R.S.16:11-1 et seq.

LEGISLATIVE FACT SHEET

ON

N.J.R.S. 16:11-1 et seq ("United" add - Presb. Church)
(1964 Amendment)

LAWS OF 1964 CHAPTER 270

~~SENATE~~ ASSEMBLY 596

INTRODUCED Mar. 23, 1964 BY Randall, Woodcock, Everett

STATEMENT YES (NO)

AMENDED DURING PASSAGE YES (NO)

HEARING

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CHAPTER 270 LAWS OF N. J. 1964
APPROVED 1-8-65

ASSEMBLY, No. 596

STATE OF NEW JERSEY

INTRODUCED MARCH 23, 1964

By Assemblymen RANDALL and WOODCOCK

Referred to Committee on Business Affairs

AN ACT concerning the United Presbyterian Church in the United States of America, amending sections 16:11–1, 16:11–4, 16:11–5, 16:11–7, 16:11–15, 16:11–16, 16:11–18, 16:11–23, and repealing chapter 18 of Title 16, of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 16:11–1 of the Revised Statutes is amended to read as follows:

16:11–1. Any Christian congregation connected with the *United* Presbyterian Church in the United States of America, not having an incorporated board of trustees, may elect and incorporate a board of trustees in the following manner:

Any 7 or more members of the congregation, male or female, 21 years of age, may sign a written notice of a business meeting of the congregation to decide whether trustees shall be elected and incorporated, and to elect such trustees if so decided. The notice shall be conspicuously posted at the main entrance of the usual place of meeting for public worship at least 10 days previous to the date of the meeting mentioned in the notice. If, at such meeting, the congregation shall decide by resolution to elect and incorporate a board of trustees, they shall then by resolution determine the number of trustees to be elected, which number shall be 3 or any multiple of 3, and the name by which the incorporated board shall be known. Thereupon the con-

gregation shall, by a plurality of the votes cast by those of its members, male or female, 21 years of age, who have within the 3 months next preceding contributed toward the support of the gospel in that congregation, elect, from such members, ⅓ of the whole number of trustees to serve until the first succeeding annual business meeting, ⅓ until the second succeeding annual business meeting, and ⅓ until the third succeeding annual business meeting, but a majority of the whole number of trustees shall at all times be members of the church in good and regular standing. At each succeeding annual business meeting of the congregation, successors of the class of trustees whose terms are then expiring shall be elected from such members of the congregation as aforesaid to serve until the third annual business meeting after the election of such successors.

2. Section 16:11–4 of the Revised Statutes is amended to read as follows:

16:11–4. In the exercise of any power necessary to the proper care of the property held for the uses of the congregation, such corporation shall be subject to such authority over the worship of the congregation, including the musical service, over the times and places of preaching the word of God and of all other religious services, and over the uses to which the church buildings and other properties may be put, as may be committed by the constitution of the *United* Presbyterian Church in the United States of America to the session of the church or to any other spiritual officers, and shall have no power to make by-laws or exercise any power with respect to matters so committed.

3. Section 16:11–5 of the Revised Statutes is amended to read as follows:

16:11–5. The persons entitled to vote at any annual or special business meeting of any congregation connected with the *United* Presbyterian Church in the United States of America shall be those members of the congregation who are 21 years of age and who contribute by regular payments at stated periods to the support and necessary expenses of the congregation in accordance with its rules. There shall be a list of such contributors, which shall be compiled and kept accurate by the treasurer of the board of trus-

tees and a copy of which shall be furnished by him to the session of the church. Such list shall be the authoritative list of voters at every such meeting.

4. Section 16:11–7 of the Revised Statutes is amended to read as follows:

16:11–7. Any Christian congregation connected with the *United* Presbyterian Church in the United States of America, having an incorporated board of trustees, may change the number of such trustees in the following manner:

Written notice of the proposed change, authorized by the existing board of trustees or signed by at least 7 members of the congregation entitled to vote on the question, shall be conspicuously posted at the main entrance of the congregation's usual place of meeting for public worship, at least 10 days previous to the date of the annual business meeting at which it is intended to take action on the proposed change. At such meeting the congregation shall determine by by-law or resolution the number of trustees of which the board shall thereafter be composed, which number shall be 3 or any multiple of 3.

The congregation shall then elect, by a plurality of the votes cast by the members thereof having the qualifications provided in section 16:11–5 of this Title, the number of trustees so determined, which trustees and their successors shall be apportioned and hold office for the terms and have the qualifications of trustees as provided in section 16:11–1 of this Title. The terms of all trustees theretofore elected shall end as soon as their successors shall be elected, when any such change is made.

5. Section 16:11–15 of the Revised Statutes is amended to read as follows:

16:11–15. Every special business meeting of any such congregation shall be held at its usual place of meeting for public worship and may be called at any time by the board of trustees or by not less than ¼ of the members of the congregation entitled to vote thereat, upon written notice of the time, place and object thereof. The notice shall be conspicuously posted at the main entrance of the congregation's usual place of meeting for public wor-

ship, at least 10 days prior to the date of the meeting mentioned in the notice. The business of such special meeting shall be limited to the object mentioned in the notice. Nothing in this section shall be construed as a limitation upon the power of the session of the church, or of any other spiritual officers, to call a congregational meeting at any time for any purpose authorized by the constitution of the *United* Presbyterian Church in the United States of America.

6. Section 16:11–16 of the Revised Statutes is amended to read as follows:

16:11–16. The minutes of the proceedings of the board of trustees and of all annual and special business meetings of the congregation, and a statement of the receipts and disbursements of the treasurer, shall at least annually, and as much oftener as may be required by the session of the church, be submitted to such session for review, for incorporation in its records, and for report to the higher judicatories of the church, according to the provisions of the constitution of the *United* Presbyterian Church in the United States of America.

7. Section 16:11–18 of the Revised Statutes is amended to read as follows:

16:11–18. Any presbytery in this State of the *United* Presbyterian Church in the United States of America, convened at a stated meeting in accordance with its usages, may, for the purpose of incorporation, elect, by ballot, from its members, 5 ministers and 5 ruling elders to be trustees of the same.

Such trustees shall adopt a name, shall certify such name under their hands and seals, and forthwith transmit such certificate to the Secretary of State, who shall forthwith record the same. Thereupon such trustees and their successors shall be a corporation by the name stated in such certificate, with the powers enumerated in section 16:1–4 of this Title, except that of paragraph "i" of said section.

8. Section 16:11–23 of the Revised Statutes is amended to read as follows:

16:11–23. When any presbytery in this State connected with the *United* Presbyterian Church in the United States of America heretofore has dis-

solved or hereafter dissolves any particular local church subject to the ecclesiastical jurisdiction of such presbytery, pursuant to the constitution, laws, usages or customs of the *United* Presbyterian Church in the United States of America, all the real and personal property of the particular local church and of the congregation connected therewith, whether held by an incorporated board of trustees or otherwise, shall thereupon vest in the trustees of such presbytery, provided the trustees are incorporated, in the same manner as the property was vested in the board of trustees or persons or body holding the same in trust for the particular local church and congregation.

The trustees of the presbytery may, under the direction of the presbytery, manage, sell, or otherwise freely dispose of the same, and shall apply the proceeds thereof in such manner as to the presbytery may seem best for religious uses and purposes within the territory over which the presbytery shall have ecclesiastical jurisdiction. Any sale or conveyance of such property made by such trustees shall be as good and effectual as if made by the board of trustees, persons or body formerly holding the same, and shall vest in the grantee all the right, title and interest in and to such property theretofore vested in the church and its trustees, or in the congregation connected therewith, or in the persons or body holding the same in trust for the particular local church and congregation.

9. Chapter 18 of Title 16, of the Revised Statutes is repealed.

10. This act shall take effect immediately.