

PRESBYTERY OF NORTHERN NEW ENGLAND
The Synod of the Northeast • Presbyterian Church (U.S.A.)

BYLAWS

ARTICLE I

NAME, LEGAL STATUS, AND GEOGRAPHICAL DISTRICT

- A. The name of this presbytery is the Presbytery of Northern New England; it is a presbytery of the Synod of the Northeast in the Presbyterian Church (U.S.A.).
- B. This presbytery is incorporated as "The Trustees of the Presbytery of Northern New England" in the state of New Hampshire. The office is located at 27 Lowell Street, Suite 407, Manchester, New Hampshire 03101. (Phone 603-629-9900 and Fax 603-627-7208).
- C. This presbytery's geographical district is all of the states of Maine, New Hampshire and Vermont (except for Rutland County), and that portion of the state of Massachusetts which is east of the western boundary of the County of Worcester and north of 42 degrees 35 minutes latitude (the lines of latitude being south of Athol, Massachusetts, pass north of Gardner, through the middle of Fitchburg, through Westford, south of the centers of Chelmsford and North Billerica, through Danvers and reach the coast just east of Magnolia).

ARTICLE II

MEMBERSHIP

Presbytery is made up of all the churches and ministers of the Word and sacrament belonging to the Presbyterian Church (U.S.A.) within the geographical district given above. At presbytery meetings each church is represented by one or more elders commissioned by its session as provided in the *Book of Order* (G-11.0101). Presbytery's moderator, if an elder, is also a member of presbytery while he or she occupies that office. Any elder who is an officer, a member of the presbytery council, the chairperson of any standing committee of the presbytery or moderator of Presbyterian Women shall be a voting member of the presbytery for the term of office (G-11.0101c).

ARTICLE III

MEETINGS

- A. STATED MEETINGS. The presbytery shall hold at least three stated meetings per year. Stated meetings of the presbytery shall be held at times and places as determined by the Presbytery Council.
1. The election of commissioners to the general assembly and the Synod of the Northeast shall be placed at a specific time on the docket of the final stated meeting of the year of the presbytery, and shall be listed as an order of the day.
 2. Commissioners to the general assembly and to the Synod of the Northeast shall present a report of their attendance and participation in those governing bodies, together with a summary of the body's actions at the stated meeting of the presbytery following the meeting of the higher governing body.
 3. Special meetings of the presbytery shall be held, when called according to the provisions in the *Book of Order* (G-11.0201).
 4. The quorum required for presbytery to conduct business is three ministers and the elder members present, provided that elders represent at least three churches.
 5. Each session shall be entitled to send to each meeting of the presbytery one youth advisory delegate (YAD) who shall be an active member of its congregation under the age of 22. A youth advisory delegate may have the privilege of the floor at meetings, but may not vote. Youth advisory delegates who are not elders shall be eligible to serve on Presbytery committees where non-presbyters are eligible to serve.
 6. Stated meetings shall be rotated among the churches of the presbytery.
- B. NEW BUSINESS may be introduced in any stated meeting provided that the matter is noted before the docket is approved. A motion arising from new business may be debated, but the vote and additional debate will be postponed to the next stated meeting, allowing time for study and notification. If an urgent matter cannot wait until the next stated meeting, the vote may be taken at the meeting where the matter is introduced, requiring a 2/3 majority to pass. The Moderator will determine whether the matter is of sufficient urgency to warrant an immediate vote.

ARTICLE IV

OFFICERS: GENERAL PROVISIONS

A. Titles, Election and Terms of Office

The officers of this presbytery shall be the moderator, the vice moderator, the stated clerk, and the treasurer. All officers shall be elected and installed at the final stated meeting of the year, and take office at the conclusion of that meeting. Nominees for moderator and vice moderator shall be elected to serve one-year terms and may not be re-elected until at least one-year has elapsed. Nominees for the other offices shall be elected to serve three-year terms and may be re-elected, but may serve no longer than six consecutive years.

B. Moderator and Vice Moderator

Each year the presbytery shall elect a vice moderator who shall become the moderator in the following year. In addition to those duties provided in the *Book of Order* (G-9.0202 and G-9.0301), the moderator, vice moderator and immediate past moderator shall serve as members of presbytery council, ex-officio and with vote. The vice moderator shall serve in place of the moderator in any case where the moderator is absent or otherwise unable to carry out the duties of the office. If both moderator and vice moderator are absent from a presbytery meeting, the most recent and willing past moderator shall serve until the moderator or vice moderator arrives. If this does not produce a moderator, then the stated clerk shall convene the meeting and immediately preside over the election of a moderator.

In the event that an accusation against a minister of the presbytery is filed with the stated clerk in accordance with the Rules of Discipline (D-10.0101), the moderator, in consultation with the stated clerk, chairperson of the committee on ministry, and the general presbyter, excluding any one of these parties if he/she is the accuser or the accused, shall appoint an investigating committee which shall proceed with an investigation as outlined in the Rules of Discipline (D-10.0200 - 10.0406).

C. Stated Clerk

The stated clerk shall be elected for a term of three years or until a successor is elected, and shall be eligible for re-election, for any number of consecutive terms. The Stated Clerk shall carry out those duties required by the *Book of Order*, the Administrative Manual, and such other duties as the presbytery may assign. The stated clerk shall be a voting member of the presbytery council, serving as secretary.

The stated clerk is the legal agent of the presbytery and is authorized to sign legal documents on behalf of and binding the presbytery. If the stated clerk is not available, then another officer may sign the documents.

D. Treasurer

The treasurer shall be responsible for the on-going financial affairs of the presbytery, with such assistance as the presbytery may, from time to time, provide. The treasurer shall be elected for a three-year term, and shall be eligible for re-election, subject to the maximum service of six consecutive years. The treasurer shall be a voting member of the presbytery council.

E. Civil Corporate Officers

The Presbytery ecclesiastical officers are also the officers of the civil corporation. If any transaction requires action by the civil corporation, the officers of the civil corporation are designated as follows.

President:	Moderator
Vice President:	Vice Moderator
Secretary:	Stated Clerk
Treasurer:	Treasurer

ARTICLE V

STANDING COMMITTEES AND TASK GROUPS

A. Standing Committees

The standing committees of presbytery shall be those specified in the *Book of Order* (G-9.0902a); namely:

- Council
- Committee on Representation
- Committee on Ministry
- Committee on Preparation for Ministry
- Nominating Committee
- Permanent Judicial Commission

B. General Provisions

1. Committee members and such committee chairpersons as presbytery elects shall be elected at the final stated meeting of the year of the presbytery and take office at the end of that meeting. The memberships of these committees shall be divided into three classes approximately equal in number, with the total number of ministers and elders also being equal, and one class shall be elected each year. Active members of churches in the presbytery who are not elders may serve on the standing committees, except that all members of the committee on ministry and the permanent judicial commission must be ministers or elders.
2. A person absent without excuse from two consecutive meetings of a committee, or with excuse from three consecutive meetings, shall upon recommendation of the chairperson be considered to have resigned. The delinquent person, having been notified, he or she may be replaced by action of the presbytery or, in the interim between stated meetings, by the council. Delinquent membership on the permanent judicial commission shall be replaced in accordance with the *Book of Order* (D5.0104).

C. Council

1. The presbytery shall have a council consisting of sixteen or seventeen members, as follows:
 - a. Nine members elected at large by the presbytery;
 - b. The present and immediate past moderators, and the vice moderator of the presbytery as ex-officio members with vote; and
 - c. The general presbyter, the stated clerk, and the treasurer as ex-officio members with vote.
 - d. A synod commissioner, selected by the commissioner delegation, with vote.

- e. The chair will be the seventeenth member unless the chair is also one of the sixteen members in a, b, c or d above.
2. A quorum shall consist of one third of council's voting members, but not less than three.
 3. The council's members shall be elected at the final stated meeting of the year and take office at the conclusion of that meeting. The membership shall be divided into three equal classes, and one class shall be elected each year to three-year terms. No member shall serve more than six consecutive years.
 4. The chairperson of the council shall be elected by the presbytery at the final stated meeting of the year, upon recommendation of the nominating committee. Term of office for the chair shall be one year with the possibility of re-election. The chair shall not serve in excess of three consecutive years. The chair shall have a vote on council.
 5. The council shall hold the specific responsibilities set forth in the *Book of Order* (G-8.0202, G-9.0900, G-9.0902a, G-11.0301, and G-11.0303), and additional responsibilities as defined and delegated by the presbytery. The council's primary responsibilities will be:
 - a. To coordinate the mission and program of the presbytery (G-9.0902a) so as to:
 - 1) Provide a means of establishing goals and objectives for presbytery;
 - 2) Develop a mission strategy using the goals and objectives of presbytery;
 - 3) Review and evaluate the presbytery's mission in the light of its goals and objectives and vice-versa; and
 - 4) Review the effectiveness of the whole presbytery's mission.
 - b. To oversee the health and welfare of the presbytery;
 - c. To review the presbytery's life and mission in the light of G-11.0000. At no time shall the council transact business that properly belongs to the presbytery as a whole or to any presbytery standing committee;
 - d. Provide for ongoing evaluation of presbytery's mission programs;
 - e. Manage the administrative tasks of the presbytery; and
 - f. Carry out assignments as directed, from time to time, by the presbytery.
 6. The presbytery, upon recommendation of the council, shall normally establish task groups. The council may establish a task group between meetings of the presbytery if the work of the task group falls within the goals set by the presbytery. Such a task group shall function only until the next stated meeting of presbytery, at which time the presbytery shall vote to continue or end the work of the task group. Task groups will normally carry out ministries and administrative functions not assigned to any standing committee. Those tasks would include, but not be limited to: personnel reviews, budgeting, determining mission expenditures, ecumenical participation, policy development, electronic communications, reviewing session records, stewardship, evangelism, new church development, specific mission partnerships, new church development, etc.

7. Council may be authorized by presbytery to carry out the steps of the judicial process that require timely action.
8. Council shall serve as the board of trustees. Council shall have the responsibility to receive, hold, encumber as necessary, manage and transfer property and assets on behalf of presbytery and to oversee management of its corporate affairs in support of religion, mission and charities within the bounds of presbytery in such manner as the presbytery may direct and in keeping with the constitution of the Presbyterian Church (U.S.A.). Council may assign the insurance, property and other trustee duties to one or more of the voting members of council. This delegation may include the authorization of one or more of the trustees to sign binding agreements within the scope of their responsibilities.
9. Council shall be responsible for worship, fellowship and community building during presbytery stated meetings.
10. Council shall arrange for the reports of all standing committees and task groups to be written and mailed to the members of presbytery and sessions of the churches along with the docket for the presbytery stated meeting so as to arrive 14 days before the meeting of presbytery.
11. An Executive Committee of Council shall consist of the Presbytery Officers and the Council Chair. This committee should meet before each Council meeting to determine the docket and structure of the meeting. The Executive Committee is authorized to make decisions on behalf of Council when the decision must be made without delay and there is inadequate time to call a full Council meeting.
12. The immediate past moderator of Presbytery shall be the Vice-Chair of Council and be authorized to perform the duties of the Chair during times when the Chair is not available and immediate action is needed or at times when the Chair invites the Vice-Chair to substitute. If immediate action is required and the Vice-Chair is not available, the Chair may appoint another Council member to act as Chair pro tem.

D. Committee on Representation

1. The committee on representation shall consist of six persons, whose membership shall consist of equal numbers of men and women. A majority of the members shall be selected from the racial ethnic groups within the governing body, and the total membership shall include persons from each of the following categories: 1. Majority male and female membership; 2. Racial and ethnic male and female membership; 3. Youth membership and 4. Persons with disabilities.
2. In accordance with the provisions in the *Book of Order*, the committee shall:
 - a. Serve as an advocate for the representation of both women and men, of persons of all ages and racial and ethnic groups, persons from all states in the presbytery's geographical areas, and of persons with any handicapping or disabling conditions, in this presbytery.

- b. Report annually to the stated clerk of this presbytery and the stated clerk of the Synod of the Northeast any extent to which the membership of the presbytery, and its bodies, falls short of the inclusiveness and participation requirements set forth in the *Book of Order* (G-9.0105).
- c. Recommend to the sessions through the stated clerk changes in their commissioners to presbytery that would help the presbytery membership better comply with the requirements of the *Book of Order* (G-9.0105 and see also G-11.0103e).
- d. Consult with the nominating committee in order that the presbytery's committees might as nearly as possible fulfill the requirements of the *Book of Order* (G-9.0105).
- e. Remind the council of the principles of participation and representation set forth in the *Book of Order* (G-4.0403).
- f. Consult with the presbytery's pastors and commissioners, especially those serving churches in areas where large numbers of minority, racial or ethnic groups reside, in order to uncover instances of racial, ethnic, sex-group or age-group under-representation. The committee shall then work with those pastors, sessions and under-represented groups to improve representation.

E. Committee on Ministry

1. The committee on ministry shall consist of 12 members, 6 ministers and 6 elders. Its quorum shall be a majority of the members.
2. In keeping with the *Book of Order*, the committee shall:
 - a. Promote the spiritual and temporal welfare of the ministries and churches of the Presbytery as enumerated in the *Book of Order* (G-11.0502).
 - b. Visit with each session of the presbytery at least once every three years, discussing with them the mission and ministry of the particular church and encouraging the full participation of each session and congregation in the life and work of presbytery and of the larger church (G-11.0502).
 - c. Supervise all churches with a vacant pulpit in keeping with the *Book of Order* (G-11.0502, G-14.0502).
 - d. Function as the presbytery's committee on credentials, both as to ministers coming into the presbytery from other jurisdictions and as to ministers seeking permission to labor within or without the bounds of the presbytery. A minister of this presbytery desiring to labor within the bounds of this presbytery, but independently, or with an organization not under the jurisdiction of this presbytery, shall be required to have permission, being the same as though the request were to labor without the bounds of the presbytery. All such ministers shall report annually to the presbytery through this

committee. Permission shall not be granted to a minister of another presbytery to labor within the bounds of this presbytery unless the work, which the minister comes to undertake, has first been approved by this presbytery, after which the minister must secure permission of the other presbytery so to labor in keeping with the law and deliverances of the general assembly.

F. Committee on Preparation for Ministry

1. The committee on preparation for ministry shall consist of nine or twelve members as determined by the presbytery. Its quorum shall be a majority of its members.
2. In keeping with the *Book of Order*, the committee shall:
 - a. Oversee the preparation of the inquirers and candidates for their task as ministers of Word and sacrament as provided in the *Book of Order* (G-14.0300).
 - b. Have the authority to dismiss candidates and enroll Inquirers, reporting to the next stated meeting of presbytery.
 - c. Follow the interpretation of its responsibilities as determined by the appropriate agency of the general assembly.
 - d. In regard to making exceptions to the requirements for candidacy, the "extraordinary candidate" (G-14.0308, G-14.0403 and G-140313) shall be one who has demonstrated inability to fulfill a requirement. The lack of fulfillment should not reflect diminished scholarship or preparedness or effectiveness in or for ministry.
 - e. Oversee the training and preparation of prospective commissioned lay pastors. Once this committee determines that they are adequately prepared, the Committee on Ministry will be advised and may proceed to commission them when and if desired.

G. Nominating Committee

1. The nominating committee shall consist of six persons, one of whom will be the chairperson, nominated by the Council and elected at the final stated meeting of the year of presbytery. It shall also be broadly representative of the presbytery's churches and consist of approximately equal numbers of laywomen, laymen, and ministers.
2. In keeping with the *Book of Order* (G-9.0800), the committee shall:
 - a. Nominate persons to fill all vacancies on standing committees (except the Nominating Committee) and other bodies that require election by the presbytery or synod.
 - b. Consult at least annually with the presbytery's committee on representation.

- c. Observe relevant provisions of G-6.0106, G-9.0104, G-11.0103d, G-11.0302, and G-12.0204.
- d. Assist the council in finding task group members, when asked.

H. Permanent Judicial Commission

The permanent judicial commission shall consist of seven members elected to six-year terms in accordance with the *Book of Order* (D-5.0101).

ARTICLE VI

STAFF

A. Staff of the Presbytery of Northern New England shall be:

1. General Presbyter

- a. The general presbyter is a full-time position working for the presbytery and called under a three-year contract with terms and conditions approved by presbytery and administered by council.
- b. The general presbyter will be a pastor to the pastors and a facilitator for congregational ministries.
- c. The general presbyter shall be a voting member of the council.

2. Administrative Assistant

- a. The administrative assistant is a position working in the office of the presbytery under terms and conditions set from time to time by the council and approved by presbytery.

3. Nomination and Election

- a. When the position of general presbyter has become or is becoming vacant, the presbytery shall elect a representative special search committee of nine (9) members to seek a nominee for the position (G-9.0704). This committee shall be composed of ministers and elders nominated by the presbytery nominating committee. Nominations from the floor shall be in order. At least one half of the committee shall be elders (G-9.0501). There shall be approximately equal numbers of men and women, at least one member under the age of 30, and at least one member over the age of 65. At least one member shall come from each of the four states: Maine, Massachusetts, New Hampshire, and Vermont. Different theological positions consistent with the Reformed tradition shall be represented. If possible, there shall be on the committee at least one member of a racial or ethnic minority. Other factors mentioned in G-4.0403 shall be considered in nominating the members of this committee. A representative of the Synod of the Northeast's Mission Council's Personnel Committee and the synod executive or the synod executive's designee shall be advisory members of the committee without vote.
- b. At a stated or a called meeting of the presbytery, the special search committee shall present one nominee for election as general presbyter. No nominations from the floor shall be allowed. The election shall be by secret ballot, and affirmative votes of three-fourths of those present and voting shall be necessary to elect.
- c. Re-election of the general presbyter shall be by secret ballot and affirmative votes of a majority of those present and voting shall be necessary to re-elect.

ARTICLE VII

INDEMNIFICATION

If any action, suit or proceedings shall be brought against the presbytery, council, trustees, standing committees, task groups, members, commissioners, officers or staff as a result of any action taken by those persons on behalf of the presbytery, the presbytery shall defend and hold harmless such persons against such action, suit or proceedings. However, if such action, suit or proceedings is found to have resulted from gross negligence or criminal activity, the presbytery shall not be responsible to hold such person harmless from any action, suit or proceedings resulting from such action. The foregoing indemnification shall inure to the benefit of the heir, executors and administrators of any such person.

ARTICLE VIII

AMENDMENTS TO THE BYLAWS

- A. Any minister or elder commissioner may propose amendments to these bylaws by giving notice in writing at any stated meeting of the presbytery specifying the text of the proposed amendment. Such notice shall be included in the announcement of the next stated meeting of the presbytery at which it shall be considered. Such a proposed amendment may be adopted by a two-thirds majority of those voting.
- B. The presbytery may temporarily suspend a particular provision of these bylaws, except for Article VIII, for a specific time and purpose by a two-thirds majority of those voting.

Amendment Record:

November 6, 2004	Remove "committee day", new business rule, moderator pro tem rule, CPM size, and other misc.
December 3, 5005	Grant synod commissioner seat on Council.
June 3, 2006	Grant voting commissioners to immigrant fellowships if approved annually.
December 1, 2007	Remove term limits for stated clerk.
December 5, 2009	Establish civil corporate officers to mirror ecclesiastical officers.
June 5, 2010	Establish Council Executive Committee and change Council quorum