

Minnesota District Constitution Committee

Rev. David Peters, chairman

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REPORT TO THE 53RD BIENNIAL CONVENTION OF THE MINNESOTA DISTRICT

June 19, 2024

Dear Brothers in Christ Jesus:

During the past biennium 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 initial critique but have not yet submitted to us their revised documents after incorporating our suggestions. Several changes in pastoral ministry certainly slowed down the process in certain congregations. A few of these are nearly finished, and we await their corrected documents for our final approval:

Friedens – New Prague, MN
NorthCross – Lakeville, MN
St. John – Hancock, MN
St. John – New Ulm, MN
St. John – Redwood Falls, MN
Trinity–Mt. Olive – Johnson, MN

During the past biennium we completed the approval process for these congregations and organizations:

Cross of Christ – Coon Rapids, MN
Holy Trinity – New Hope, MN
Minnesota Valley LHS – New Ulm, MN
Beautiful Savior – Austin, MN
Branch Lutheran Schools of Haiti – St. Paul, MN
Our Redeemer – Wabasha, MN

We are currently working with the following congregations who still need to revise their documents to conform with our committee's recommendations:

Brooklyn – Brooklyn Park, MN
Christ – Eden Prairie, MN
Crown of Life – West St. Paul & Eagan, MN
Mt. Olive – St. Paul, MN
Good Shepherd – Cedar Rapids & North Liberty, IA
Salem – Stillwater, MN
St. John – Sleepy Eye, MN

Approval Process

Please take our Committee's suggested revisions 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 each edition of your revised document “... **pending approval by our Minnesota District Constitution Committee.**” Then submit each revision 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.

The chairman of our Committee will forward your submission, together with his own initial critique, to the other men who serve on our Committee for their review and suggestions. After they send their critique back to our 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 he will become the pen pal of the submitting congregation, which will resubmit revisions to our Committee until we all approve of your document. Our chairman will forward all final, approved documents to our District President’s office for his records.

Please submit your documents in PDF format! WordPerfect and Microsoft Word documents are usable, but formatting is often lost or confused when we share those documents with each other, open, and save them. Our committeemen each work with their own word processors, not necessarily the same as yours. Google Docs does not work well with others and is not acceptable. That program has given us problems.

As part of our critique our Committee uses the current *Model Constitution and Bylaws of the WELS* (published in 1997 by the Conference of Presidents) as a tool with well thought out wording. (It actually offers two sets of bylaws for two different types of parish organization.) Variances from our synod’s *Model* will not necessarily be rejected, but we do want to be sure that the submitting organization has very carefully thought through their proposed methods and language, and that their submission is consistent with God’s Word, with our Confessions, with our synod’s and district’s current *Constitution and Bylaws*, with the laws of your state, and with the experience of others who have attempted to use the same or similar methods and language.

Sharing the wisdom seems wise. On the other hand, there is an idea floating around that the WELS has a new model constitution, or that the Congregational Services office is planning to publish a new model in the next few months. As of today, this is not true. Administrator John Hein is planning to meet with representatives of the twelve district Constitution Committees sometime this fall in order to pool our insights, experiences, and suggestions, with the goal of producing two or more models at some point in the future. Until then, we have our 1997 *Model*, and we will continue to use it until the CoP says otehrwise.

A few of our congregations have been using the Constitution and Bylaws documents from other congregations — some even from other districts — as models to use in the revision of their own documents, with the expectation that our Minnesota District Constitution Committee should rubber stamp what must have been approved by some other district. Different men with different gifts and insights and experiences serve on the Constitution Committees of different districts, so it should be no surprise that sometimes some language which was approved in another district is not approved by our district’s Committee. This in itself is a good reason for the chairmen of the Constitution Committees of all twelve districts to meet on occasion.

Changing an Article “Unalterable” and/or “Irrepealable” Article

By definition, you cannot amend anything within any article which is listed within your Constitution as “unalterable” and/or “irrepealable.” However, you CAN rescind the entire Constitution

and Bylaws document and replace it with another Constitution and Bylaws document — one in which you have fixed all of the errors in the original document. This must be done through the regular amendment process as spelled out in your current Constitution. It must be accomplished in ONE resolution; for example:

“We hereby rescind our entire Constitution and Bylaws of January 15, 1944 [or whenever it was formally adopted] as amended most recently on August 23, 2002 [or whenever], and we hereby adopt the following document as the new and official Constitution and Bylaws of St. So-and-So’s Lutheran Church, effective date, pending approval by the Minnesota District Constitution Committee of the Wisconsin Ev. Lutheran Synod.”

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. That 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. However, our synod’s current 1997 *Model Constitution and Bylaws* (Article XI, Section 2) says: “the Internal Revenue Code of 1994 ...” However, that 1994 code does not exist — except in Puerto Rico! SUGGESTION: Change that date in your constitution from “1954” or from “1994” 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. You won’t need to run that change by our Committee.

Thank You!

There is now a vacancy on our Committee, and we are operating one man short. Several months ago the Rev. Paul Welke found it necessary to step aside in order to dedicate more of his time towards his parish ministry and to his increased involvement in LIMA. We are very thankful for Brother Paul’s years of service to the work of our committee, and we pray for the Holy Spirit’s blessings upon his continued service in Christ’s kingdom! We look forward to receiving another pastor onto 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