

Highlights of the Proposed Changes to Constitution

Modernization of Constitution

Using the Model Constitution for Congregations of the Evangelical Lutheran Church in America.

As you review the proposed changes you will notice a * in front of subsections. The * means that those sections are required by the Synod and cannot be changed.

Annual and Special Meetings

Defines the membership classifications.

C8.02d – Added language which allows Associate members to be people who already hold membership in another Christian Church.

Example – A spouse of a voting member is a member of a Roman Catholic Church who wishes to participate in the life and mission of Trinity.

C8.02e – A new category of membership was added and defined. That new category is Seasonal Membership.

Example – A snowbird who is a voting member in a congregation in a church in a southern state that returns to Bismarck for the summer and desires to participate in Trinity's life and mission.

C10.04 Quorum – changing from those attending to 5% of voting members.

Based upon advice from Murray Sagsveen, Synod Attorney that shared that when organizations do not list an actual number or percentage the statute automatically becomes 10% of membership.

Another reason for providing a percentage or actual number is if a small faction of voting members attends the meeting, they can institute changes that are not supported by the majority of voting members.

Voting – the current Bylaws 3.02 all active and confirmed members are eligible to vote (there is no category within the current constitution for "active member").

What this proposal has done is taken care of the conflict between Constitution and Bylaw.

Voting member – an individual who participates in communion and has a made a contribution of record.

C10.08 Participation – this proposed constitution allows for a voting member to participate remotely via technology.

Committee Goals and Objectives

C13.07a21 – In this section we propose that additional committees of the church, not mentioned previously, are no longer listed. Instead, we have established a list of goals and objectives for each committee.

A. Worship

To provide a variety of inspiring worship experiences which nurture existing members and attract new members.

B. Fellowship

To nurture fellowship, caring and incorporate people into community.

C. Discipleship

Grow member's faith through life-long learning.

D. Service

Help every member find meaningful service that uses their gifts.

E. Outreach

Reach out to those who have no church home and the community at large.

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F. Administration

Provide for the personnel, facilities, and financial resources to support Trinity's mission.

C13.09 - Trust Fund is now incorporated in the constitution.

Bylaws are incorporated in the constitution.

Addition of Continuing Resolutions – this provides the Council the ability to make operational changes in a timely manner. Those changes cannot be in conflict with the constitution or bylaws.

Cleaned up confusion – For example, in the current constitution the terms of boards and committees were interchanged throughout the document. Proposing that only committee is used in new constitution.

Section-by-Section Breakdown of Proposed Changes

Chapter 8 Membership

C8.02 d Associate members are those who maintain membership within another Christian church.

C8.02 e Seasonal Member – this entire section is new.

C8.05 e Was Bylaw 2-01 – Would be a Continuing Resolution. Edited language that previously said “active membership” to “voting membership” since there is no definition of the word “active”. Voting membership is defined in the constitution.

Chapter 10 Congregation Meeting

C10.01 Bylaws 3-01 through 3-09 were brought into this part of the constitution:

*3-01 is now contained in 10.01.

*3-02 was removed since voting membership is already defined in C8.02c.

*3-03 was removed as it is now 10.04.

*3-04 was retained as a Continuing Resolution.

*3-05 was retained as a Continuing Resolution with some edits to bring it in alignment with how Trinity currently operates (elections are not being done by secret ballot) and removing the term “boards” since Trinity operates only with committees.

*3-06 was removed since it exists in 10.06.

*3.07 was removed.

*3.08 was retained and became Continuing Resolution 10.01C21.

*3.09 was removed as it is currently contained in C10.07.

C10.04 Changed the quorum requirement from “those voting members present” to “5% of voting members”.

C10.08 New section of the constitution which allows for meetings to be held “electronically”.

Chapter 11 Officers

C11.02 Bylaws 4-01 through 4-10 were brought into this part of the constitution:

*4-01 was removed as it is now contained in C11.01.

*4-02 was removed as it is now contained in C11.02.

*4-03 is now Continuing Resolution 11.02A21.

*4-04 is now contained in C11.03.

*4-05 is now Continuing Resolution 11.02B21.

*4-06 is now Continuing Resolution 11.02C21.

*4-07 is now Continuing Resolution 11.02D21.

*4-08 is now Continuing Resolution 11.02E21.

*4-09 is now Continuing Resolution 11.02F21.

*4-10 is now Continuing Resolution 11.02G21.

Chapter 12 Congregation Council

C12.08 is an addition for Trinity giving the council authority over staff.

C12.13 Bylaws 5-01 through 5-10 were brought into this part of the constitution:

*5-01 deemed no longer necessary as it is contained in Chapter 12.

*5-02 is now C12.01.

*5-03 is now contained in C12.02.

*5-04 is now contained in C12.03.

*5-05 is now contained in C12.04.

*5-06 is now contained in C12.05.

*5-07 is now contained in C12.06.

*5-08 is now contained in C12.07.

*5-09 is now contained in C12.09.

*5-10 is now contained in C12.11

*5-11 is now contained in C12.12 with additions.

*5-12 is now contained in Continuing Resolution C12.11A21A.

*5-13 is now contained in Continuing Resolution C12.06A21.

Chapter 13 Congregation Committees

C13.01A21 *7-03 became Continuing Resolution C13.01A21.

C13.02A21 *7-06 became Continuing Resolution C13.02A21.

C13.03A21 *7-08 became Continuing Resolution C13.03A21.

C13.05 *7-09 was brought into this part of the constitution.

C13.06 *7-01 and 7-02 were brought into this part of the constitution as C13.06A21 and C13.06B21.

C13.07 Bylaws 6-01 through 6-09 were brought into this part of the constitution:

- *6-01 is now contained in Continuing Resolution C13.07A21.
- *6-02 is now contained in Continuing Resolution C13.07B21.
- *6-03 is now contained in Continuing Resolution C13.07C21.
- *6-04 is now contained in Continuing Resolution C13.07D21.
- *6-05 is now contained in Continuing Resolution C13.07E21.
- *6-06 was deleted.
- *6-07, 6-08 and 6-09 were incorporated into C13.07A21. A decision was made to not specifically name committees but to name general areas of concern for committees to engage. The thinking is that council needs the flexibility to name different committees as times and issues change.

C13.09.01 begins the section where the entire Trust Fund documents were brought into this document.

Chapter 5 Powers of the Congregation and Chapter 13 Congregation Committees:

As a matter of transparency, we also want you to know that upon review, a member of the congregation caught a conflict between a constitutional provision and one of the Trust Fund Bylaws. Below are the sections in conflict:

in Constitution:

C5.05. This congregation shall have a Trust Fund that will operate as specified in this congregation's bylaws. The purpose of the Trust Fund is ***to provide for mission work beyond the operational budget*** of this congregation.

in Trust Fund Bylaws:

C13.09.01 Purpose The Trust Fund and the North Dakota Tax Credit Endowment Fund (the Endowment Fund) ***exist to enhance the work of Trinity by establishing new ministries and stewardship opportunities additional to and apart from the general operation of the congregation.***

In talking with Murray Sagsveen, the Western North Dakota Synod attorney, he suggests the following as a remedy. When we come to the annual meeting, approval of the Constitution is brought to the floor for debate. Once it is on the floor, the following amendment will be offered to change the section C5.05 as follows:

C5.05. This congregation shall have a Trust Fund that will operate as specified in this congregation's bylaws. The purpose of the Trust Fund is to provide for mission work ~~beyond the~~ additional to and apart from the operational budget of this congregation.

The amendment is debated and voted upon. If the amendment is approved, then the meeting continues with other debate on the amended document, eventually leading to a vote on whether or not accept the amended document as Trinity's governing documents.