

## PROPOSED AMENDMENTS TO THE CONSTITUTION

Proposed Amendments to the *Book of Order*

Approved by the 223<sup>rd</sup> General Assembly (2018)

### **Amendment 18-A. Election of Ruling Elders and Deacons**

#### **On Amending G-2.0401 (Item 06-11)**

*This amendment originated from the Presbytery of Grace. The amendment is intended to clarify the somewhat ambiguous language regard the congregational nominating committee membership. It sets the minimum size at three members, not including the pastor. The goal of the amendment was to provide clarity.*

*Arguments in Support:*

*From rationale: Ideal for small congregations. Also provides flexibility for other churches to add more than the minimum.*

*From ACC: Adds clarity and is consistent with past practice.*

*Arguments Against:*

*None.*

Advisory Committee on the Constitution recommended approval

Assembly Committee on Church Polity and Ordered Ministry (06) voted to approve amendment as amended by 54 – 0.

General Assembly approved approval of amendment as amended 478 – 3.

### **Amendment 18-B.1 Renunciation of Jurisdiction**

#### **On Amending G-2.0509 (Item 06-09, Recommendation 1)**

This amendment, along with the next amendment (18-B.2), come out of the intent to clarify congregational prohibition and individual jurisdiction when a PC(USA) minister of the Word and Sacrament renounces jurisdiction while in the midst of disciplinary proceedings and then later wants to rejoin the PC(USA).

*The proposed amendment originated from the Presbytery of Central Florida. The current language of G-2.0509 while intended to protect the church and its entities who have left the church by renunciation during the disciplinary process and now seeks to rejoin the PC(USA) has created a situation in which the administration of justice is impossible to carry out because a person who has renounced jurisdiction no longer holds membership in the PC(USA).*

*Argument in Support:*

*Seems reasonable and the process is understandable*

*Arguments Against:*

*No articulated opposition expressed in the Assembly Committee*

*ACC: See discussion in bulletin at pages 4 – 5.*

*The new language would eliminate any requirement of membership by the former MWS before application for restoration*

*The term “application” to the presbytery is not defined and there are no criteria for considering such an application*

*Contrary to a 1989 authoritative interpretation that specifies that one who renounces jurisdiction and seeks to return to ministry in the PC(USA) shall first come under the jurisdiction of the church as a member of a particular church and then initiate the process and procedures for Preparation for Ministry. The new language would not require membership in any church.*

*A MWS who has renounced jurisdiction may not be restored to ordered ministry because the person voluntarily acted to negate that status, especially where a disciplinary case was pending and has refused to be subject to church discipline.*

*Office of General Assembly: This change should be referred to the task force working on a revision to the Rules of Discipline.*

*Members of the Safe and Sacred Space Task Force: The second paragraph increases risk of abuse within the church by allowing a former minister to return to ministry within the PC(USA) with an easier path of restoration where any prior allegations of abuse are without resolution.*

Advisory Committee on the Constitution recommended disapproval  
Assembly Committee on Church Polity and Ordered Ministry (06) voted to approve the amendment as amended by 54 – 3

General Assembly approved the amendment as amended by 466 – 7

### **Amendment 18-B.2 Renunciation of Jurisdiction**

#### **On Amending D-10.0401d (Item 06-09, Recommendation 2)**

This amendment, along with the prior amendment (18-B.1), come out of the intent to clarify congregational prohibition and individual jurisdiction when a PC(USA) minister of the Word and Sacrament renounces jurisdiction while in the midst of disciplinary proceedings and then later wants to rejoin the PC(USA).

*The proposed amendment originates from the Presbytery of The Twin Cities Area. The rationale argues that the current provisions of D-10.0401d allow former teaching elders to rejoin the church after renouncing jurisdiction but does not require them to face accusations*

*until sometime in the future when they themselves choose to come forward by self-accusation.*

*Arguments in Support:*

*Current G-2.0509 and D-10.0401d are inconsistent with the purposes of the Rules of Discipline set forth in the Preamble and is unfair to victims who are never sure when the accused is going to choose to resume the disciplinary process. The current rules now “punishes victims”.*

*Arguments Against:*

*ACC: This change should be referred to the task force working on a revision to the Rules of Discipline.*

*Advocacy Committee for Women’s Concerns: Supports the changes but they are inadequate.*

*Office of General Assembly: This change should be referred to the task force working on a revision to the Rules of Discipline.*

Advisory Committee on the Constitution recommended disapproval

Assembly Committee on Church Polity and Ordered Ministry (06) voted to approve the amendment as amended by 54 – 3

General Assembly approved the amendment as amended by 466 – 7

**Amendment 18-C Officers**

**On Amending G-3.0104 (Item 06-16)**

*This amendment comes from the Presbytery of Western North Carolina. Since 1954, the Johnson Amendment to the United States tax code prohibits charitable organizations, including churches, from endorsing or opposing political candidates. Action has been taken to loosen this prohibition. This amendment would offer explicit guidance to governing*

*bodies or those in leadership positions regarding endorsing or opposing candidates running for political office.*

*Arguments in Support:*

*Preferable to passing this amendment after the Johnson Amendment is removed by Congress.*

*Get in front of possible changes to Johnson Amendment*

*Assists in protecting 501(C)(3) status*

*In plenary: Divisive times and this amendment enables time honored separation of church and state*

*In plenary: Will not interfere with MWS speaking to social policy issues*

*Arguments Against:*

*Presbyterian sensibilities tells us not to advocate for or against a political candidate*

*Specific prohibition implies the absence of authority to speak from the pulpit with the authority of scripture*

*ACC: This amendment would reverse long-standing foundational principles of our denomination and have long-reaching effects on the church in the areas of individual discernment and diversity of religious belief, formation of conscience in community, separation of church and state, responsibility for involvement in public life and endorsement or opposition to political candidates. See discussion in bulletin at pages 8-10.*

Advisory Committee on the Constitution recommended disapproval

Advisory Committee for Social Witness Policy recommended approval after making a proposed amendment which was not adopted by the General Assembly

The Assembly Committee on Church Polity and Ordered Ministry (06) voted the proposed as amended 31-24.

The General Assembly approved the amendment as amended by 370-99.

### **Amendment 18-D Membership of Presbytery**

#### **On Amending G-3.0306 (Item 06-05)**

*This proposed amendment originates from the Presbytery of Tropical Florida. This amendment would provide clarity to minister members seeking permission to labor within the bounds of a presbytery beyond their current membership.*

*Arguments in support:*

*Clarifies laboring outside bounds of presbytery of membership*

*Brings back language from old Book of Order (2009-2011)*

*Arguments against:*

*None*

The Advisory Committee on the Constitution recommended approval

The Assembly Committee on Church Polity and Ordered Ministry (06) voted the proposed as amended 52-1.

The General Assembly approved the amendment as amended by 442-13.

## **Amendment 18-E Pastor, Counselor, and Advisor to Its Pastors and Congregations**

### **On Amending G-3.0307 (Item 16-02)**

*The proposed amendment originated from the Presbytery of Santa Fe. The proposed amendment seeks to clear up repetitive wording in G-3.0307.*

*Arguments in Support:*

*Correcting language*

*Limited discussion*

*Arguments against:*

*None.*

The Advisory Committee on the Constitution recommended approval for this amendment because the existing language introduced the term “pastor” and was cutting off all MWS not serving as installed or temporary pastors from access to COM which this amendment corrects

The Assembly Committee on Church Polity and Ordered Ministry (06) voted to approve the proposed amendment as amended by 52 – 0.

The General Assembly approved the amendment as amended by 464-3.

## **Amendment 18-F. Welcoming to the Table**

### **On Amending W-4.0202 (Item 14-3)**

*This proposed amendment originates from the Presbytery of Grace. This amendment seeks to clarify that when children receive the Lord’s Supper for the first time, the Directory of Worship is not suggesting a service such as “first communion”.*

*Argument in support:*

*Rationale: the current language of “the session should provide an occasion to welcome them” could be interpreted as the need to provide a “first communion” service for baptized children or that baptized children must be of a certain age or complete certain educational requirements*

*ACC advises approval*

*Argument against:*

*None*

The Advisory Committee on the Constitution recommended approval

The Assembly Committee on Theological and Church Growth Issues and Institutions (14) voted to approve the proposed amendment by 50-1.

The General Assembly approved the proposed amendment by voice vote.

### **Amendment 18-G. Disciplinary Offense**

#### **On Amending D-2.0203b (Item 06-04)**

*This proposed amendment originates from the Presbytery of North Alabama. This amendment is intended to insure that violations of a council’s sexual misconduct policy are contrary to the Scriptures or the Constitution and may be address through the disciplinary process.*

*Arguments in support:*

*Rationale: Violations of a council’s sexual misconduct policy must be eligible to be addressed through our disciplinary process and are by their very nature contrary to the Scriptures or the Constitution*



*Makes offense definition clear*

*No discussion in plenary*

*Arguments against:*

*Concerns were expressed prior to approval of an amendment to the overture*

*No concerns following approval of amendment*

The Advisory Committee on the Constitution recommended disapproval because this amendment is not necessary as the Book of Order is not an enumeration of specific permitted or prohibited conduct, but rather a guide for all councils in administering their mission; listing of one offense may imply that violations of other policies are not subject to disciplinary action

The Advocacy Committee on Women's Concerns recommended approval

The Assembly Committee on Church Polity and Ordered Ministry (06) voted to approve the amendment as amended by 53 – 0.

The General Assembly approved the amendment as amended by 416-13.

### **Amendment 18-H.1 Time Limit**

#### **On Amending D-10.0401b (Item 06-24)**

*This proposed amendment originates from the Advisory Committee on the Constitution. The amendment proposes to impose a level of responsibility on persons that are not currently part of the Rules of Discipline. The amendment imposes a negligence standard for failure to respond to situations involving a reasonable risk of sexual misconduct, including the failure to report appropriately.*

*Argument in Support:*

*None.*

*Arguments against:*

*Should be referred to task force for rewriting of the Rules of Discipline*

The Assembly Committee on Church Polity and Ordered Ministry (06) voted to approve the proposed amendment as amended by 47 – 1.

The General Assembly approved the amendment as amended by 455 – 16.

### **Amendment 18-H.2 Time Limit**

#### **On Amending D-10.0401c(1) (Item 06-24)**

*This proposed amendment originates from the Advisory Committee on the Constitution. The proposed language recognizes that minors cannot consent and other persons may lack the capacity to consent.*

*Argument in Support:*

*None.*

*Arguments against:*

*Should be referred to task force for rewriting of the Rules of Discipline*

The Assembly Committee on Church Polity and Ordered Ministry (06) voted to approve the proposed amendment as amended by 47 – 1.

The General Assembly approved the amendment as amended by 455 – 16.