

Minnesota District Constitution Committee

Rev. David Peters, chairman
Rev. Paul Welke *Mr. Bradley Kletscher, Esq.*

REPORT TO THE MINNESOTA DISTRICT COUNCIL

September 8, 2023

Dear Brothers in Christ Jesus:

Our Committee has been working with the following congregations with the rewriting or amending of their Constitutions and/or Bylaws. These are in various stages of the process. Some have received our committee's critique but have not yet submitted to us their revised documents after incorporating our suggestions. A couple of pastoral changes have certainly slowed down the process at certain churches. A few of these are practically finished.

Brooklyn – Brooklyn Park, MN
Christ – Eden Prairie, MN
Crown of Life – West St Paul & Eagan, MN
Friedens – New Prague, MN
Good Shepherd – Cedar Rapids & North Liberty, IA
Grace – Oskaloosa, IA
Mt. Olive – St. Paul, MN
NorthCross – Lakeville, MN
St. John – New Ulm, MN
St. John – Redwood Falls, MN
St. John – Sleepy Eye, MN
Trinity–Mt. Olive – Johnson, MN

We have completed the approval process for these congregations.

Cross of Christ – Coon Rapids, MN
Holy Trinity – New Hope, MN
Beautiful Savior – Austin, MN
Our Redeemer – Wabasha, MN

Whenever your voters are formalizing any amendment to your constitution or bylaws, please be sure to include the following statement: "... pending the approval of our Minnesota District Constitution Committee." Thank you.

Please submit all proposed constitutions, bylaws, and amendments of the same to the chairman of our Committee. He will forward your submission, together with his own initial critique, to the other two men who serve on our Committee for their review and suggestions. After they send their suggestions back to the chairman, he will collate their suggestions together with his own and send them back to your congregation and await your revised draft which should incorporate our suggested revisions. At that point I will be the pen pal of the submitting congregation, which will resubmit revisions to our Committee until the three of us approve of the document. Our chairman will forward all approved documents to our District President's office for his records.

Please submit your documents to our chairman in PDF or RTF format only. (This is a change from our previous request for other formats.) This will simplify our work and save us time. Our committeemen

work with a variety of word processors, not necessarily the same as your congregation. For example, WordPerfect (WPD) and MS Word (DOC/DOCX) do not work together very well, and Google Docs don't work well with others, either. However, Portable Document Format (PDF) and Rich Text Format (RTF) work well on almost everyone's systems.

Our Committee uses the current *Model Constitution and Bylaws of the WELS* as a tool for suggesting well thought out wording as part of our critique. We may ask questions about variances from the *Model* — though not all variances will be rejected! We want to be sure that the submitting congregation, school, or organization, has thought through their proposed methods and language very carefully, and that their submission is consistent with God's Word, with our Confessions, with our synod's and district's *Constitution and Bylaws*, with the laws of your state, and with the experience of others who have attempted to use the same or similar variant methods and language. Sharing the wisdom seems wise.

Please take our Committee's suggestions and update your proposed Constitution and Bylaws accordingly. Many of our editorial comments are just typos which need to be corrected. All of our suggestions can easily be incorporated into your document before you approve it for submission a second time. Be sure that your voters assembly approves your revised document "... pending approval of our Minnesota District Constitution Committee" again. Then resubmit it to our Committee through our chairman. Please direct any questions you may have to him. He will inform you when your finished document has received our Committee's formal approval, and he will send your approved document to the office of our district president.

Concerning Constitutions which Reference the IRS "Code of 1954"

Many of our churches' constitutions cite "the Internal Revenue Code of 1954 or the corresponding provision of any future United States Internal Revenue Code" — or words to that effect. Very good — except that the 1954 Code was rewritten and renamed by Congress in 1986. The 1954 Internal Revenue Code, as amended, was specifically renamed the "Internal Revenue Code of 1986" by section 2 of the Tax Reform Act of 1986.¹ However, our synod's current (1997) *Model Constitution and Bylaws* (Article XI, Section 2) says: "the Internal Revenue Code of 1994 or the corresponding provision of any future United States Internal Revenue Code." However, that 1994 code does not exist (except in Puerto Rico)!

SUGGESTION: Change that date in your constitution from "1954" to "1986, as amended," You will be bringing your church's constitution up to date in accordance with Public Law 99-514, §2, Oct. 22, 1986, 100 Stat. 2095 of the United States Code, Article 26.² You won't need to run that change by our Committee.

Thank you for the privilege of involving our Committee in this portion of the ministry being done by our district's congregations! May our Lord Jesus continue to bless our labors in his name.

With you in Christ's service,
Rev. David Peters, chairman

¹ *Merriam-Webster.com Legal Dictionary*, s.v. "Tax Reform Act of 1986," accessed October 31, 2022, <https://www.merriam-webster.com/legal/Tax%20Reform%20Act%20of%201986>. Also cf. Wikipedia contributors, "Internal Revenue Code," *Wikipedia, The Free Encyclopedia*, https://en.wikipedia.org/w/index.php?title=Internal_Revenue_Code&oldid=1115554749 (accessed October 31, 2022).

² <https://uscode.house.gov/view.xhtml?path=/prelim@title26&edition=prelim>