

# ***Minnesota District Constitution Committee***

*Rev. David Peters, outgoing chairman*

*Rev. Robert Harting*

*Mr. Bradley Kletscher, Esq.*

## **REPORT TO THE MINNESOTA DISTRICT CONVENTION Meeting at Martin Luther College, New Ulm, Minnesota**

Dear Brothers in Christ Jesus:

June 8, 2026

Our committee's charge is to work with congregations and other organizations within our district when they rewrite or amend their constitutions and/or bylaws. These organizational documents are very important! They give expression to how a group of believers has, in Christian freedom, agreed to work with one another in order to carry out the ministry of God's Word and Sacraments. We covenant with one another to serve our Lord together in full compliance with the teachings of the Bible, our Lutheran confessions, and the constitution and bylaws of our synod and district.

### **Formatting Instructions**

Our committee has been using the current *Model Constitution and Bylaws of the WELS* (1997) as a tool for suggesting well thought out wording as part of our critique. Now that the Conference of Presidents has issued two new models (named *Sample A* and *Sample B*), we are now working with those as well. We want to be sure that your congregation or organization has carefully thought through your proposed methods and language, and that your 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 used the same or similar methods and language. Sharing the wisdom seems wise.

On the other hand, using the bylaws from other congregations whose documents received approval from our committee years ago, or even from a constitution committee in another district, is not a wise strategy since changes in personnel tend to import changes in editorial approaches and evaluations as to what should be approved and what should not. Nevertheless, uniformity around our synod is obviously to be desired, and the twelve constitution committee chairmen continue working to achieve that. Sticking with the language found in the officially approved models is the best way to assure that our congregations are all walking together in these matters.

All of our synod's model and sample constitution and bylaws documents — including the “old one” from 1997 — aim to involve men and women in as much Gospel ministry as possible, while at the same time honoring the biblical principles of God-given male and female roles. In each document the term “oversight” indicates the exercise of “binding authority.” (What kind of authority is not binding?) We have been told that “manage” or “management” indicate a performance of tasks or services without the exercise of any real authority. This brings up the question “Doesn't a manager have any real authority?” Not all questions have been answered. The CoP continues to study these matters on our behalf. I encourage you to trust their leadership.

Both *Sample A* and *Sample B* retain the Voters Assembly, which shall have final oversight (authority) over the congregation's entire ministry. The term “Church Council” has been replaced by “Council of Ministry,” which is elected by the Voter's Assembly to oversee ministry planning, operational decisions for carrying out the congregation's mission, and oversight of “Boards” and “Ministry Action Teams” (which we used to call “committees”). Ministry Action Teams are “management groups” with no authority to manage anything. They are really “task forces” set up to carry out specific tasks which are assigned to them by others who do have authority, i.e., a board, the council, or the voters. Careful attention to the biblical headship principal must be kept in mind when establishing the duties and responsibilities of each Ministry Action Team, how it will function internally, and how it will function in relation to the rest of the congregation's structure. Be careful with titles such as chairman, leader, coordinator, etc., which may imply headship!

☞ ***Sample A*** was designed for smaller congregations. The intent is for a “Council of Ministry” to build consensus through regular ministry updates to the congregation using various communication methods,

congregational forum settings which allow for open discussion, and the use of straw polls. All of this, of course, can be done while continuing to use the 1997 *Model Constitution and Bylaws*, so it's not at all necessary to amend your bylaws to do these things.

- ☞ **Sample B** is intended for larger congregations in which a consensus building approach would be too cumbersome.

Digital files of *Sample A* and of *Sample B*, with or without explanations, can be downloaded from the “Resources” tab on our [www.welsmn.org](http://www.welsmn.org) district website.

### Submission & Approval Procedure

Whenever your Voters Assembly adopts any amendment to your constitution and/or bylaws, please be sure to include the following statement in your resolution: “... **pending approval by our Minnesota District Constitution Committee.**” Then submit your proposal(s) to the chairman of our committee in either PDF, WPD, DOC, DOCX, ODT, or RTF format. We do not work with Google Docs! When we finish our initial review, we will get back to you with initial comments and suggestions for improvements, and we will await your revised draft which should incorporate our suggested improvements. Upon our final approval, we will forward your finished PDF document to our District President’s office for his records.

### Concerning Dissolution and 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 Internal Revenue Code, as amended, was specifically renamed the “Internal Revenue Code of 1986” by section 2 of the Tax Reform Act of 1986, and was signed by President Ronald Reagan.<sup>1</sup> However, our synod’s 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.” The new *Sample A* and *Sample B* mentioned above repeated this mistake. However, that 1994 code does not exist (except in Puerto Rico)! I pointed this out to President Schroeder, and he said that he’d “make a note of it.” Please be sure that your congregation gets it right, or we will not approve your document!

**We urge you:** 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.<sup>2</sup> You do not need to run that change through our committee because you will simply be obeying the law of the land.

### Finally

**Thank you** for the privilege of involving our committee in this portion of the ministry being done by your congregation. My term of office as chairman expires after this convention. Several months ago I informed Pres. Klatt that I will no longer serve as chairman of this committee since I’ve been elected president of the Lutheran Science Institute. I will be happy to continue serving as a committee member if I am asked to do so, but I’m pleased to announce that the **Rev. Jesse DeDeyne** has accepted appointment as the new chairman of our committee. With your patience and cooperation he will do a fantastic job in this role!

May our risen and ascended Savior continue to bless all of our labors in his name.

With you in Christ’s service,  
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<sup>1</sup> “Tax Reform Act of 1986.” *Merriam-Webster.com Legal Dictionary*, Merriam-Webster, <https://www.merriam-webster.com/legal/Tax%20Reform%20Act%20of%201986>. Accessed Oct. 31, 2022. Cf. also Wikipedia contributors, “Internal Revenue Code,” *Wikipedia, The Free Encyclopedia*, [https://en.wikipedia.org/w/index.php?title=Internal\\_Revenue\\_Code&oldid=1115554749](https://en.wikipedia.org/w/index.php?title=Internal_Revenue_Code&oldid=1115554749). Accessed Oct. 31, 2022.

<sup>2</sup> <https://uscode.house.gov/view.xhtml?path=/prelim@title26&edition=prelim>. Last visited Mar. 15, 2025.