

ASSOCIATION OF STATED CLERKS

**Analysis of Amendments to the Constitution
Proposed by the 223rd General Assembly (2018)**

INTRODUCTION

As in prior years, the Association of Stated Clerks is publishing this *Analysis of Amendments to the Constitution* to assist presbyteries in studying and acting on the amendments proposed by this year's General Assembly (2018). The analysis includes a Brief Description of the amendment, the committee and Assembly Action, Arguments Supporting an Affirmative Vote, and Arguments Supporting a Negative Vote. Most of the proposed changes came from the Assembly Committee on Church Polity and Ordered Ministry (06). I sat in this committee and most of the controversial proposals were either referred or found little opposition once amendments to the original overture were approved.

Our purpose has been to present arguments made in favor of and against each amendment both in meetings of the assembly committee that considered the overture leading to the amendment and on the floor of the General Assembly. It is not the role of the Association to make a recommendation either in support of or against any amendment. This analysis is best used in conjunction with the Proposed Amendments to the Constitution published by Office of the General Assembly. Many presbyteries provide copies of this analysis to their committees responsible for making a recommendation on presbytery action, and we understand that this has assisted those committees as they have done their work. We are glad that these materials are used in that way. Please note that you are free to use them as you wish. We assert no copyright and do not require advance approval of their use.

Additional background information on any of the proposed changes can be found at <http://www.pc-biz.org>.

Thank you to the ASC members who diligently attended committee meetings and provided information about what the pros and cons were for each amendment and to the Office of Constitutional Interpretation for their assistance.

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PROPOSED AMENDMENTS TO THE CONSTITUTION

18-A Election of Ruling Elders and Deacons On Amending G-2.0401 (Item 06-11)

Brief Description

This amendment originated from the Presbytery of Grace. The amendment is intended to clarify the somewhat ambiguous language regarding the nominating committee membership. It sets the minimum size of the nominating committee at three members, not including the pastor. The goal is to provide clarity while preserving the overall permission-giving nature of the Form of Government.

Assembly Action

The Assembly Committee on Church Polity and Ordered Ministry (06) voted to approve the proposed amendment as amended by a vote of 54/0. The 223rd General Assembly (2018) approved the committee's recommendation with amendment 478/3.

Arguments Supporting an Affirmative Vote

- From rationale: Ideal for small congregations yet also provides flexibility for churches to add more from the minimum.
- From ACC: Adds clarity and is consistent with past practice.

Arguments Supporting a Negative Vote

- None

18-B. Renunciation of Jurisdiction

Brief Description

These two amendments (18-B.1 and 18-b.2), (Item 06-09, Recommendations 1. and 2.) come out of the intent to clarify congregational prohibition and individual jurisdiction when a PC(USA) minister of Word and Sacrament renounces jurisdiction while in the midst of disciplinary proceedings and then wants to rejoin the PC(USA). The General Assembly approved the combination of two proposed amendments in one item. The advice on each of these proposed amendments come from the separate items, (Items 06-09 and 06-07) not on the combined items.

18-B.1 On Amending G-2.0509 (Item 06-09)

Brief Description

The proposed amendment originated from the Presbytery of Central Florida as Item 06-09. The rationale provided was that the [former] amendment to G-2.0509, while intended to protect the church and its entities from ministers who have left the church without submitting to the constitutional process for establishing guilt or innocence and providing for repentance when repentance is needed, have instead created a situation in which the administration of justice, as defined by the amendment, is impossible to carry out. See the complete rationale on pages 3 and 4 of the Amendment Booklet.

18-B.2
On Amending D-10.0401d (Item 06-09)

Brief Description

The proposed amendment originated from the Presbytery of The Twin Cities Area as Item 06-07. See edited rationale on pages 5 and 6 of the Amendment Booklet.

Assembly Action

The Assembly Committee on Church Polity and Ordered Ministry (06) voted to approve the proposed amendment as amended by a vote of 54/3. The 223rd General Assembly (2018) approved the committee's recommendation with amendment by a vote of 466/7.

Arguments Supporting an Affirmative Vote

- Seems reasonable and the process is understandable

Arguments Supporting a Negative Vote

- No articulated opposition expressed in committee
- See discussion in booklet by Advisory Committee on the Constitution

18-C Officers
On Amending G-3.0104 (Item 06-16)

Brief Description

The proposed amendment comes from the Presbytery of Western North Carolina. Since 1954, the Johnson Amendment has been a provision in the United States tax code prohibiting 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 to those in leadership positions regarding endorsing or opposing candidates running for political office.

Assembly Action

The vote of the Assembly Committee on Church Polity and Ordered Ministry (06) voted to approve the proposed amendment as amended by a vote of 31/24. The 223rd General Assembly (2018) approved the committee's recommendation with amendment by a vote of 370/99.

Arguments in Support of an Affirmative Vote

- Preferable to passing after 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, enables time honored separation of church and state
- In plenary: Not interfere with minister of Word and Sacrament speaking to social policy

Arguments in Support of a Negative Vote

- Presbyterian sensibilities tells us not to advocate for or against a candidate
- Specific prohibition implies the absence of authority to speak from the pulpit with the authority of scripture
- See Advisory Committee on the Constitution's lengthy discussion

**18-D. Membership of Presbytery
On Amending G-3.0306 (Item 06-05)**

Brief Description

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 that of the membership of the minister of Word and Sacrament's membership.

Assembly Action

The Assembly Committee on Church Polity and Ordered Ministry (06) voted to approve the proposed amendment as amended by a vote of 52/1. The 223rd General Assembly (2018) approved the committee's recommendation with amendment by a vote of 442/13.

Arguments in Support of an Affirmative Vote

- Clarifies laboring outside bounds of presbytery of membership
- Brings back language from old Book of Order

Arguments in Support of a Negative Vote

- None

**18-E. Pastor, Counselor, and Advisor to Its Pastors and Congregations
On Amending G-3.0307 (Item 06-02)**

Brief Description

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

Assembly Action

The Assembly Committee on Church Polity and Ordered Ministry (06) voted to approve the proposed amendment as amended by a vote of 52/0. The 223rd General Assembly (2018) approved the committee's recommendation with amendment by a vote of 464/3.

Arguments in Support of an Affirmative Vote

- Correcting language
- Limited discussion

Arguments in Support of a Negative Vote

- None

**Amendment 18-F. Welcoming to the Table
On Amending W-4.0202 (Item 14-03)**

Brief Description

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."

Assembly Action

The Assembly Committee on Theological & Church Growth Issues and Institutions (14) voted to approve the proposed amendment with comment by a vote of 50/1. The 223rd General Assembly (2018) approved the committee's recommendation with a voice vote.

Arguments in Support of an Affirmative Vote

- Advisory Committee on the Constitution advises approval

Arguments in Support of a Negative Vote

- None

**Amendment 18-G. Disciplinary Offense
On Amending D-2.0203b (Item 06-04)**

Brief Description

This proposed amendment originates from the Presbytery of North Alabama. The 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 addressed through the disciplinary process.

Assembly Action

The Assembly Committee on Church Polity and Ordered Ministry (06) voted to approve the proposed amendment as amended by a vote of 53/0. The 223rd General Assembly (2018) approved the committee's recommendation with amendment by a vote of 416/13.

Arguments in Support of an Affirmative Vote

- Makes offense definition clear
- No discussion in plenary

Arguments in Support of a Negative Vote

- Concerns were expressed prior to approval of amendment to the overture
- None following approval of amendment

**Amendment 18-H. Time Limit
On Amending D-10-0401 (Item 06-24)**

18-H.1 & 18-H.2

Brief Description

This proposed amendment originates from the Advisory Committee on the Constitution. The amendment proposes to impose a level of responsibility on persons that is not currently part of the Rules of Discipline (H.1). The proposed language also recognizes that minors cannot consent (H.2). Motion to refer overture to Rules of Discipline Task Force ultimately failed and a substitute motion was approved.

Assembly Action

The Assembly Committee on Church Polity and Ordered Ministry (06) voted to approve the proposed amendment as amended by a vote of 47/1. The 223rd General Assembly (2018) approved the committee's recommendation with amendment by a vote of 455/16.

Arguments in Support of an Affirmative Vote

- None

Arguments in Support of a Negative Vote

- None