

Summary of Proposed Amendments to the Book of Order Coming to Presbyteries from GA223 and Recommendations for the Presbytery of Cayuga-Syracuse to consider at its Stated Meeting Feb 9, 2019

From: LT Task Group—RE Jill Fandrich, Rebecca Wind (RE Commissioner), the Rev Diane Monger, (Minister Commissioner), Shavonn Lynch (TSAD)

Amendment	Affected BoO Section	Summary Description	GA Vote	Recommendation
18-A	G-2.0401	The majority of members on a congregational nominating committee shall come from outside the session.	Committee: 54-0 Plenary 478-3	Affirmative
<p><i>Rationale: This revision clarifies ambiguous wording to specify that a nominating committee shall have a minimum of three members, with at least one an elder currently serving on session, and a majority being members-at-large (persons not currently serving on session). This is a helpful clarification and is consistent with past practice. We recommend approval.</i></p>				
18-B.1	G2.0509	Congregations/PC(USA) entities may not employ Ministers of the Word and Sacrament who renounced jurisdiction during disciplinary proceedings as the accused. Ministers who wish to be restored to office must apply to the presbytery in which they renounced jurisdiction and resume disciplinary action.	Committee 45-3 Plenary 466-7	Affirmative
<p><i>Rationale: This is a continuation in a series of amendments from prior years to address situations where a minister renounces the jurisdiction of the PC(USA) while in the midst of a disciplinary proceeding. Renouncing jurisdiction then stops the proceeding because the denomination no longer has authority over the accused. This amendment would prohibit these individuals from then being employed (paid or volunteer) by churches or PC(USA) entities, without them applying to the presbytery in which they renounced jurisdiction and resuming the disciplinary action there. Although there are some procedural questions raised with the wording of this amendment, it does try to resolve a problem which could result in individuals avoiding disciplinary action and continuing to serve churches. We have some reservations about the procedural details, but because we feel it is a situation which needs addressed, we recommend approval.</i></p>				
18-B.2	D-10.0401d	Charges may continue to be filed (ie no time limit) against ministers who have rejoined the church after renouncing jurisdiction.	Plenary 478-2	Affirmative
<p><i>Rationale: This is a companion amendment to 18-B1 which sets no time limit for the continuation of charges being filed against ministers who have rejoined the church after renouncing jurisdiction. Because the Rules of Discipline Task Force is working on a complete overhaul of the “D-section,” we felt that approving this amendment is a stop-gap measure which is being reviewed by the Task Force. We therefore recommend approval at this time.</i></p>				
18-C	G-3.0104	No congregation, session, presbytery, synod, or national office of the PC(USA), nor any individual acting on behalf of or in an official capacity, shall publicly endorse or oppose a candidate for public office.	Committee 31-24 Plenary 370-99	Negative
<p><i>Rationale: This amendment was proposed anticipating the possible repeal of the Johnson Amendment, a provision in the US Tax Code which prohibits charitable organizations, including churches, from endorsing or opposing political candidates in order to qualify for tax-exempt status. The Advisory Committee on the Constitution recommended disapproval of this overture for several reasons: (1) The Johnson Amendment has not been repealed or amended, so it is premature to address possible statutory changes, and (2) the PC(USA)’s long-standing foundational principles already address our freedom and our responsibility to express religious and moral views in public, individually and communally, to be witnesses in the public realm, and to advocate positions on public issues. This said, we agree with the stance of the PC(USA) that prohibits partisan political endorsements by the church or its leaders. We feel that this amendment is unnecessary at best, and potentially divisive and vindictive at worst. We recommend voting against it.</i></p>				

18-D	G-3.0306	Minister members of one presbytery who wish to work within the geographic bounds of another presbytery must receive annual permission from both presbyteries.	Committee 52-1 Plenary 442-13	Affirmative
Rationale: <i>This returns some language which was in the BoO prior to its major revision in 2011, providing a mechanism for seeking permission to labor beyond the geographic bounds of the presbytery wherein the Minister of the Word and Sacrament is a member. We recommend approval.</i>				
18-E	G-3.0307	Tightens wording in the section describing a presbytery's responsibilities to be "pastor and counselor" by changing "pastors" to "Ministers of the Word and Sacrament" and "commissioned pastors" to cover "commissioned ruling elders."	Committee 52-0 Plenary 464-3	Affirmative
Rationale: <i>This amendment addresses some repetitive wording and corrects the section to use the now-preferred term "Ministers of the Word and Sacrament." The wording changes also correct an issue which implied that presbyteries are "pastor and counselor" only to installed pastors. We recommend approval.</i>				
18-F	W-4.0202	Any baptized children who wish to participate in the Lord's Supper will be welcome at the table (ie no formal "first communion" required).	Committee 50-1 Plenary approved by voice vote	Affirmative
Rationale: <i>The previous wording of this section implied that churches should hold something akin to "first communion classes" before children could participate in the Lord's Supper. This new wording clarifies that children are to be welcomed first, while still ensuring that they receive ongoing instruction in the meaning and mystery of the sacrament. We recommend approval.</i>				
18-G	D-2.0203b	A sentence is added to state that sexual abuse shall be considered an offense for purposes of church discipline	Committee 53-0 Plenary 416-13	Affirmative
Rationale: <i>This amendment was in response to a recent ruling by a PJC which effectively indicated that actions in violation of council's sexual misconduct policy are not under the jurisdiction of the Rules of Discipline unless those actions are explicitly specified as contrary to the Scriptures or the Constitution. This amendment does that. We acknowledge some concerns over singling out one particular violation of a particular policy, and whether this might infer that other unnamed violations are not contrary to the Scriptures or the Constitution. But, if this addresses a problem that this particular PJC ruling caused, and because the Rules of Discipline Task Force is reviewing the entire "D Section," we feel that approving this amendment is a stop-gap measure which will be given another look by the Task Force. We therefore recommend approval at this time.</i>				
18-H.1	D-10.0401b	There shall be no time limit for bringing forth sexual misconduct charges. Also adds no time limit for bringing charges against a person who should have taken reasonable steps to minimize the risk.	Committee 47-1 Plenary 455-16	Affirmative
18-H.2	D-10.0401c(1)	Broadens the parameters of diminished capacity for consent in matters of sexual conduct to include minors (under 18) and "anyone without the capacity to consent"		Affirmative
Rationale: <i>These changes originate from the Advisory Committee on the Constitution, so we felt that they are addressing necessary changes. At the same time, these may be impacted by the work of the Rules of Discipline Task Force, which will report to GA 224 in 2020. We felt that these should be approved now, as well as being addressed by the Task Force. We recommend approval of both.</i>				