

Constitutional Musings Note 8

Actions of the General Assembly Relating to Homosexuality - 1970-2009

(For Additional information, also see AO Note #8)

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United Presbyterian Church:

UPC 182nd GA (1970), pp. 468-470, 888, *Sexuality and the Human Community*; available OGA, order number OGA-88-041; phone 1-800-524-2612.

UPC 188th GA (1976), pp. 111-112, *The Church and Homosexuality* (in response to *Overtures 9* (p. 169), *25* (p. 176), *52* (p. 186), *55* (p. 188), *58* (p. 189), and *62* (p. 191)).

UPC 190th GA (1978), pp. 213-267, *The Church and Homosexuality* (Reprinted in 198th GA (1986) pp. 971-1024). Available PDS, number OGA 88-042; phone 1-800-254-2612.

Presbyterian Church in the United States:

PCUS 117th GA (1977), pp. 174, 319. Paper "The Church and Homosexuality: A Preliminary Study." Concern for just treatment of homosexuals, protection from social and economic discrimination. "... homosexuality falls short of God's plan."

PCUS 118th GA (1978), p. 190, reaffirm statements adopted by 117th GA.

PCUS 119th GA (1979), pp. 201-209, *Homosexuality and the Church* (Reprinted in 198th GA (1986) pp. 1025-1029).

PCUS 120th GA (1980), pp. 201-218, Adopted The Nature and Purpose of Human Sexuality.

Presbyterian Church (U.S.A.):

197th GA (1985), p. 118ff, PJC Decision, *Union Church v. Presbytery of Western New York*. Applied 1978 & 1979 policies: congregation's right to elect officers is bounded by the constitution.

198th GA (1986), pp. 52, 835, *Overture 158-86*, on reprinting position paper on homosexuality [approved] and revoking status of PLGC [not adopted].

1987

199th GA (1987), pp. 66, 145, sec. 15.194, 832, *Communication 4-87*, on requesting clarification of apparent conflict between 1978 Policy and G-5.0103. Approved response: more stringent limitations must be met by candidates for office.

199th GA (1987), pp. 75, 151, sec. 15.252, 837, *Communication 17-87*, on admission to membership of homosexuals. Answered with the same response as *Communication 4-87*, sec 15.194.

199th GA (1987), pp. 70, 740, *Overture 12-87*, on sexual responsibility, no action.

199th GA (1987), pp. 70, 772, *Overture 83-87*, on sexual responsibility, Presbytery of Atlanta, no action.

199th GA (1987), pp. 70, 776, *Overture 97-87*, on elimination of laws governing private sexual behavior of consenting adults. Adopted.

199th GA (1987), pp. 70, 863, *Commissioners' Resolution 4-87*, on human sexuality, asks for a renewed study of the subject, adopted substitute resolution authorizing study.

1988

200th GA (1988), pp. 50, 129, 982, *Overture 20-88*, on power of sessions and presbyteries to ordain according to their understanding. Not adopted.

200th GA (1988), pp. 94 sec V.I., 1099, *Overture 73-88*, on upholding fidelity in marriage and chastity outside of marriage, Presbytery of Alaska, referred to task force on Human Sexuality.

1989

201st GA (1989), pp. 75, 89, declaring GA is bound by previous decisions until they are changed by constitutional means.

201st GA (1989), pp. 76, 216, 593, *Overture 89-16*, on amending *Book of Order* to grant governing bodies power to ordain without regard to sexual orientation; Referred to Special Task Force on Human Sexuality.

1990

202nd GA (1990), pp. 94, 228, 571, 741, *Overture 89-102*, on granting governing bodies discretionary power to ordain. Referred to 203d GA.

202nd GA (1990), pp. 70, 841, *Commissioners' Resolution 90-20*, on non discrimination in ROTC programs. Referred to Committee on Higher Education.

202nd GA (1990), pp. 81, 811, *Communication 90-9*, on reaffirming denomination's stand on homosexuality. Referred to Task Force on Human Sexuality. See also *Overture 90-78*, pp. 94, 777.

202nd GA (1990), pp. 82, 757ff, various overtures directing PLGC to cease distributing brochures, resolution adopted.

1991

203rd GA (1991), pp. 55, 263, Special Committee on Human Sexuality, section on Gays and Lesbians pp. 305-312.

203rd GA (1991), pp. 57, 395, 411, *Request 91-23*, Interpretation of W-4.9001: Not proper for minister to perform same-sex union ceremony that the minister determines to be the same as a marriage ceremony, or for session to permit the use of the building.

203rd GA (1991), pp. 55, 60-61, 1038, *Commissioners' Resolution 91-26*, Requiring Seminaries Not to Discriminate on the Basis of Sexual Orientation. Referred to Committee on Theological Education, to report to 204th GA (1992).

1992

204th GA (1992), pp. 102, 918, *Commissioners' Resolution 92-23*, in support of PC(USA) policy and direct Stated Clerk to file an amicus brief in New Jersey. Adopted.

- 204th GA (1992), pp. 133, 300, *Overture 92-33*, on not ordaining persons who are in a state of unrepentant homosexual practice. Not adopted.
- 204th GA (1992), pp. 141, 918, *Commissioners' Resolution 92-22*, on violation of PC(USA) standards by Boy Scouts. Not adopted.
- 204th GA (1992), pp. 138, 838, *Overture 92-8*, Right of Boy Scouts to set own standards of membership. Presbytery of Western North Carolina. Not adopted.
- 204th GA (1992), p. 335, Stated Clerk filed Amicus Brief in *Kentucky v. Wasson*, expressing GA position calling for decriminalization of homosexual acts. See 1993, p. 349.
- 204th GA (1992), pp. 125, 705. Recommendations from Theology and Worship Ministry Unit to referral from 203rd General Assembly (1991) on human sexuality (see *Minutes*, 1991, p. 56).
- 204th GA (1992), pp. 137, 141, 776, report of Committee on Theological Education on *Commissioners' Resolution 91-26*.

1993

- 205th GA (1993), p. 310, 21.010, *Overture 92-123*, rejected request to prohibit ministers from participating in same-sex union ceremonies.
- 205th GA (1993), p. 308, 21.005, *Overture 92-117*, rejected request to forbid ministers from blessing any relationship outside a Christian marriage.
- 205th GA (1993), pp. 77, 339, 851, *Overture 92-32*, on unacceptability of practicing homosexuality within the leadership of the church. Not adopted.
- 205th GA (1993), pp. 76, 864, *Overture 93-20*, pp. 78, 895; *Overture 93-77*, pp. 78, 902, *Overture 93-77*, regarding definitive guidance and ordination of homosexuals; alternate resolution adopted: pp. 76, 77 plan for three year congregational & presbytery wide study and dialogue.
- 205th GA (1993), pp. 78, 318, 319, 902, *Overture 93-100*, on impediments to ordination. Not adopted.
- 205th GA (1993), pp. 118, 898, *Overture 93-81*, condemning discriminatory legislation in Colorado. Adopted.
- 205th GA (1993), pp. 119, 944, *Commissioners' Resolution 93-27*, on examining current Boy Scouts of America policy, not adopted.
- 205th GA (1993), pp. 119, 946, *Commissioners' Resolution 93-31*, affirming commitment to end discrimination based on sexual orientation.
- 205th GA (1993), p. 181, *Presbytery of West Jersey v. Synod of the Northeast*, Expression of an opinion, without action, does not constitute adoption of a policy contrary to PC(USA).
- 205th GA (1993), pp. 163-166, PJC Decision, *LeTourneau v. Presbytery of Twin Cities*.
- 205th GA (1993), pp. 166-170, PJC Decision, *Sallade v. Presbytery of Genesee Valley*.
- 205th GA (1993), pp. 100, 308, 852, *Overture 92-117*; and pp. 100, 310, 855, *Overture 92-123*, amend W-4.9001, prohibit blessing relationships outside Christian Marriage, not adopted.
- 205th GA (1993), p. 322, ACC recommendation UU, sec. 21.049A on “authoritative interpretation.”
- 205th GA (1993), p. 349, Stated Clerk’s Amicus Brief, *Kentucky v. Wasson*, report that state Supreme Court held the statute unconstitutional. See 1992, p. 335.

205th GA (1993), p. 350, Stated Clerk's Amicus Brief, *Orthodox Presbyterian Church v. Florio*. Filed in support of state law extending protection to persons discriminated against on the basis of sexual orientation. See 1994, p. 207; 1995, p. 299; 1996, p. 207.

205th GA (1993), p. 350, Stated Clerk's Amicus Brief, *Texas v. L. Morales*. Filed in support of challenge to state law criminalizing private same gender sexual acts between consenting adults. See 1994, p. 207.

205th GA (1993), p. 722, report of Theology & Worship Ministry Unit on, 1992, p. 705 referral on publishing resources to assist the church exploring issues relating to human sexuality.

1994

206th GA (1994) p. 126, report of Office of the General Assembly on resolution regarding discriminatory legislation, GA 1993 p. 118 (*Overture 93-81*).

206th GA (1994) pp. 42, 186, 21.012, 488, *Overture. 93-99*, on same-sex unions, Presbytery of Southern New England. Amendment to W-4.9001, "not permitted for ministers to participate in the blessing of any same-sex unions" sent to presbyteries, defeated 1995, p. 117, 11.052.

206th GA (1994) p. 207, AC Litigation, report on *Texas v. Morales*, filed last year, court held plaintiffs lacked standing to challenge statute limiting private sexual relations between persons of same gender. *Louisiana v. Baxley*, report that SC declined to file amicus brief because money had been offered for sex.

206th GA (1994) p. 497, *Overture 94-4*, on declaring par. 14 of policy statement of the 190th GA (1978) regarding ordination of homosexual persons as authoritative interpretation of the Constitution; ACC report p. 188, section 21.015; overture disapproved, p. 67.

206th GA (1994) p. 508, *Overture 94-3* and *Overture 94-25*, on amending G-6.0106 to require fidelity within the covenant of marriage or celibacy to hold an ordained office; ACC report p. 188, 191, sec. 21.014 and 21.024; Amendment sent down p. 67.

206th GA (1994) p. 522, *Overture 94-53*, on premarital chastity, resolution adopted p. 93.

206th GA (1994) p. 522, *Overture 94-54*, on teaching about human sexuality, disapproved, p. 93.

206th GA (1994) pp. 80, 198, 489, *Overture 93-111*, on clarifying the nature of definitive guidance, disapproved.

206th GA (1994), p. 142, PJC Decision, *Hope PC v. Central PC*. A self-affirming, practicing, and unrepentant homosexual person may not be ordained. No precedent exists for annulment of an irregular ordination.

1995

207th GA (1995) p. 318, 31.023, Report of publication: *God's Gift of Sexuality*, in response to *Commissioners' Resolution 94-5* (1994, pp. 52, 53, 569-570).

207th GA (1995) p. 28, *Commissioners' Resolution 95-9*, sexual intercourse outside marriage is a sin, declined under SR B.5.e., considered last year.

207th GA (1995) pp. 27, 28, 725, *Commissioner's Resolution 95-10*, on equal access to civil status of marriage, referred to 208th GA (1996). (See also 1997 p. 127.)

207th GA (1995) p. 109, Stated Clerk's report of compliance with *Overture 93-81* (1993, pp. 118, 119) on opposing discriminatory legislation against homosexuals.

- 207th GA (1995) pp. 109, 299, AC Litigation, SC filed an amicus brief in *Equality Foundation v. Cincinnati*, Dec. 1994; opposition to discriminatory legislation against homosexuals.
- 207th GA (1995) p. 111, Stated Clerk's report Res. on Human Sexuality to be made to 208th GA (1996), (see 1993, pp. 77, 78).
- 207th GA (1995) p. 117, 11.052, Amendment A.1., to require fidelity within the covenant of marriage or celibacy to hold on ordained office not adopted by presbyteries.
- 207th GA (1995) p. 117, 11.052, Amendment E. forbidding participation by ministers in blessing same-sex unions not adopted by presbyteries.
- 207th GA (1995) p.125, 11.060, PJC Decision, *Mt Auburn P.C. v. Presbytery of Cincinnati*, held constitutionality of session's policy on gays and lesbians was not before the PJC.
- 207th GA (1995) p. 318, 31.019, report on compliance with *Overture 94-53*, (1994, pp. 93, 522) on encouraging commitment to premarital chastity by youth.
- 207th GA (1995) p. 331, CMD progress in sex ed. curriculum (*Overture 90-41*, 1990, pp. 46, 47, 296).
- 207th GA (1995) p. 66, 69, 70, 665, *Overture 95-11*, on following through on Human Sexuality Dialogue, Presbytery of Heartland. Approved as amended.
- 207th GA (1995) pp. 23, 666, *Overture 95-12*, par 14, 1978 policy ordination of homosexuals to be declared authoritative interpretation, Presbytery of Heartland, ref 208th GA (1996).
- 207th GA (1995) pp. 80-81, 712-713, *Overture 95-68*, professional ethics, Presbytery of Western Reserve, special committee to draft a code of professional ethics, approved.

1996

- 208th GA (1996), pp. 156-160, 12.004, report of dialogue on human sexuality (*Overture 95-11*, 1995 pp. 69-70, 665).
- 208th GA (1996), pp. 78-82, 686, *Overture 96-13*, AMENDMENT B., 1996, G-6.0106b, to require fidelity and chastity of ordained officers. Also answered by this action: *Ovts 95-1* (p. 679), *95-12* (p. 679), *96-10* (p. 684), *96-11* (p. 685), *96-15* (p. 688), *96-16* (p. 689), *96-18* (p. 689), *96-20* (p. 691), *96-21* (p. 692), *96-22* (p. 693), *96-25* (p. 695), *96-29* (p. 697), *96-30* (p. 698), *96-31* (p. 699), *96-33* (p. 699), *96-34* (p. 700), *96-35* (p. 702), *96-41* (p. 705), *96-43* (p. 708), *96-44* (p. 709), *96-45* (p. 709), *96-49* (p. 712), *96-56* (p. 715), *96-62* (p. 721), *96-63* (p. 721), *96-65* (p. 723), *96-66* (p. 723), *96-69* (p. 725), *96-71* (p. 727), *96-72* (p. 727), *96-73* (p. 728), *96-76* (p. 730), *96-77* (p. 731), *96-78* (p. 732), *96-79* (p. 733), *96-83* (p. 735), *96-84* (p. 737), *96-85* (p. 738), *96-86* (p. 739), *96-88* (p. 740), *96-90* (p. 742), *96-91* (p. 743), *96-92* (p. 744), *96-94* (p. 745), *96-95* (p. 746), *Commissioners' Resolution 96-6* (p.783), *Protests* (pp. 82 - 90).
- 208th GA (1996), p.161, report of appointment of Sp Committee on Code of Professional Ethics.
- 208th GA (1996), p. 80, V.A. Regarding, *Overtures 96-11, 96-30, 96-32, 96-11*. Stated Clerk directed to express apologies that constitutional questions had not been addressed and reminding them they may resubmit.
- 208th GA (1996), pp. 7, 80, 747, *Overture 96-98*, on delaying action on ordination of homosexuals, Presbytery of Mission, disapproved.
- 208th GA (1996), pp. 78, 750, *Overture 96-105*, urging humble prayer and silence, Presbytery of Cascades, approved.

- 208th GA (1996), pp. 78, 80, 755, *Overture 96-114*, on working for ministries of compassion and healing, Presbytery of Alaska, approved as amended.
- 208th GA (1996), pp. 78, 80, 760, *Overture 96-121*, on ministries to those in sexual brokenness, Presbytery of Prospect Hill, disapproved.
- 208th GA (1996), p. 9. 173-176, 12.081, PJC Decision, *Central P.C. v. Presbytery of Long Island, Remedial Case 208-4*, language of D-3.0200 grants discretion to governing body as to how, when, and whether it will respond to alleged irregularity through administrative review.
- 208th GA (1996), p. 271, 272, Advisory Committee on Litigation, report on *Equality Foundation v. Cincinnati* filed last year, no decision; *Sawatzky v. Oklahoma City*, Stated Clerk filed amicus brief March 1995, re. private consensual homosexual relations; *Romer v. Evans*, Stated Clerk filed amicus brief, June 1995, re. law that would prevent local laws being adopted or enforced to protect homosexuals.

1997

- 209th GA (1997), p. 133, report Amendment B (1996) to amend G-6.0106 adopted 97/74/1.
- 209th GA (1997), p. 46, 592-616 report, *Human Rights Update 1996-97*, sec. 35.0878 Gay/Lesbian Civil Rights, received, Stated Clerk directed to publish.
- 209th GA (1997), pp. 139-141, PJC decision, *Anderson v. Scioto Valley Presbytery* complaint v. presbytery approval of contract of stated supply where church has a ministry to homosexuals, remanded to determine whether complaint states a claim.
- 209th GA (1997), p. 97 NN, 127 sec. 12.0070, Stated Clerk's final response to *Commissioners' Resolution 95-10* (1995, pp. 27, 28, 725) on civil rights to same-sex partners.
- 209th GA (1997), p. 128, sec. 12.0075, Stated Clerk's report on referral from last year (1996, p. 80 V.A.) regarding, *Overtures 96-11, 96-30, 96-32, 96-11*. Letter was sent.
- 209th GA (1997), pp. 90 W. Y., 168-170, 684, 693, *Overtures 97-9, 97-23*, on changing the process of interpretation of the Constitution, not approved.
- 209th GA (1997), pp. 72, 89-90, 170, 685, *Overture 97-10*, on amending G-6.0106b, presbytery (1997), defeated, see 1998, p. 131, sec. 12.0126).
- 209th GA (1997), pp. 90, 170, 686, *Overture 97-11*, Presbytery of Kiskiminetas, declared moot due to passage of Amendment B (1996) to G-6.0106b.
- 209th GA (1997), pp. 90, 172, 691, *Overture 97-18*, on setting aside the interpretations of 1978 and 1993, Presbytery of National Capital, disapproved.
- 209th GA (1997), pp. 90, 173, 694, *Overture 97-24*, on interpreting the inclusive requirements to state that it is a violation to exclude on the basis of membership in a class, Presbytery of Chicago, referred to 210th GA (1998).
- 209th GA (1997), pp. 90, 174 (21.0110), 697, *Overture 97-29*, on reaffirming responsibilities of sessions and presbyteries to apply standards of ordination, Presbytery of San Francisco, disapproved.
- 209th GA (1997), pp. 90, 176 (21.0133), 700, *Overture 97-34*, on allowing congregations and presbyteries to ordain officers according to their own best judgment, Presbytery of Santa Fe, disapproved.

- 209th GA (1997), pp. 90, 707, *Overture 97-47*, on endorsing the concurring opinion in *Remedial Case 208-4, Central Church v. Presbytery of Long Island*, (1996, pp. 173, 175) Presbytery of Albany, declined, filed late.
- 209th GA (1997), 209th GA (1997), pp. 64 (S), 710, *Overture 97-53*, on reexamination of moral and ethical standards of behavior, Presbytery of Grace, disapproved.
- 209th GA (1997), pp. 42, 714, *Overture 97-63*, on a new translation of the Heidelberg Catechism, Presbytery of Winnebago, disapproved.
- 209th GA (1997), pp. 66, 722, *Overture 97-77*, on ministries to those in sexual brokenness, Presbytery of Prospect Hill, disapproved.
- 209th GA (1997), pp. 94, 98, 739, *Commissioners' Resolution 97-6*, on church healing, disapproved.
- 209th GA (1997), pp. 29, 744, *Commissioners' Resolution 97-19*, on showing pastoral concern for those already ordained before June 21, 1997, referred to ACC.
- 209th GA (1997), pp. 191, 192, Advisory Committee on Litigation, *Equality Foundation v. Cincinnati*, amicus filed Dec. 1994, US Ct Appeals, (6th Cir) has not rendered an opinion.

Romer v. Evans, amicus filed June 1995, US Sup Ct affirmed Colorado Supreme Court striking down amendment to state constitution that prohibited local ordinances giving minority status to persons on the basis of sexual orientation. (See also 205th GA (1993) p. 119.)

1998

- 210th GA (1998), p. 134, PJC decision, *National Capital Presbytery v. Office of the General Assembly*, complaint v. release of advice, dismissed for failure to state a claim.
- 210th GA (1998), pp. 60-61, 155, 656, 660, 672, *Overtures 98-10, 98-17, 98-35*, on authoritative interpretation by GA, disapproved with comment.
- 210th GA (1998), pp. 68, 166 (sec. 16.0220-.0224), 651, *Overture 97-24*, on interpreting the inclusiveness requirements, Presbytery of Chicago; GA adopted authoritative interpretation of G-6.0106 and G-4.0403.
- 210th GA (1998), p. 62, 166 sec. 16.0216, ACC report on *Commissioners' Resolution 97-19*, disapproved.
- 210th GA (1998), pp. 85, 672, 708, *Overture 98-34*, on translation of Heidelberg Catechism; *Communication 98-20*, disapproved.
- 210th GA (1998), *Overture 98-37*, p. 673, on striking G-6.0107b, Presbytery of Milwaukee; ACC advice p. 161, 16.0149-16.0151; disapproved with comment, p. 68, II.T., II.U.
- 210th GA (1998), pp. 93, II. H., 677, *Overture 98-45*, on guiding youth to fidelity & chastity, Presbytery of Holston; *Communication 98-33*, pp. 718, 719; approved. Also *Overture 98-54*, p. 682.
- 210th GA (1998, *Overture 98-59*, p. 686, on ecclesiastical disobedience, Presbytery of Baltimore; *Communication 98-12*, p. 704; disapproved with comment, p. 68, III.D.
- 210th GA (1998), pp. 68 (III.E.), 690, 693, *Overture 98-65*, on conference on Nature of the Unity We Seek, National Capital Presbytery; also *Overture 98-72*, Presbytery of NYC; approved with amendment.

- 210th GA (1998), pp. 91, 690-91, *Overture 98-66*, on directing NMD & CMD to become advocates for people living with HIV and AIDS, Presbytery of the Redwoods, adopted.
- 210th GA (1998), pp. 68, 691, *Overture 98-67*, on postponing discussion of ordaining practicing homosexuals for five years, Presbytery of Utica; disapproved.
- 210th GA (1998), pp. 694-695, *Overture 98-76*, on meeting AIDS with grace and truth, Presbytery of Greater Atlanta, referred to OGA, to report 2001.
- 210th GA (1998), pp. 68, 742, *Commissioners' Resolution 98-11*, on providing interpretive materials for G-6.0106b, disapproved.
- 210th GA (1998), pp. 134-136, 12.0161-12.0183, PJC decision, *Anderson v. Presbytery of Scioto Valley*. Presbytery may extend the stated supply contract, where ministry to homosexuals was being conducted.
- 210th GA (1998), pp. 171, 172, Advisory Committee on Litigation, no amicus briefs on issues of sexuality.

1999

- 211th GA (1999), p. 719, *Overture 98-45*, on guiding youth to fidelity & chastity, report by CMD of gathering of youth pastors, teens, parents on developing abstinence study guide.
- 211th GA (1999), pp. 59, 701 (par. 10.005), 713 (par. 20.037), *Overture 98-65*, on referral of conference on Nature of the Unity We Seek, report the conference was held.
- 211th GA (1999), pp. 59, 575, *Overture 99-2*, on striking G-6.0106b, Presbytery of Milwaukee, GA instructed the Stated Clerk to make available resources for conferences and discussions on "The Nature of the Unity We Seek in the Midst of Our Diversity," p. 610, *Overture 99-27*, on amending G-6.0106b, Presbytery of St. Andrew, answered as above. p. 612, *Overture 99-30*, on amending G-6.0106b, Presbytery of Philadelphia, answered as above.
- 211th GA (1999), pp. 24-25 (II.C.), 637, *Overture 99-46*, on ensuring the sexuality curriculum is brought in to conformance with Biblical and Constitutional Standards, Presbytery of Donegal, answered with alternative resolution.
- 211th GA (1999), p. 724, *Overture 98-66*, on directing NMD & CMD to become advocates for people living with HIV and AIDS, report Presbyterian AIDS Network working with entities.
- 211th GA (1999), pp. 80, 640-641, *Overture 99-47*, on hate crimes and hate legislation, Presbytery of Giddings-Lovejoy, Advice and Counsel memo, alternative resolution approved.
- 211th GA (1999), pp. 80-81, 650, *Overture 99-56*, on repentance of sin of homophobia, Presbytery of NYC, approved alternate resolution, including language suggested by ACSWP.
- 211th GA (1999), pp. 81, 618, *Overture 99-34*, on conversion therapies, Presbytery of Detroit, answered by the action taken on *Overture 99-56*.
- 211th GA (1999), pp. 81, 672, *Overture 99-73*, defense of conversion therapies, Presbytery of Prospect Hill, p. 80, 81, D.3,4,5, three overtures answered by statement "no church should insist that gay and lesbian people need therapy ... nor should it inhibit or discourage" those who seek therapy. Answered by the action taken on *Overture 99-56*.
- 211th GA (1999), pp. 79, 661, *Overture 99-64*, on negative effects of stereotyping and hate crimes based on sexual orientation, Presbytery of the Western Reserve, Comment OGA, p. 677,

Commissioners' Resolution 99-1, on creating a welcoming community for homosexuals, both answered by referral to GAC to create task force, report 2000, 2001, 2002.

211th GA (1999), pp. 75, 673, *Overture 99-74*, explore policy providing domestic partner benefits, Presbytery of Twin Cities Area, disapproved.

211th GA (1999), pp. 79, 677, *Commissioners' Resolution 99-1*, on creating a welcoming community for homosexuals, answered by the action on *Overture 99-64*.

211th GA (1999), pp. 59, 694, *Commissioners' Resolution 99-17*, on affirming the unity-diversity conversation, approved as amended, instructed stated clerk to provide materials.

211th GA (1999), p. 831, PJC *Riefle v. Session, John Knox, Cincinnati*, complaint alleging session approved ordination of practicing homosexual, appeal withdrawn by complainant; p. 831, PJC decision *Wier v. Session, Second, Fort Lauderdale*, complaint that session ordained a practicing homosexual elder, asking the ordination be annulled. PJC held the ordination, though irregular cannot be annulled by a remedial action; p. 838, PJC *Session, Govans PC v. General Assembly Council* re. circulation of document "Frequently Asked Questions and Answers," dismissed for failure to state a claim.

211th GA (1999), No Amicus Briefs filed relating to issues of homosexual orientation or practice.

2000

212th GA (2000), p. 15, business related to G-6.0106b referred to 213th GA (2001). Statement on this referral p. 63, D. New Business.

- a. p. 365, *Overture 00-6*, On Appointing a Special Committee to Explore Amendments to the *Book of Order* to Permit Congregations Which Cannot Comply with G-6.0106b to Disaffiliate from the Church While Retaining Real Property—From the Presbytery of Beaver Butler.
- b. p. 372, *Overture 00-13*. On Striking G-6.0106b from the *Book of Order*—From the Presbytery of Northern New England.
- c. p. 413, *Overture 00-40*. On Amending G-4.0403 and [former] G-14.0201 [now G-14.0220-.226] to List Sexual Orientation as a Category Not to Be Excluded—From the Presbytery of Milwaukee.
- d. p. 414, *Overture 00-41*. On Requesting the General Assembly to Declare That All Persons, Regardless of Sexual Orientation, Are Able to Fulfill the Requirements of Church Office—From the Presbytery of Milwaukee.
- e. p. 417, *Overture 00-42*. On Establishing a Special Task Force to Move Beyond the Current Impasse—From the Presbytery of Milwaukee.
- f. p. 421, *Overture 00-46*. On Amending [former] G-14.0202a [now G-14.0226a] By Adding an Exemption/Waiver Clause for Governing Bodies When, in Good Conscience, They Cannot Apply the Requirements of G-6.0106b Justly and Equitably—From the Presbytery of Santa Fe.
- g. p. 423, *Overture 00-48*. On Amending [former] G-14.0202 [now G-14.0226] to Add a Waiver of Requirements Not Essential to Reformed Faith and Polity—From the Presbytery of Hudson River.
- h. p. 125 (16.145–.151), Recommendation to Approve Interpretation of G-6.0106b (Request 00-3)—From the Advisory Committee on the Constitution.

212th GA (2000), p. 561, Referral in Progress, see *Overture 99-46*, to report 214th GA (2002).

- 212th GA (2000), p. 559, Referral in Progress, see *Overture 99-64*, to report 214th GA (2002).
- 212th GA (2000), pp. 59, 370-372, *Overture 00-12*, to prohibit ministers from performing same-sex unions, Presbytery of Tampa Bay, answered by the action on *Overture 00-26*.
- 212th GA (2000), pp. 59, 394, *Overture 00-26*, to prohibit ministers from performing same-sex unions, Presbytery of San Joaquin, approved, sent to presbyteries as Amendment 00-O.
- 212th GA (2000), pp. 41, 409, *Overture 00-38*, on developing resources for ministry with gay, lesbian, bisexual, and transgendered persons, Presbytery of San Francisco, approved as amended, to report to 214th GA 2002.
- 212th GA (2000), pp. 63, 417, *Overture 00-43*, On Establishing a Situation of Fair Play—From the Presbytery of Milwaukee. Disapproved.
- 212th GA (2000), pp. 59, 441-442, *Overture 00-58*, asking for interpretation of the responsibility of pastors and sessions for worship and pastoral care, Presbytery of the Western Reserve. Approved advice from Advisory Committee on the Constitution that the existing constitutional language is clear.
- 212th GA (2000), pp. 62, 442, *Overture 00-60*, on amending G-5.0103 to clarify church's policy on welcoming gay, lesbian, bisexual, and transgendered persons as church members. Approved with amendment, sent to presbyteries as Amendment 00-A. Motion to reconsider failed, p. 63. Protests, pp. 55 – 57, 68. Dissents, p. 63.
- 212th GA (2000), pp. 65, 460-462, *Overture 00-75*, on adding biblical and confessional standards to the sexual misconduct policy, Presbytery of Olympia, disapproved.
- 212th GA (2000), pp. 60, 494-495, *Commissioners' Resolution 00-13*, on support for same gender couples, disapproved.
- 212th GA (2000), p. 584, PJC, *Session of Londonderry Presbyterian Church v. Presbytery of Northern New England*. Carried over, see report to 213th GA (2001).
- 212th GA (2000), p. 584, PJC *Mairi Hair, et al. v. Session, First Presbyterian Church, Stamford CT*. Case withdrawn by parties as the matter is still in the presbytery.
- 212th GA (2000), pp. 586-589, PJC *Marc G. Benton, et al. v. Presbytery of Hudson River*, concerning same-sex holy union ceremonies.
- 212th GA (2000), pp. 589-590, PJC *John S. Sheldon et al. v. West Jersey Presbytery*, concerning reception of a gay man under care as a candidate for the ministry.
- 212th GA (2000), No Amicus Briefs filed relating to issues of homosexual orientation or practice.

2001

- 213th GA (2001), pp. 29, 377, *Overture 00-6*, appoint a special committee to explore amendments to the *Book of Order* to permit congregations which cannot comply with G-6.0106b to disaffiliate from the church while retaining real property, disapproved with comment.
- 213th GA (2001), pp. 51, 147-148, 16.145–151 (*Request 00-3*), interpretation of G-6.0106b, answered by following response “None of these questions is appropriate for inquiry by a nominating committee because only a session or a presbytery is authorized to examine candidates for church office.”
- 213th GA (2001), pp. 51–52, 401-405, *Overture 01-8*, amend G-6.0106a, delete G-6.0106b, and adopt new authoritative interpretation re. ordination standards to homosexual persons pending

approval of amendment by presbyteries, approved with amendment. Sent to presbyteries for affirmative or negative vote as Proposed Amendment 01-A. Action on Overture 01-8 answered the following:

Ovt. 00-13 (pp. 378-384), *Ovt. 00-40* (pp. 384-386), *Ovt. 00-48* (pp. 388-389), *Ovt. 01-3* (pp. 394-395), *Ovt. 01-6* (pp. 397-398), *Ovt. 01-12* (pp. 409-412), *Ovt. 01-19* (pp. 424-425), *Ovt. 01-22* (pp. 428-429), *Ovt. 01-27* (pp. 435-437), *Ovt. 01-28* (pp. 437-439), *Ovt. 01-29* (pp. 439-440), and *Ovt. 01-32* (pp. 441-443).

213th GA (2001), pp. 28–29, 443-445, *Overture 01-33*, appointing a theological commission to study the spiritual condition of our church and the causes for unrest, report to the 217th GA (2005), the assembly approved an alternate action. Action on *Overture 01-33* answered the following: *Ovt. 00-42* (pp. 386-387), *Commissioners' Resolution 00-28* (p. 485), *Ovt. 01-9* (pp. 405-406), *Ovt. 01-14* (pp. 414-417), *Ovt. 01-20* (pp. 425-426), and *Ovt. 01-36* (pp. 447-449).

213th GA (2001), pp. 26, 453-455, *Overture 01-41*, directing the National Ministries Division to offer transformational resources to those who struggle with sexual purity and report to the 214th GA (2002), assembly approved a statement and instructed the GAC to include it in resources being prepared in response to *Overture 00-38*.

213th GA (2001), pp. 26, 491, *Commissioners' Resolution 01-11*, encouraging support for scouting, referred to the GAC.

213th GA (2001), pp. 27, 494, *Commissioners' Resolution 01-15*, addressing the violation of PC(USA) standards by the Boy Scouts of America, referred to the GAC.

213th GA (2001), pp. 62, 500-501, *Commissioners' Resolution 01-25*, affirming civil rights and nondiscrimination for all persons, regardless of sexual orientation, referred as amended to the 214th GA (2002).

213th GA (2001), pp. 575-582, *Session of Londonderry Presbyterian Church v. Presbytery of Northern New England*, decorous dissent is affirmed, but does not include statement of intent to violate a constitutional provision - no PJC or governing body has the authority to find a provision of the *Book of Order* invalid.

2002

214th GA (2002), pp. 64, 384-385, Item 05-08 (*Overture 02-21*), sought to establish a moratorium on discussions regarding human sexuality and ordination standards; GA responded with alternative resolution calling the church to prayer for a period of one year. The call for prayer did not seek to prevent, or be a substitute for other discussions, dialogue, or actions.

214th GA (2002), pp. 64, 385-386, Item 05-09 (*Overture 02-25*), called for a “period of grace” while the Task Force on Spiritual Discernment carried out its work; GA answered this overture with its response to Item 05-08, immediately above.

214th GA (2002), pp. 64, 386-387, Item 05-10 (*Overture 02-35*), asked that consideration of overtures on the issues involving human sexuality cease until the Theological Task Force submitted its report to the 217th GA; GA answered this overture with its response to Item 05-08, above.

214th GA (2002), pp. 68, 315-318, Item 04-17 (*Overture 02-59*), called for compliance with the GAPJC decision regarding G-6.0106b in *Remedial Case 213-2, Session of Londonderry Presbyterian Church, et al. v. Presbytery of Northern New England*; GA disapproved the overture.

2003

- 215th GA (2003), pp. 64, 322-324, Item 04-06 (*Overture 03-7*), called for amendment to G-6.0106a, deletion of G-6.0106b, and a new authoritative interpretation seeking to give no further force or effect; GA answered the overture with a comment stating the issues raised were already before the Theological Task Force.
- 215th GA (2003), pp. 64, 324-325, Item 04-07 (*Overture 03-12*), requested an authoritative interpretation of the issues rising out of the application of G-6.0106b (especially the definition of “Chastity,” “Repent,” and “self-acknowledged”); GA approved an alternative statement that no authoritative interpretation was needed.
- 215th GA (2003), pp. 43-44, 401-402, Item 06-06 (*Overture 03-23*), called for presbyteries to provide pastoral care to families of gay/lesbian persons; GA approved alternate recommendations.
- 215th GA (2003), pp. 277-281, PJC, *Presbytery of San Joaquin et al. v. Presbytery of Redwoods*, Re: Questions to Candidates - Sexual orientation alone is insufficient to make a person ineligible for ordination or installation. If a person does not self-acknowledge a practice that the confessions call sin, then a governing body has a positive obligation to make further inquiry only if it has direct and specific knowledge that such person is in violation of the ordination and installation standards of the Constitution.

2004

- 216th GA (2004), *Presbytery of Baltimore*, p. 392, Item 05-06, strike G-6.0106b.
- 216th GA (2004), p. 79, *Presbytery of Twin Cities*, Item 05-09, rejected overture to delete G-6.0106b and issue new authoritative interpretation.
- 216th GA (2004), *Presbytery of Western New York*, Item 05-05, proposed amend G-6.0106b and permit ordination of same-sex partners.

2006

- 217th GA (2006), pp. 28-29, 523, Theological Task Force on Peace, Unity and Purity of the Church. Item 06-01: Recommendation 5 includes an authoritative interpretation about ordination standards: they are determined by national church; ordaining & installing bodies apply these standards to those elected to office, with the application and standards being subject to review.
- 217th GA (2006), pp. 28-29, 33-34, Presbytery of Central Washington, Item 04-01 & 06-01, “Decade of Peace. Disapproved.
- 217th GA (2006), pp. 28-29, 33-34, Presbytery of Upper Ohio Valley, Item 04-10, provide for 8-year moratorium on amending G-6.0106b. Disapproved.

2008

- 218th GA (2008), pp. 42, 353, Item 05-03, directed the Stated Clerk to collect and/or develop models of examination procedures, and make them available to the whole church.
- 218th GA (2008), pp. 42, 364-368, Presbytery of Hudson River, Item 05-06, delete G-6.0106b and issue new authoritative interpretation, disapproved.

- 218th GA (2008), p. 42, Presbytery of St. Andrew, Item 05-07, amend G-6.0106b, disapproved.
- 218th GA (2008), pp. 42-43, *Presbytery of Genesee Valley*, Item 05-08, delete G-6.0106b, issue new authoritative interpretation, disapproved.
- 218th GA (2008), pp. 42, 371, Presbytery of Boston, Item 05-09, replace G-6.0106b with language emphasizing ordination questions and deleted the 1978/79 authoritative interpretation, but presbyteries declined to ratify change to G-6.0106b.
- 218th GA (2008), pp. 42-43, Presbyterian of Cincinnati, Item 05-11, delete G-6.0106b and issue new authoritative interpretation, disapproved.
- 218th GA (2008), pp. 42, 43, 379, Presbytery of John Knox, Item 05-12, (1) Affirmed the authoritative interpretation of G-6.0108 approved by the 217th General Assembly (2006).
- (2) Said “the requirements of G-6.0108 ... apply equally to all ordination standards of the [PC(USA)]. Section G-6.0108 requires examining bodies to give prayerful and careful consideration, on an individual, case-by-case basis, to any departure from an ordination standard in matters of belief or practice that a candidate may declare during examination.”
- (3) “... the examining body is not required to accept a departure from standards, and cannot excuse a candidate’s inability to perform the constitutional functions unique to his or her office (such as administration of the sacraments).”
- 218th GA (2008), pp. 42-43, Presbytery of New Hope, Item 05-13, replace G-6.0106b with new paragraph and delete 1978/79 authoritative interpretation, disapproved.
- 218th GA (2008), p. 316, #218-04, *Stewart v. Mission Presbytery*, an inquirer in a same-sex relationship is ineligible to move to candidacy.
- 218th GA (2008), p. 314, #218-07, *Presbytery of Redwoods v. Spahr*, “... officers of the PC(USA) authorized to perform marriages shall not state, imply, or represent that a same-sex ceremony is a marriage.”
- 218th GA (2008), p. 316, #218-09, *Buescher et al. v. Presbytery of Olympia*, (1) GA and GAPJC may interpret the constitution, but may not change the constitution.
- (2) No “interpretation” can change the mandatory language of G-6.0106b.
- (3) Governing body resolutions that “interpret” or “clarify” the constitution are themselves an obstruction to the constitution.
- (4) PJC’s should put a rationale in their final decisions.
- 218th GA (2008), p. 319, #218-10, *Bush v. Presbytery of Pittsburgh*, (1) The candidate and examining body must follow G-6.0108 in reaching a determination as to whether the candidate for office has departed from essentials of Reformed faith and polity...and does not permit departure from the “fidelity and chastity” requirement found in G-6.0106b.
- (2) No presbytery may grant an exception to any mandatory church wide behavioral ordination standard.
- (3) Violations of behavioral standards must be addressed through repentance and reconciliation. G-6.0108 does not permit disobedience to those behavioral standards.
- (4) Governing bodies have the responsibility to determine whether any “scruples” declared by candidates constitute serious departures from doctrine or polity.

(5) Governing body resolutions that attempt to restate constitution are an obstruction to the ongoing interpretation and implementation of the constitution.

218th GA (2008), p. 324, #218-15, *First PC of Washington v. Presbytery of Washington*), the Adopting Act of 1729 provides significant guidance for the application and interpretation of G-6.0108a & b as to essentials.

2010

GAPJC (2010, #219-08, *Bierschwale et al v Twin Cities Area Presbytery*), Standards for determining whether departures from essentials are permitted include whether the departure deviates from the constitutional standards (*The Book of Confessions* and Form of Government), infringes the rights and views of others, or obstructs the constitutional governance of the church.

GAPJC (2010) #219-09, *Davis v. Presbytery of San Francisco*, (1) Governing body of membership determines whether a church officer or member has departed from biblical and constitutional standards to find a member guilty of a disciplinary offense.

(2) PC(USA) does not have a legal code of behavior or a list of “essentials” of reformed faith.