

1 **OVERTURE 5** from Calvary Presbytery (to CCB, OC)
2 “Amend *BCO* 20-4; 24-3; 24-4 Regarding Election of Pastor, Associate
3 Pastor, and Officers”
4

5 **Whereas**, the *Book of Church Order (BCO)* provides that for the election of a pastor “a
6 majority of all the voters present shall be required to elect,” (*BCO* 20-4); and for the
7 election of elders and deacons “[a] majority vote of those present is required for
8 election,” (*BCO* 24-3), and “a majority of all the voters present shall be required to
9 elect,” (*BCO* 24-4); and
10

11 **Whereas**, the Committee on Constitutional Business has opined that these sections of the
12 *BCO* mean that the election of a pastor, elders, and deacons requires a majority of all
13 members of the congregation who are eligible to vote and who are present at the
14 meeting (see *M10GA*, 10-75, III, Item 10, p. 101); and
15

16 **Whereas**, requiring a majority of all those present who are eligible to vote, while used for some
17 purposes, is not the usual method for conducting elections or votes on items of business
18 (see *Roberts Rules of Order Newly Revised* [“*RONR*”] [11th ed.], p. 4, I, 3-18); and
19

20 **Whereas**, the General Assembly has affirmed that the usual manner of conducting votes does
21 not require a majority of all those present who are eligible to vote.
22

23 *Compare M25GA*, 25-17, Item 2, p. 114: “On Item 2, a parliamentary
24 inquiry was raised concerning the counting of abstentions in the
25 determination of an issue when a majority vote is required. The
26 Moderator ruled that, according to [*RONR*], 1990 Edition, Sect. 43, p. 385,
27 when a majority vote is required, it means more than half of the votes
28 cast by persons legally entitled to vote, excluding blanks and abstentions.”
29

30 *with Rules of Assembly Operations XX*: “The *Rules of Assembly*
31 *Operations* may be amended or suspended only by a two-thirds vote of
32 those voting, which must also be a majority of the total enrollment of
33 commissioners.”; and
34

35 **Whereas**, *RONR* notes the problems inherent in determining a majority of members present:
36

37 Voting requirements based on the number of members present—a
38 majority of those present, two thirds of those present, etc.—while
39 possible, are generally undesirable. Since an abstention in such cases
40 has the same effect as a negative vote, these bases deny members the
41 right to maintain a neutral position by abstaining. For the same reason,
42 members present who fail to vote through indifference rather than
43 through deliberate neutrality may affect the result negatively. When
44 such a vote is required, however, the chair must count those present
45 immediately after the affirmative vote is taken, before any change can
46 take place in attendance. (*RONR* [11th ed.], p. 403, XIII, 13-24) and
47

48 **Whereas**, the problems noted in *RONR* are exacerbated in congregational meetings, where
49 large numbers of persons not eligible to vote are present and where some number of

1 persons enter and leave the meeting during its course. In such cases, accurately
2 determining the number of eligible voters present is difficult; and
3

4 **Whereas**, requiring a majority of all those present who are eligible to vote causes confusion
5 when blank ballots are submitted or when ballots with multiple candidates have “yes”
6 boxes checked for some candidates with both “yes” and “no” boxes left unmarked for
7 others – did the person forget to check a box, mistakenly submit a blank ballot, intend
8 to abstain, etc.?; and
9

10 **Whereas**, an example of this confusion occurred at an election of officers at one PCA church
11 where elders were on one side of the ballot and deacons on the other (admittedly not
12 the best ballot design). Many ballots were submitted with one side completed but not
13 the other. A fair assumption would be that voters completed one side of the ballot but
14 did not realize there was a second side to complete. But under current *BCO* language,
15 the uncompleted side had to be counted as negative votes; and
16

17 **Whereas**, the legislative history of *BCO* 20-4, 24-3, and 24-4 provides no reference to any
18 salutary effects of the present language;
19

20 **Be it therefore resolved** that *BCO* 20-4 is amended as follows (~~strike through~~ for deletions,
21 underlining for new wording):
22

23 20-4. Method of voting: The voters being convened, and prayer for divine
24 guidance having been offered, the moderator shall put the question:
25

26 **Are you ready to proceed to the election of a pastor?**
27

28 If they declare themselves ready, the moderator shall call for nominations,
29 or the election may proceed by ballot without nominations. In every case
30 a majority of all the ~~voters present~~ votes cast shall be required to elect.
31

32 **Be it further resolved** that *BCO* 24-3 is amended as follows:
33

34 24-3. All communing members in good and regular standing, but no
35 others, are entitled to vote in the election of church officers in the
36 churches to which they respectively belong. A majority ~~vote of those~~
37 present of votes cast is required for election.
38

39 **Be it further resolved** that *BCO* 24-4 is amended as follows:
40

41 24-4. The voters being convened, the moderator shall explain the
42 purpose of the meeting and then put the question:
43

44 **Are you now ready to proceed to the election of additional ruling**
45 **elders (or deacons) from the slate presented?**
46

47 If they declare themselves ready, the election may proceed by private
48 ballot without nomination. In every case a majority of all the ~~voters~~
49 present votes cast shall be required to elect.
50

51 *Adopted by Calvary Presbytery at its stated meeting, January 25, 2020*

52 *Attested by /s/ RE Melton L. Duncan, stated clerk*