

Bylaws  
for the  
American  
Lutheran  
Congregation  
of  
Stanley  
North Dakota

## BYLAWS

### Section 1 ~ Communion Participation (Cf. Article II of the Constitution)

1. Participation in Holy Communion shall be open to all communicant members of this and other Lutheran Congregations. Worthy participation by a communicant requires sincere repentance, faith in Jesus Christ as Savior and an earnest desire to amend his/her sinful life, together with an acceptance of the scriptural teaching regarding the real presence of Christ with His Body and Blood in the Sacrament. Registration forms or oral announcements shall be so devised as to make prospective participants aware of these requirements.
2. Record of communion participation shall be entered upon the books of the congregation and notice regarding members of other congregations sent to the respective pastors of the congregations of which they are members.

### Section II ~ Conflicting Loyalties

(Cf. Article II and IV of Constitution and Article V of the Minneapolis Theses as quoted in The United Testimony on Faith and Life.)

1. This congregation rejects all fellowship with organizations, secret or open which are avowedly religious or practice forms of religion without confessing faith in the Triune God and in Jesus Christ as the eternal Son of God incarnate to be our only Savior from sin, and thus teach salvation by works.
2. Ceremonies of lodges or other such organizations shall not be permitted in the church or on the church premises of this congregation.
3. The Pastor of this congregation shall take no part in any such ceremonies even if conducted outside of the church premises.

### Section III ~ Membership

(Cf. Article VI of Constitution)

#### A. Admission to Baptized Members

1. Children, one or both of whose parents or guardians are members of this congregation, shall, upon receiving Christian baptism, be thereby received as baptized members of this congregation.
2. Children, neither of whose parents or guardians are members of this congregation, shall, upon Christian baptism duly recorded as a ministerial act performed under the auspices of this congregation, thereby be received as baptized members of this congregation unless there is an understanding that, for good reason, they will be enrolled as baptized members of another congregation, in which case notice of the baptism shall be given to the congregation in which the child is to be enrolled as a baptized member.
3. Children baptized in other congregations (and baptized adults mentally incompetent for confirmation) shall be received as baptized members of this congregation upon admission of one or both parents or guardians to membership, or by consent of one of both parents or guardians, or by action of the Church Council.
4. Unbaptized adults who have received instruction and given evidence of having an adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church, shall, upon confession of faith and Christian Baptism duly recorded as a ministerial act performed under the auspices of this congregation thereby be received as

baptized members of this congregation.

#### B. Admission to Confirmed Membership

1. Baptized adults, not previously members of the congregation, who have received instruction and give evidence of having adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church shall be admitted to the confirmed membership through the rite of confirmation.
2. However, adults received as baptized members according to the provisions of Section III, A 4 of the Bylaws shall be recognized as confirmed members, whether or not, at the discretion of the pastor, they participate in the rite of confirmation.
3. Children who are baptized members of the congregation shall be admitted to confirmed membership through preparation for and participation in the rite of confirmation.
4. Applicants for membership presenting letters of transfer showing them to be confirmed members in good standing in other Lutheran Churches shall be admitted to confirmed membership upon acceptance of their letters of transfer by the Church Council and the report of their names to the congregation.
5. Applicants for membership who present evidence of confirmation in a Lutheran Church but do not have letters of transfer shall be admitted to confirmed membership when the Church Council has determined that they meet the standards of Christian faith and life indicated in the constitution and bylaws and when they have reaffirmed their faith before the congregation.

#### C. Admission to Voting Membership

1. The Church Council shall be responsible for determining the voting membership in accordance with the qualifications specified in the constitution and bylaws. Any doubtful cases shall be decided by the congregation.

#### D. Discontinuance of Membership

1. Members who move away shall be encouraged to transfer. Any confirmed member in good standing desiring to change his membership to another Lutheran Church shall, upon request, be entitled to a letter of transfer.
2. Any confirmed members who in the judgment of the Church Council shows no interest in attending church services, or fails to partake of communion and fails to contribute to the congregational treasury according to the congregation's records, for a period of two years, shall be presumed no longer to desire membership, shall lose the right to vote, and shall not be counted in the membership statistics of the congregation. However, his/her name shall be kept in the files for a period of five years thereafter. Such a person shall be encouraged to participate in the congregational life, or to transfer elsewhere, as the situation may indicate to be advisable. If he/she resumes activity within the five year period, he/she shall be restored to the active membership list; if not, he shall be dismissed from the congregation and notified accordingly, where possible.
3. Children, neither of whose parents or guardians are active members of this congregation, shall be dropped from the baptized membership roll if they fail to participate in the Christian education program of the congregation.
4. Members who have been excommunicated, dismissed, or who have resigned and members who have transferred to other Lutheran congregations, or who are definitely known to have become members of other congregations without transfer, shall thereby have lost membership

in this congregation and all rights appertaining thereto.

#### Section IV—The Pastoral Call

(Cf. Article VII of the Constitution)

1. The congregation, after it has voted to call a pastor by at least a two-thirds majority vote, shall issue a letter of call in a form approved by the Church, to the pastor elect, which shall bear the signatures of the chairman and secretary of the call meeting, and shall be certified by the signature of the District President. Calls to Clergymen to positions of assistance to the pastor shall be issued, in consultation with the pastor, in accordance with the provisions of this paragraph.
2. The call shall be for an indefinite time, except that calls for a limited time may be issued to pastors who are qualified for emeritus status and are otherwise eligible for call.
3. Since the pastor ministers to the congregation primarily in the public preaching of the Word and in the administration of the Sacraments, and since both pastors and congregations are parties to the call, no pastor shall announce his decision on any subsequent call without first having consulted with the congregation or at least with its Church Council. Should the pastor thereupon resign to accept another call, his resignation shall be presented to the congregation and mutually satisfactory arrangements sought for terminating his services, normally within 30 days.
4. A desire for change in pastorate, either by congregation or pastor, shall be brought to the attention of the District President, who shall advise in the manner according to this constitution (Article VII) and the established procedure of the Church.
5. Every Pastor serving this congregation shall have an undivided loyalty to the faith and purpose of the Church - according to Article II and IV of this constitution. Any questions concerning such loyalty shall be adjudicated according to the recommended procedure of the Church.

#### Section V ~ The Annual Meeting

(Cf. Article X of Constitution)

1. Announcement of the time and place of the annual meeting of the congregation shall be made at two public services immediately preceding the meeting, said services to be at least a week apart, and in such publications as the congregation or the pastor may periodically issue; or by special written notice to the voting members mailed at least ten days in advance.
2. The current roster of voting, confirmed, and baptized members shall be determined prior to each annual meeting.
3. A quorum for the conduct of business at annual and special congregational meetings shall consist of 15% of voting members.
4. The order of business at the annual meeting shall be:
  - a) Opening devotion
  - b) Approval of the minutes
  - c) Reports of the pastor, the church council, treasurer, committees and others
  - d) Unfinished business
  - e) Elections

- f) Approval of budget
  - g) New business
  - h) Closing prayer
5. In the following cases voting shall be by ballot:
- a) To elect the church council
  - b) To adopt or amend the articles of incorporation, constitution or bylaws of the congregation
  - c) To call a pastor or request his resignation
  - d) To excommunicate a member from the congregation or remove a member from office in the congregation
  - e) To sever membership in the American Lutheran Church
  - f) To dispose of, encumber, or purchase real property
  - g) When requested by ten or more voting members present
6. Except as otherwise provided in the constitution and bylaws, all matters shall be decided by majority vote of those present and voting.
7. No one shall be declared elected unless he has received a majority of the votes cast.
8. If more than one ballot is required in an election it shall be in order by proper motion to limit the balloting after the first ballot to the three candidates receiving the highest number of votes on the first ballot and after the second ballot to limit the balloting to the two candidates receiving the highest number of votes.
9. In all matters not specifically provided for herein, procedure shall be according to the "Robert's Rules of Order."

## Section VI ~ The Church Council

(Cf. Article XI of the Constitution and footnote)

### A. Membership and Meetings of the Church Council

1. The Church Council shall consist of 14 members, 12 members, elected of the congregation each for a term of three years, but elected in such a manner that after the first election, one-third (or approximately one-third) is elected each year. The Women of the ELCA President and Brotherhood President shall also serve as voting members for the term of office to which they have been elected. A member's place on the Congregational Council shall be declared vacant if the member a.) ceases to be a voting member of the congregation or b.) is absent from four successive regular meetings of the Congregation Council without cause.
2. In addition to the requirements of congregational membership stated in Article VI of the constitution, qualifications for membership on the Church Council shall include such practical ability as is needful in promoting the various interests of the congregation as outlined in the duties of the various committees of the council.
3. No member of the Church Council shall succeed himself in office. The filling of an unexpired term of less than one year shall not be deemed to be a term of office
4. Immediately after the annual meeting of the congregation at which time the members of the Church Council are elected, the Church Council shall elect officers and committees as specified by the Constitution (Article XI, Sec. 5) and bylaws.
5. Any vacancy in the Church Council shall be filled only by action of the Congregation.
6. The Pastor shall be an ex officio member of the Church Council.
7. No Church Council business shall be transacted unless a majority of the members is present.
8. The Church Council shall meet monthly, the regular meeting day to be determined at the

organizational meeting of each council.

9. Special Meetings of the Church Council may be called by notice given at a public service or a written notice mailed 3 days in advance. Special meetings may be called by the Pastor or the President or Three members of the Church Council.

10. In the event that a member of the Church Council absents himself from the three consecutive regular meetings of the Council without excuse acceptable to the Council, he shall forfeit his membership on the Church Council. Any member having two consecutive unexcused absences from the regular meetings shall be notified thereof by the secretary.

### Committees of the Church Council

1. The Church Council shall elect from its own membership regular committee on evangelism and worship, on stewardship, on education and on property and management, and shall also have authority to appoint such other committees as may from time to time be necessary or advisable.

2. The Church Council shall have the authority to appoint or elect additional congregational members who are not members of the council as members on its regular committees.

3. The Church Council shall at least once a year invite the full membership of its regular committees together with representatives chosen by the organizations of the congregation to review the entire program of the congregation.

### C. Duties of Officers and Committees of the Church Council

1. The President shall preside over meetings of the Church Council and of the congregation unless the meeting decided otherwise.

2. The Vice-President shall preside in the absence of the President, unless the meeting decides otherwise.

3. These committees may be designated as boards of Deacons (Evangelism and Worship), Education, and Trustees (Stewardship, Property and Management) respectively, if preferred, but together would constitute the Church Council and function as outlined herein.

4. The secretary shall keep the minutes of the council and the congregation and shall preserve its archives.

5. The treasurer shall be bonded and shall be custodian of all funds of the congregation, local and synodical, and shall disburse all such funds in accordance with the decisions of the congregation or the Church Council. He shall present a duly audited report to the annual congregational meeting and such other reports to the Church Council as may be required.

6. The committee on evangelism and worship shall have special responsibility under the supervision of the pastor in the development of a sound program of evangelism, in matters pertaining to the congregation's worship, and in the general spiritual care of the congregation, and shall make recommendations thereon to the Church Council.

7. The committee on stewardship shall have special responsibility under the supervision of the pastor for the congregation's development in accordance with scriptural principles of stewardship and for raising of funds, and shall make recommendations thereon to the Church

Council.

8. The committee on education shall have special responsibility under the supervision of the pastor to operate the Sunday School and other schools of the congregation , to promote adult education, and to develop the youth program of the congregation, and shall make recommendations thereon to the Church Council.

9. The committee on property and management shall have special responsibility for the management of funds, for the care of the property, and for the preparation of the congregational budget, and shall make recommendations thereon to the Church Council.

#### D. Other Responsibilities of the Church Council

1. The Church Council shall be empowered to secure such help as is needed to carry on the work of the congregation such as organist, choir director, parish worker, pastor's secretary, office secretary, intern, custodian, etc... and shall fix their salaries.

2. Adjustments in the salary of the pastor shall be the responsibility of the Church Council, subject to the congregation's approval of the budget.

3. The Church Council shall as far as possible operate within the limits of the approved budget of the congregation. Any expenditures in excess of the total voted budget, must be approved by the congregation.

4. An auditing committee composed of 2 persons shall be appointed by the president with the approval of the Church Council. The auditing committee shall audit all financial records of the congregation proper and present its report to the annual meeting in writing. The auditing committee shall carefully examine all insurance policies to determine the amount and kind of insurance in force and include this report in its statement.

#### 5. Use of the Church

a) The property of the congregation shall be for the use of the congregation in its normal function as a Lutheran Church and shall not be used in any way not in harmony with the purpose of the congregation.

b) Buildings which are the property of the congregation shall not be lent or rented to any group or individual not affiliated with the congregation or with the American Lutheran Church unless application for such use has been approved by the Church Council by a two-thirds majority vote in the case of a request for occasional use, or by a two-thirds majority vote of the congregation in the case of a request for regular use.

#### Section IVV—Nominating Committee

1. The nominating committee shall be composed of three members, two of which shall be elected by the church council from its own membership and one of which shall be elected at the annual meeting from nominations made on the floor. The Pastor shall serve as the convener and as an advisory member.
2. The members of the nominating committee shall serve for the year following their election. They shall nominate one or more candidates for each office to be filled and shall secure the consent of each candidate to serve if elected.
3. The candidates of the nominating committee shall be made known to the congregation in conjunction with the announcement of the special or annual meeting at which the election is to take place.
4. In addition to the candidates submitted by the nominating committee, additional nominations may be made from the floor.
5. A vacancy in the congregationally elected membership of the nominating committee shall be filled by a special congregational meeting call for that purpose.

#### Section VIII—Reports of Organizations

All committees and organizations handling funds within the congregation shall submit accounts to the treasurer or the church office at least 14 days prior to the annual meeting and the treasurer shall include all accounts in his report to the meeting.

#### Section IX - Ministerial Records

The Pastor shall be responsible for keeping accurate record of membership and of his ministerial acts on the forms provided by the congregation and which shall remain the property of the congregation. He shall report these statistics to the congregation annually, and when required, to the secretary of the American Lutheran Church. Upon leaving the congregation, he shall complete the records of his ministry up to the time of his departure.