel Lutheran Church in Canova, SD is a member of the Crossroads Conference, and is in a parish agreement with Zion Lutheran Church in Bridgewater, SD, a member of the Prairie Rivers Conference,

WHEREAS, Immanuel Lutheran Church has potentiated the synod to transfer to the Prairie Rivers Conference,

RESOLVED, that the South Dakota Synod transfer the conference membership of Immanuel Lutheran Church to the Prairie Rivers Conference.

**Resolution #6:
Recommendation:
Action Taken:**

Subject: Reception of Walla Lutheran Church
Source: Resolutions Committee

Whereas, Walla Lutheran Church of New Effington has fulfilled the requirements to become a congregation of the ELCA,

Whereas, the Synod Council has recommended the reception of Walla Lutheran Church,

Be it Resolved, that the South Dakota Synod receive onto the Roster of Congregations of this synod, Walla Lutheran Church;

Be it further resolved, this synod gives thanks for Walla Lutheran Church and all of our congregations for the mission and ministry that we are joined in together for the sake of proclaiming the Gospel to the world.

Be it further resolved, that this action be reported to the Office of the Secretary of the Evangelical Lutheran Church in America.

Resolution #7:
Recommendation: Do Pass
Action Taken:

Subject: 2025 Compensation and Guidelines for Rostered Ministers and Lay Staff
Source: Committee for Support to Ministries and its Compensation Task Force

RESOLVED, that the “2025 Compensation and Guidelines for Rostered Ministers and Lay Staff,” prepared by a task force for the Committee for Support to Ministries and recommended by the committee for adoption, be adopted as the policy of the South Dakota Synod by the 2024 South Dakota Synod Assembly.

**Resolution #8:
Recommendation: Do Pass
Action Taken:**

Subject: Dedicated Chapel in New Prisons in South Dakota
Source: Crossroads Conference Assembly

WHEREAS, Jesus called his followers to feed the hungry, give drink to the thirsty, welcome the stranger, clothe the naked, visit the sick, and to visit those in prison; and

WHEREAS, God commands his people to remember the Sabbath to keep it holy; and

WHEREAS, the right to reasonable access to religion and worship practices by those incarcerated by the State of South Dakota in its housing facilities is a constitutional right; and

WHEREAS, opportunities to worship, for Bible study, and to one-on-one pastoral care is an important desire in the life and rehabilitation of many of those incarcerated in our prison system, and;

WHEREAS, the South Dakota Department of Corrections currently provides a specific, dedicated chapel for worship opportunities in its current facilities; and

WHEREAS, the proposed space in a new facility has been communicated that it would not be a dedicated chapel, but a multi-purpose space; and

WHEREAS, the South Dakota Synod, and the churches within this Synod, recognizes the presence of an actual congregation of the church (St Dymas Lutheran Church) exists inside the various facilities of the South Dakota Department of Corrections; and

WHEREAS, the churches of the South Dakota Synod, with their individual members and attendees, guided by the Biblical witness, and instituted by our Lord, Jesus Christ deems the opportunity and place for worship as a sacred right.

THEREFORE, BE IT RESOLVED, that with boldness of faith and in love of neighbor, the South Dakota Synod asks that South Dakota's governor, the elected members of the governing body of the South Dakota legislature, and the Secretary of the South Dakota Department of Corrections and its administration, to provide a specific, dedicated chapel space (example of which, Hope Chapel in the SDSP, which is not a multi-purpose space); and

BE IT FURTHER RESOLVED, that the congregations, members, and rostered leaders of the South Dakota Synod advocate for a specific, dedicated chapel space (example of which, Hope Chapel in the SDSP, which is not a multi-purpose space); and

BE IT FURTHER RESOLVED, that all South Dakota Synod members be encouraged to pray for those in prison, and for those who make policies in our nation, state, and cities; and

BE IT FURTHER RESOLVED, that the Bishop of the South Dakota Synod communicate this resolution to the Governor of South Dakota, and their appointed cabinet members, including the Secretary of Corrections, in a timely fashion.

**Subject: ELCA World Hunger 50th Anniversary
Source: Medary**

ELCA World Hunger 50th Anniversary

“Let us love, not in word or speech, but in truth and action” I John 3:18

WHEREAS for 50 years Lutherans in the United States have committed to addressing root causes of global hunger and this effort became ELCA World Hunger. Together, we have contributed over \$650 million to fighting hunger in the US and around the world, and

WHEREAS ELCA World Hunger provides direct relief to feed and connect people with resources to improve food production and gain access to clean water, education, health care and sources of income, for sustainable change, and

WHEREAS ELCA World Hunger with congregations, companion churches, Lutheran World Federation and other partners like Bread for the World, Church World Service, Global Refugee fka “Lutheran Immigration and Refugee Service” and Lutheran World Relief, and by funding short- and long- term projects to assist our neighbors in 67 countries, and

WHEREAS ELCA World Hunger engages members of the ELCA through education and advocacy to change the injustices that perpetuate poverty. Through faithful advocacy, we live out our Lutheran belief that governments can advance the common good, and

WHEREAS SD Synod partner ministries have received \$582,333 over the past five years through Domestic Hunger Grants,

THEREFORE BE IT RESOLVED that Synod congregations commit to lifting up the work of ELCA World Hunger in this 50TH anniversary year through prayer, sharing information and education on the important work of following the words and example of Jesus to care for those in need;

THEREFORE BE IT RESOLVED that congregations be encouraged to join a synod-wide emphasis on supporting ELCA World Hunger, beginning on “God’s Work. Our Hands.” Sunday, September 8th through World Food Day, October 16th, 2024. Materials will be provided.

Resolution #11:
Recommendation: Do Pass
Action Taken:

Subject: Elect South Dakota Synod Council Members

Source: Resolutions Committee

RESOLVED, that the South Dakota Synod, ELCA elect the following conference nominees to the South Dakota Synod Council for a term of four years:

Prairie Coteau Conference (Rostered)	Reverend Michael DeKraai, Webster
Crossroads Conference (Lay)	Thad Titze, Sioux Falls
Southeastern Conference (Rostered)	Reverend Jeff Otterman, Yankton
Southeastern Conference (Lay)	Christy Harkness, Elk Point
Northern Plains Conference (Rostered)	Reverend Justin Van Orman, Mobridge
Prairie Rivers Conference (Lay)	Jeff Clark, Mitchell
Bear Butte Conference (Lay)	Craig Pfeifle, Rapid City

Subject: Resolution on Protecting Health Coverage for the Vulnerable People in South Dakota
Source: Crossroads Conference, Bear Butte Conference

Resolution on Protecting Health Coverage for the Vulnerable People in South Dakota

Whereas, Jesus said he would be found among the poorest people as we help them; and we live every day affirming our baptismal promises to strive for justice and to serve others following the example of our Lord Jesus Christ, who healed the sick and spoke up for the marginalized; and as Luther explained the 5th commandment, “We should fear and love God so that we do not hurt or harm our neighbor in his body, but help and support him in every physical need”; And

Whereas, Medicaid expansion in South Dakota was instituted by the voters in 2022, extending the state’s Medicaid program to all our lowest-income uninsured neighbors, ages 19-64, who qualify under the federal limits; and

Whereas, voter-approved Medicaid expansion is covering formerly unmet medical needs; providing treatments for infirmities, mental health and addictions; paying for healthcare while supporting health workers and facilities, especially rural ones, and giving people a stepping stone to work; and

Whereas, South Dakota’s low unemployment rate demonstrates that most people are working voluntarily if they are able, leaving little work to be gained by imposing a work rule that would burden all Medicaid expansion participants with work reporting requirements; and

Whereas, taking away health coverage from people who don't meet a work requirement can result in serious and even life-threatening consequences, because the loss of comprehensive healthcare cannot be adequately covered by charities; and

Whereas, those most vulnerable to a loss of coverage would be workers who lose Medicaid because of a job loss due to health issues, workers with part-time or seasonal or unstable jobs or unpredictable work hours, those with conditions requiring ongoing medical care but able to work at times, caretakers, and people in areas short of employment opportunities; and

Whereas, potential reasons for denying Medicaid coverage include insufficient hours of work, inadequate reporting, failing to adequately verify a physical or mental disability, or other allowed exemptions, and the complications for keeping coverage will inevitably cause many to lose it. (Arkansas’ Medicaid work rule caused 18,000 people aged 30-49 to lose their Medicaid, almost ¼ of participants); and

Whereas, health providers uniformly oppose legislation seeking to implement a Medicaid work requirement for Medicaid because it does not promote the objectives of Medicaid (health coverage for low-income people who lack it), and experiences have demonstrated that work requirements do not improve employment rates or health, but rather create barriers to care; and

Whereas, in short, the ballot measure provides no help but only offers the potential for taking away healthcare; and

Whereas, the SD Synod and its ministers have concurred in our SD Synod Constitution to serve in response to God's love to meet human needs, care for the sick, advocate dignity and equity for all people, and stand in solidarity with the poor, committing ourselves to their needs;

Therefore be it resolved, the SD Synod here assembled support the preservation of Medicaid expansion as approved by state voters in 2022 and oppose the 2024 ballot measure that could lead to the state being allowed to take away critical healthcare (Medicaid expansion) from people who do not report sufficient work hours and who do not prove an exemption, and urge the South Dakota voters to stand with us; and

Be It Further Resolved, that rostered leaders and members of the SD Synod be encouraged to share this resolution in their communities and advocate publically to secure the blessing of South Dakota's voter-approved Medicaid for the lowest-income South Dakotans.

**Resolution #13A:
Recommendation: Do Pass
Action Taken:**

**Subject: Express Scripts
Source: Resolutions Committee**

Whereas, the ELCA is using the Express Scripts as the sole resource for medicine and that Express Scripts goes out of its way to eliminate competition in the market place by doing everything through mail order.

Whereas, the 7th commandment states, "you shall not steal". Luther's words as to what does this mean? "We are to fear and love God so that we neither take our neighbors money, or of property or to acquire them by using shoddy merchandise or crooked deals, but instead help them to improve their property and income." The issue of crooked deals is of most importance.

Whereas, 39 Attorney Generals have stated that the PBM's account for billions of dollars of losses from small business owners in the United States due to charges that PBM's create.

Whereas, The social statement on healthcare adopted by the ELCA in 2003 has as its directive, "As members of the Evangelical Lutheran Church in America, and as a corporate body, we support

- A comprehensive approach to health care as a shared endeavor among individuals, churches, government, and the wider society;
- A vision of health care and healing that includes individual church, and social responsibilities;
- A vision of a healthcare system that is based on understanding health, illness, healing, and health care within a coherent set of services;
- Equitable access for all people to basic health care services and to the benefits of public health efforts;
- Faithful moral discernment guiding individual participation and public policymaking in health care services.

Therefore be it resolved, the South Dakota Synod direct the Bishop of the South Dakota Synod to advocate among the Conference of Bishops to address the financial inequality found in the pharmaceutical/insurance industry, including Express Scripts, and particularly the negative impact on rural communities.

Resolution #14:
Recommendation: Do Pass
Action Taken:

Subject: Resolution to Adopt Certain Resolutions En Bloc
Source: Resolutions Committee

RESOLVED, except for Resolutions removed from En Bloc for separate consideration, to adopt:

- #1 - Resolution to Adopt Amendments to the Constitution of the South Dakota**
- #2 - Continuing Resolution for Identifying Potential Nominees for Bishop**
- #3 - Continuing Resolution for the Election of a Bishop**
- #4 - Elect 2025 ELCA Churchwide Assembly Voting Members**
- #5 - Transfer of Conferences for Immanuel Lutheran Church, Canova**
- #11 - Elect South Dakota Synod Council Members**