



Report of the Reference and Counsel Committee

The reference and counsel committee understands its purpose to be to assist the assembly to do its work on resolutions. To that end, the committee:

- Checks for factual accuracy;
- Reviews and edits the resolutions submitted to provide the clearest possible wording;
- Considers consistency with established churchwide and synodical actions and policies; and
- Makes recommendations to the assembly for action on proposed actions, generally as follows:
 - Recommends approval for those actions that are consistent with, support, and extend the policy and ministry directions of the church;
 - Recommends disapproval for those proposed actions that are inconsistent with practice or would inhibit the work of the church;
 - Makes no recommendation in the case of resolutions which seek to ask for change or establish new policies or directions. In these cases, the committee seeks to lay the matter before the assembly as clearly as possible, so that the assembly can make its own determination.

Resolutions before the Assembly

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|---------------|---------------------------------|
| 1-2010 | Becoming a Multicultural Church |
| 2-2010 | Called to Specialized Ministry |
| 3-2010 | Advocate to Stop Usury |

Included, but not recommended for consideration or action:

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| 4-2010 | Retaining “Under God” in the Pledge of Allegiance |
| 5-2010 | Retaining “In God We Trust” on Currency |

2010-1: Becoming a Multicultural Church

- 1 WHEREAS, God has created the great diversity of humankind according to ethnicity, culture, language and
2 race as a gift, and called the Church to the ministry of reconciliation;
- 3 WHEREAS, the people from many nations who have come to the United States as immigrants and refugees
4 have greatly enriched our communities and the Church;
- 5 WHEREAS, the congregations of the Evangelical Lutheran Church have fallen far short of our stated goal of
6 “ten percent of the baptized membership of this Church be persons of color or whose primary
7 language is other than English within 10 years”¹;
- 8 WHEREAS, our congregations in the Saint Paul Area Synod have also fallen short of our shared goal of ten
9 percent membership by persons of color or whose primary language is other than English²;
- 10 WHEREAS, most of our congregations have not called as lay or ordained leaders persons of color (or those
11 whose primary language is other than English) and often do not reflect the ethnic, cultural,
12 language, and racial diversity in our communities; therefore be it
- 14 RESOLVED, that the synod council appoint a task force (including persons of color) to develop and
15 implement a public strategy for increasing the number of pastoral and lay ministerial calls in the
16 Saint Paul Area Synod for persons of color and whose primary language is other than English,
17 with realistic, measurable goals and outcomes; and
- 18 RESOLVED, that the task force, as part of this strategy, develop and provide resources and workshop oppor-
19 tunities for congregations and leaders to address racism, multicultural diversity and
20 cross-cultural hospitality in our congregations and communities; and
- 21 RESOLVED, that our congregations be encouraged to work through our synod’s Local Mission Partners,
22 ethnic congregations and multicultural congregations and hold opportunities for cross-cultural
23 conversations and relationship building in the coming year; and
- 24 RESOLVED, that the theme for the 2011 Saint Paul Area Synod assembly be “Becoming a Multicultural
25 Church” and explore how to address our current shortcomings in becoming more multi-cultural;
26 and how to welcome persons of color in our communities as a mission strategy for the Church.

¹ The percentage was three percent in 2007. See “Review of the Multicultural Ministries Program Unit”, by Modupe Edeoga and Kenneth W. Inskip, Research and Evaluation, ELCA, April 6, 2009; and “Baptized Membership of the ELCA by Race/Ethnicity,” Multicultural Ministries, ELCA.org.

²From 2001 to 2007, the percentage of total members of color/language other than English in the Saint Paul Area Synod increased from 1.4 percent to 1.8 percent. Source: ELCA Research and Evaluation, Congregational Report Forms, ELCA.org.

Submitted by the Vestry of Lutheran Church of the Redeemer, St. Paul. Adopted by the South Central Conference (as amended) and the North Central Conference at Conference Assemblies at Christ the King Lutheran Church, New Brighton, on February 21, 2010. Contact Persons: Pastor James Erlandson, 651.227.8295 or jameserlandson@msn.com.

Reference and Counsel recommends approval of the resolution.

The South Central Conference adopted the resolution as printed above. The North Central Conference adopted the resolution with this additional RESOLVED clause:

RESOLVED, that the Saint Paul Area Synod make increasing the number of pastoral and lay ministerial calls and membership of persons of color/whose primary language is other than English a priority for our mission and public witness and encourage synod congregations to share in this witness;

Rationale for recommending the South Central resolution instead of the North Central resolution: The use of “priority” isn’t measurable and already exists as a churchwide emphasis of the ELCA. In addition, the synod does not issue congregational calls and has no authority to increase their number.

2010-2: Called to Specialized Ministry

- 1 WHEREAS, The ELCA Constitution 7.41.12. states under Initial Call to Congregational Service: “Because the re-
2 sponsibilities of the office of the ordained ministry are most clearly focused in the congregational pas-
3 torate, experience in which is deemed by this church to be invaluable for all other ordained service,
4 initial service of at least three years shall be in the parish ministry in this church. Exceptions may
5 be granted under criteria and procedures recommended by the appropriate churchwide unit, reviewed
6 by the Conference of Bishops, and adopted by the Church Council,” and,
7 WHEREAS, the maturity and life experience of older seminary students are acknowledged in the process of seek-
8 ing an exemption to the three-year rule, but seminarians who have a passion for chaplaincy
9 and other specialized ministries are nevertheless faced with the additional challenge of navigating a
10 process that does not encourage them to excel in their area of interest, and
11 WHEREAS, the current model is one of consecutive service, in which pastors serve first in a congregational setting
12 before moving into non-parish ministry, and in which they may have little or no formal connection to
14 or support from a congregation throughout the remainder of their ordained service, and
15 WHEREAS, the congregation is the heart of the church, and pastors have more natural connections to the ELCA
16 through their congregations than through non-congregational ministries, and
17 WHEREAS, the church is missing an opportunity to connect those in specialized ministries with parish pastors,
18 leaving a wealth of pastoral skill and experience largely untapped; therefore be it.
19 RESOLVED, that the Saint Paul Area Synod request the Vocation and Education Unit to develop a new model
20 for preparing and certifying candidates for ordained service; and be it further
21 RESOLVED, that future candidates for specialized ministries follow a model of concurrent service, rather than
22 consecutive service. Rather than fulfilling a call to congregational ministry prior to moving into
23 specialized ministry, in this model pastors could be ordained to a non-parish ministry, and be
24 linked with a congregation concurrently with their service in other settings; and be it further
25 RESOLVED, that the current practice of requiring three years of parish service and at the same time allowing
26 for an exemption to that requirement be replaced with this model; and be it
27 RESOLVED, that all clergy ordained under this model, serving in non-congregational settings, would have
28 a formal relationship with a congregation as an affiliated pastor, defined in ways appro-
29 priate to the needs and personalities of the clergy and congregations, to include Word and
30 Sacrament ministries, as negotiated by the parties involved. Pastors in non-congregational minis-
31 tries would be expected to fulfill this congregation-based service throughout their entire ministry
32 career, concurrently with their specialized service; and be it
33 RESOLVED, that this model would apply only to candidates for ordination who enter ordained service under
34 this model.

Approved by the congregation council of Gloria Dei Lutheran Church, St. Paul, March 16, 2010. Written by the Rev. Russell N. Myers, chaplain, United Hospital and Allina Medical Transportation, 651.241.8892 or Russell.Myers@allina.com.

Reference and Counsel recommends defeat of this resolution.

Rationale: Call and ordination policies and theology are complex and difficult issues to address adequately in brief plenary debate and vote. Additionally, a system is already in place to consider individual circumstances.

2010:3 Advocate to Stop Usury*

- 1 WHEREAS, predatory loan practices in the subprime lending industry have increased at an alarming rate and are
2 taking advantage of as well as harming the economic wellbeing of our neighbors who are most finan-
3 cially vulnerable;
4 WHEREAS, the dramatic increase in the number of predatory loans and the amount of capital flowing through
5 payday lenders are not providing borrowers with a solution to their financial strains, but instead have
6 created a nightmare of debt entrapment for many consumers;
7 WHEREAS, our Scriptures, Martin Luther's writings, and the principles found in Lutheran ethical teaching ex-
8 pressed in our ELCA social statements direct us as Christians in society to advocate for policies that
9 foster financial practices that do not unfairly take advantage of people who are in need; therefore be it
10 RESOLVED, that the Saint Paul Area Synod in assembly call on our members to learn more about predatory
11 lending abuses and non-usurious alternative practices ; and be it finally
12 RESOLVED, that we condemn as usurious any interest rate that exceeds 36 percent annualized percentage
14 rate (APR); and be it further
15 RESOLVED, that we urge the Lutheran Coalition for Public Policy in Minnesota to advocate with the mem-
16 bers of our congregations for legislation that prohibits usurious practices with regulation that
17 limits interest charges in Minnesota to not more than 36 percent APR.

*Unconscionably high interest rates

Submitted by the Joint Peace with Justice Committee of the Minneapolis and Saint Paul Area Synods, approved at a meeting on February 9, 2010. Author and Contact: Mary Amdahl, 651.698.6441 or mamdahl6441@msn.com.

Background Information

This resolution is part of a nation-wide effort to reform predatory lending practices. In 2006, Congress limited the interest rate on payday loans to military members and their families to 36 percent Annual Percentage of Rate (APR) and fifteen states plus the District of Columbia limited lending from 17 percent to 36 percent APR (Center for Responsible Lending, 2009).

Through payday loans, lenders provide the recipient with cash one or two weeks in advance of his/her paycheck. Under current predatory practices, some payday loans include fees and charges that can result in loans with effective annual interest rates as high as 800%. The Center for Responsible Lending data indicate about one-quarter of payday loans are made to borrowers who visit payday lenders twice a month for more than ten months per year and six in ten are made to borrowers who visit payday lenders twice a month for more than six months. Industry proponents argue that payday loans are cheaper than alternatives, such as overdraft fees, bounced check fees and late payment fees. The high frequency use of payday loans and the resultant entrapment by the effective annual interest rates undermine the comparison.

The payday lending industry is now a \$70 billion business and there are 23,000 payday lenders in the United States. The industry uses its wealth to lobby against legislation that would limit the interest rates they charge.

A common, though unsupported, justification for the high rates payday loans carry is that they are high risk. Consumer advocates charge they are actually not high risk, only high cost. Two industry supporters, Ronald J. Mann and Jim Hawkins, acknowledge that the "overwhelming majority of payday lending transactions do not result in default." In Minnesota, the default rate on payday loans not only is in the decline, but also is substantially lower than for other forms of credit, such as credit cards. From its high of 3.0 percent in 2005, the default rate (as a percentage of dollars loaned) dropped by 10 percent, to 2.7percent in 2008. The cumulative payday loan default rate from 2000 through 2008 is even lower—2.4 percent. Payday America's own testimony confirms that defaults are low and there is no correlation between rates and risk. According to the president of Payday America, "less than 2 percent of all Payday America loans go to collections." (pp. 25-26, *History Repeats Itself: A New Generation of Payday Lenders Exploit a Legal Loophole to Pick Minnesotan's Pockets*. Ron Elwood & Kari Rudd, (Legal Services Advocacy Project, St. Paul, MN, February 2010)

Reference and Counsel passes the resolution to the assembly for vote without recommendation.

Rationale: The issue is complex and difficult to address adequately in plenary debate.

2010-4: Retaining “Under God” in the Pledge of Allegiance

- 1 WHEREAS, on February 7, 1954, with President Eisenhower sitting in “Abraham Lincoln’s pew” at the
2 New York Avenue Presbyterian Church, the church’s pastor, George MacPherson Docherty, deliv-
3 ered a sermon based on Lincoln’s Gettysburg Address and called for the addition of “under God”
4 to the Pledge of Allegiance.
- 5 WHEREAS, Docherty argued that the nation’s might lay not in arms but its spirit and higher purpose,
6 WHEREAS, Docherty noted that the current Pledge of Allegiance could reflect the sentiments of any nation,
7 WHEREAS, Docherty noted that there was something missing in the pledge and that which was missing was the
8 characteristic and definitive factor in the American way of life,
9 WHEREAS, Docherty cited Lincoln’s words “under God” as defining words that set the United States apart from
10 other nations,
11 WHEREAS, President Eisenhower responded enthusiastically to Docherty in a conversation following the service
12 and acted quickly on his suggestion to add “under God” to the pledge,
14 WHEREAS, on the very next day, February 8, 1954, Representative Charles Oakman from Michigan, introduced a
15 bill to that effect and
16 WHEREAS, Congress passed the necessary legislation and President Eisenhower signed the bill into law on Flag
17 Day, June 14, 1954; be it
18 RESOLVED, that the ELCA oppose all attempts, including legal and political, to remove the phrase “under
19 God” from the Pledge of Allegiance as last amended by the US Congress on June 14, 1954 to
20 read: “I pledge allegiance to the flag of the United States of America, and to the republic
21 for which it stands, one nation under God, indivisible, with liberty and justice for all.”

Adopted and submitted by the King of Kings Church Council March 16, 2010.

Reference and Counsel recommends no action be taken by the assembly.

Rationale: The ELCA has no social statements on this matter, and the issue does not significantly advance the mission and ministry of the ELCA.

2010-5: Retaining “In God We Trust” on Currency

- 1 WHEREAS, in his letter dated November 20, 1861 to James Pollack, Director of the US Mint at Philadelphia,
2 Salmon Chase, then Secretary of the US Treasury instructed Mr. Pollack to prepare a national
3 motto to be declared on US currency stating in his letter: “No nation can be strong except in the
4 strength of God, or safe except in His defense. The trust of our people in God should be declared
5 on our national coins.” and
6 WHEREAS, Mr. Chase’s written words still hold true today; be it,
7 RESOLVED, that the ELCA oppose all attempts, including political and legal, to remove the motto “In God
8 We Trust” from all existing and future forms of United States of America currency.

Adopted and submitted by the King of Kings Church Council March 16, 2010.

Reference and Counsel recommends no action be taken by the assembly.

Rationale: The ELCA has no social statements on this matter, and the issue does not significantly advance the mission and ministry of the ELCA