

**FIRST BAPTIST CHURCH, INC  
BATH, MAINE  
CONSTITUTION and BYLAWS  
REVISED 11-08-2015**

**CONSTITUTION**

**Preamble**

Whereas we a body of believers in Jesus Christ, organized for the purpose of glorifying God, deem it advisable to establish this constitution to preserve and protect the principles of our faith and to govern the body in an orderly manner. The purpose of this constitution is for the security and preservation of the liberties of each individual church member and the freedom of action of this body in relation to other churches, agencies, boards, associations, and conventions.

**ARTICLE I**

**Name**

The name of this church, located at 851 Washington Street in Bath, Maine, in the County of Sagadahoc is: "The First Baptist Church Incorporated."

**ARTICLE II**

**Purpose and Covenant**

**Section I: Purpose**

This church is made up of persons who have received Jesus as Savior and Lord by faith, and having publicly confessed Him by baptism in the name of God the Father, Son, and Holy Spirit, and who freely and joyfully entered into a covenant relationship with one another as one body in Christ. This church exists by the grace of God, for the glory of God, and the advancement of His Kingdom of God. Accomplishing these principles is our ultimate purpose and should be expressed in all we do as a church.

**Section II: Covenant**

We choose therefore, empowered by the Holy Spirit, to walk together in Christian love; to work for the advancement of God's Kingdom through His church in knowledge, holiness, and mutual care; to support its ministry by a faithful stewardship of money, time, and talents; and to sustain its worship, ordinances, doctrines, and disciplines.

We pledge to maintain family and personal worship; to raise our children in the nurture and instruction of the Lord; to seek the salvation of all people; and to strive for Christian maturity in ourselves and in our fellow Christians.

We pledge to watch over one another in brotherly love; to remember each other in prayer; to aid each other in sickness and trouble; to cultivate Christian kindness and courtesy; to be slow to take offense, always ready for reconciliation, and mindful of the rules of our Savior, to secure it without delay.

We pledge to live by Christian principles of morality in our daily living; to be ethical in our dealings and faithful in our commitments; to promote unity in fellowship by proper attitudes; and to be zealous in our efforts toward the growth of the Kingdom of God here and throughout the world.

**ARTICLE III**

## **Statement of Faith**

We believe the Bible from Genesis through Revelation is the all sufficient basis of doctrine and practice. We affirm the Holy Bible is the inspired and inerrant word of God; it is not man's words about God, it is God's word about Himself given to man. "All Scripture is God-breathed and is useful for teaching, rebuking, correcting and training in righteousness, so that the servant of God may be thoroughly equipped for every good work." (II Timothy 3:16) We believe that salvation comes only through a personal relationship in Jesus Christ the Son of God. (John 14:6) This church is in agreement with the doctrinal statement of "The Baptist Faith and Message" as adopted by the Southern Baptist Convention on June 14, 1963.

### **ARTICLE IV** **Marriage Policy**

This church believes in marriage sanctioned by God, which joins one man and one woman in a single, exclusive union, as delineated in Scripture, and that God intends sexual intimacy to occur only between a man and woman who are married to each another.

In order to preserve the function and integrity of the church and local Body of Christ, and to provide a biblical role model to church members and the community, it required that all persons employed by the church in any capacity, or who serve as volunteers, should abide by and agree to this marriage policy and conduct themselves accordingly. In order to be married on church property a person, or persons, must be an active church member, in good standing for at least one year. (Refer to bylaws; article I, section 3, "Rights and Responsibilities of Members"). The trustees and the church council reserve the right to consent or refuse use of the church property for the weddings (or unions other than those described above) in accordance with our biblical belief regarding marriage of one man and one woman as outlined above. The pastor also has the right to consent or refuse any person or persons requesting his services based on the same biblical belief.

### **ARTICLE V** **Ordinances**

#### **Section 1: Baptism**

The church shall accept for baptism any person who has received Jesus Christ as Lord and Savior by personal faith, who professes Him publicly, and who indicates a commitment to follow Christ as Lord. Baptism shall be by immersion in water (exception: Bylaws; Art. 1, Sec. 3.4). The pastor or a person authorized by the church council shall administer baptism.

#### **Section 2: The Lord's Supper**

The ordinance of the Lord's Supper shall be observed with such frequency as the pastor and diaconate shall determine. The pastor or a person authorized by the church council may administer the Lord's Supper.

### **ARTICLE VI** **Polity & Relationships**

1. All responsibilities and privileges of the church are to be derived from the membership, a priesthood of believers, each with equal responsibility and privilege.
2. The membership will:
  - a. Establish a church council and board of trustees. These two "boards" and the pastor will collectively carry out the wishes of the membership. All officers and committees will take direction from, and report to the boards and the pastor.
  - b. Meet annually to elect board members and officers as needed through the nominating process.
  - c. Meet at other times throughout the year to conduct the business of the church.
3. All groups (i.e. Bible studies, Christian education, mission, discipleship, outreach, etc.) created and empowered by the church shall be accountable to the membership, unless otherwise specified by church action.
4. This church is autonomous and shall have the power to make its by-laws and rules, and shall be answerable to no other ecclesiastical body, except by its own consent. Insofar as is practical, this church will cooperate with

and support the “Maine Baptist Association”, “Baptist Convention of New England”, and the “Southern Baptist Convention”, or their successors in name.

**ARTICLE VII**  
**License to the Gospel Ministry**

Licensing is a means by which First Baptist Church can give recognition of God's call for a person to into the "Gospel Ministry." It is also a recognition of that person's gifts and approval to use them in ministry at First Baptist Church of Bath.

Licensing is to be granted by the church by recommendation of the church council. Licensing is recognition of a number of different ministry specialties and does not need to be limited just to preaching pastors.

The licensing document shall be signed by the pastor, deacons, and church council.

**Requirements**

1. Must be able to give evidence of being a born again believer in Jesus
2. A member in good standing at First Baptist Church
3. At least one year mentorship with the pastor
4. Must be in agreement the Baptist Faith and Message as a Statement of Faith

**ARTICLE VIII**  
**Meetings**

**Section 1: Worship Services and Discipleship Groups**

1. The church shall meet each Sunday and at other times as the pastor and council deems appropriate.
2. Discipleship group and Christian education group meetings shall be held as needed in cooperation with the council.
3. Other meetings may be scheduled by the pastor, the council, or by vote of the membership.
4. The council will be notified of all meeting dates for scheduling purposes.

**Section 2: Business Meetings**

Binding votes of the membership can only take place at properly called business meetings.

1. Calling of a business meeting:
  - a. Business meetings of the church may be called by the clerk at the request of the pastor, council, trustees, or by written correspondence of any seven members of the church where nature of the meeting is stated in said correspondence.
  - b. The clerk will provide at least two weeks' notice of meetings including its stated purpose and time. Said notice will include posting in the church bulletin, announcement from the pulpit and other appropriate means the clerk deems useful.
2. A quorum will be 25 percent of all voting members.
3. The moderator or a designee will preside at all meetings.
4. Protocol will be “Robert's Rules of Order, Revised”.
5. The trustees or council shall establish the agenda.
6. The annual business meeting shall be held in February for the purpose of; approving the annual report, approving the annual budget, election of officers, and the transaction of other business.

**Section 3: Amendments**

The Constitution and By-laws may be amended at a business meeting of the church;

1. Amendments to the constitution shall require a two-thirds majority of the voting members present.
2. Amendments to the by-laws shall require a majority of voting members present.

**FIRST BAPTIST CHURCH, INC  
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**BYLAWS**

**ARTICLE I  
Membership**

First Baptist Church is a sovereign and democratic Baptist church under the Lordship of Jesus Christ. The membership reserves the right to determine who shall be members of this church and the conditions of such membership.

**Section 1: Acceptance into membership**

Persons may present themselves for membership through:

1. Profession of faith in Jesus Christ as Savior and Lord, and baptism by immersion.
2. Transfer of letter of promise from another Baptist church of like faith and order.
3. Statement of prior conversion in faith and baptism.

Candidates will be presented to the membership for acceptance by majority vote.

**Section 2: Removal from membership**

Persons may be removed from the church membership by:

1. Death
2. Letter of transfer – A letter of transfer will be granted to any member. The request for transfer is to be made by letter from receiving church. The council will determine if the member is in good standing. The clerk shall send a letter of transfer. If the member is deemed to be in good standing a recommendation will be included.
3. Exclusion – Should any member become an offense to the church and to its good name by reason of immoral or un-Christian behavior;
  - a. The church will act according to Matthew 18 to seek correction and bring the person to repentance.
  - b. If such a correction cannot be made the church may terminate his or her membership by three-fourths vote of members.
  - c. An attitude of redemption, not punishment, will guide all proceedings.
  - d. The church may reinstate membership of any excluded person upon evidence of repentance and reformation.

**Section 3: Rights and responsibilities of members**

All members will be considered “active members” except that:

1. Any person who is on the membership roll and has not for one year shown any interest in its activities, or who has not attended any of its services or contributed financially to its support will be considered “inactive”.

Inactive members:

- a. Are not eligible to vote or serve in the church.
  - b. May be restored as “active” members by request of the member or the council and a majority vote of the membership.
2. Active members of the church who have attained the age of 18 are to be considered “voting members” and are entitled to vote at all elections and on all questions brought forth at business meetings.
3. No proxy or absentee voting will be allowed at any membership, board or committee meeting.
4. Any person who has a severe physical condition and whose health might be injured by immersion in water may be admitted into membership without baptism by immersion upon recommendation of the pastor and vote of the membership.

**ARTICLE II**  
**Boards, Officers and Committees**

**Section 1: Church Council**

The "council" shall have an odd number of seats made up of: the pastor, the chairperson or designee of the trustees and diaconate, the: treasurer, clerk, worship leader, education director, and up to two voting members of the membership to be appointed by the council.

1. A majority of the members of this council shall constitute a quorum.
2. The council may enlist committee chairs or staff as needed for specific projects.
3. The council shall:
  - a. Schedule and oversee all extra or secular uses of the church facilities and set forth regulations and conditions for all such activities.
  - b. Assist the pastor in planning and coordination of ministries.
  - c. Provide an overarching vision and purpose for the church.
  - d. Assist the pastor with evangelistic meetings, visitation evangelism and any other evangelism efforts.
  - e. Work with the pastor to promote Christian instruction.
  - f. Assist the pastor with long and short evangelistic strategies.

**Section 2: Board of Trustees**

1. The "board" shall consist of at least three members serving 4-year staggered terms and the elected church treasurer.
2. A majority of the members of this board shall constitute a quorum.
3. The board shall:
  - a. Protect, manage and maintain all property of the church.
  - b. Have charge of all trust and other funds of the church.
  - c. Oversee repairs, maintenance and budgeted expenses in a timely fashion and without approval of the Membership. Non-budgeted projects in excess of \$2,000 must be approved by the membership prior to commencement.
  - d. Keep a record of those who possess keys to the church properties.
  - e. Publish an annual "church building maintenance and improvement plan".
  - f. Have no power to buy, mortgage, or transfer any church land or buildings without the membership's approval.
  - g. Supervise all fundraising, disbursement of such funds and report to the membership at the annual meeting and at such other times as needed.
  - h. Prepare and negotiate all staff contracts.
  - i. Review staff salaries and contracts annually.
  - j. Prepare an annual church budget for approval at the annual meeting.
  - k. Perform such other duties as are imposed upon it by the State of Maine or Federal Government.

**Section 3: The Diaconate**

1. The "diaconate" consists of at least three members serving a 4 -year staggered terms
2. The qualifications for the diaconate are expressed in 1Timothy 3:8-13 "one who is a servant or offers service".
3. The diaconate Shall:
  - a. Support and report to the pastor.
  - b. Serve the practical needs of the church, its membership, and the community at large.
  - c. Prepare and oversee the ordinances of the church.
  - d. Oversee dispersal of the fellowship offering funds which are intended for the relief of the needy.

**Section 4: Officers**

Moderator

The moderator shall serve a three year term and preside over all business meetings.

#### Worship Leader

The “worship leader” serves for a three year term

The worship leader shall:

1. Lead members and guests in corporate worship through music
2. Assist the pastor in planning and carrying out church services
3. When appropriate coordinate plans and activities with church ministries and groups

#### Christian Education Leader

The “education leader” serves a three year term.

The education leader shall:

1. Support and report to the pastor.
2. Assist the pastor in planning and carrying out the Christian education programs of the church
3. When appropriate coordinate plans and activities with church ministries and groups

#### Clerk

The “clerk” serves for a three year term

The clerk shall:

1. Care for all church records other than those in the care of the Treasurer. Such records are and will remain the property of the church.
2. Deliver immediately to any elected successor all church records
3. Keep a record of the names and addresses of all members, with dates and manner of admission and dismissal, and a record of baptisms, exclusions, and suspensions
4. Initiate correspondence for letters of transfer of membership
5. With the assistance of the pastor, prepare denominational reports
6. Be responsible for gathering materials, preparing and printing the church bulletin
7. Be responsible for giving notice of all business meetings
8. Keep minutes of business meetings

#### Treasurer

The “treasurer” shall serve a three year term.

The treasurer shall:

Support and report to the pastor.

Be responsible for

1. Have charge of all funds of the church
2. Keep accurate accounting records of all receipts and disbursements. Said records will be the property of the church.
3. Pay salaries fixed by the church.
4. Disburse church funds only upon their approval of the trustees unless otherwise directed by them.
5. Present a financial report at each annual meeting, at other times requested by the trustees or by vote of the membership.
6. The treasurer shall maintain separate budget line items within the church bookkeeping system

#### Assistant Treasurer

1. The assistant treasurer serves for a two year term.
2. The assistant treasurer will assist the treasurer in every way.
3. Should the treasurer become incapacitated, the trustees may invest the assistant treasurer with full authority of the treasurer’s office, while the treasurer is disabled.

#### Financial Secretary

The financial secretary serves for a two year term.

The financial secretary shall:

1. Have charge of the collection of pledges and offerings for the support of the church and benevolence.
2. Deposit all moneys immediately in the church’s bank account
3. Keep proper accounts of all money collected.
4. Submit a complete financial report at the annual meeting and as requested by the trustees, or by vote of the membership.
5. Provide an annual record of funds given to church by individuals at their request.

### Assistant Financial Secretaries

There shall be at least two assistant financial secretaries serving staggered 2 year terms

They shall:

1. Assist the financial secretary in every way.
2. Verify the amount of the pledges and offerings prior to bank deposits being made.

### Auditor

The auditor shall serve a two year term.

The auditor will be responsible for auditing all financial records of the church at least once each year and will report in writing to the membership at the annual meeting.

In the absence of an auditor, the membership may enlist the services of a professional accountant by a majority vote at a properly called business meeting.

### Section 5: Committees

The council, trustees or pastor may, from time to time and for terms as they may see fit, establish standing or special committees. A majority of the members of such committees shall constitute a quorum and the vote of a majority of all the members of the committee shall be the act of the committee.

### Nominating Committee

The "nominating committee" consists of four members appointed by the council serving three year a staggered terms.

1. The nominating committee shall:
  - a. Keep a list of all board and office positions including terms and dates elected. An up to date copy of this list will be given to the clerk annually.
  - b. Identify persons qualified to fill the various boards and offices, interview each nominee proposed and ascertain his or her willingness to serve if elected.
2. The nominating committee may nominate up to, but not more than, one person for each office to be filled and shall post and present to the clerk said nominations at least one week before the annual meeting.
3. Board and office vacancies:
  - a. Vacancies occurring during the year may be filled for the unexpired portion of the term.
  - b. The nominating committee shall present to the membership nominees for the vacancies.
  - c. The nominees may be voted on by the membership at a business meeting.

## **ARTICLE III Elections**

1. Time:

The election of boards and officers shall be held during the annual meeting.
2. Qualification of nominees of officers or boards:
  - a. To be eligible for an office or boards in the church, a nominee must be a member and at least eighteen (18) years of age.
3. Procedure:
  - a. At least one week before the election, the nominating committee shall post and present to the clerk the name of one person for each board and office position to be filled. Positions may be left vacant if the nominating committee cannot find a suitable candidate.
  - b. At the time of the annual meeting it shall be the privilege of any member present and qualified to vote to place in nomination the name of any eligible person for any office.
  - c. A plurality of the ballots cast is necessary for election to any office or board. Where there is more than one nominee, voting shall be by secret written ballot, the ballots to be counted by three appointed tellers.
4. Impeachment:
  - a. Any officer may be deprived of authority after a just hearing before the council and that office made vacant by a majority vote of the members present at business meeting.
  - b. Except by vote of the membership, only members shall be present at a meeting called to consider matters of church discipline or for the purpose of depriving officers of their authority.

## **ARTICLE IV**

## **Staff**

### **Section 1: Calling a Pastor**

1. The council will appoint a pastor search committee when needed. The “search committee” shall consist of three church members plus the chair of the trustees and the chair of the council.
2. The pastor search committee will present to the church the pastoral candidate for vote of the membership.
3. The trustees will prepare, negotiate and execute a contract with the pastor upon such terms being approved by vote of a majority of the members at a business meeting.
4. The call of a pastor shall come before the church at a business meeting.
5. A majority vote by written ballot is needed to extend a call.

### **Section 2: Position of Pastor**

1. The “pastor” preaches the Gospel, administers the ordinances, watches over the membership, has charge of the spiritual welfare of the congregation and the stated services of worship.
2. The pastor shall:
  - a. Serve as an ex-officio member of all boards, bodies, and committees of the church except where a conflict of interest occurs.
  - b. Lead the congregation, the organizations, the ministries, and the staff in their given tasks.
  - c. Work with the council to provide the overall philosophy, vision, and direction of the church.

### **Section 3: Termination of Pastor**

1. The term of office of the Pastor may be ended upon 30 day notice on the part of the pastor or the membership, or by mutual consent.
2. Termination of the office shall be by vote of the membership at a business meeting.
  - a. A majority vote of members present shall make a valid termination of said office.
  - b. The vote shall be by written ballot.

### **Section 4: Other Church Staff**

1. The church may hire other staff members to fulfill specific needs within the church body either paid or volunteer.
2. Job descriptions will be developed by the council with consultation from the pastor.
3. Staff contracts and compensation packages will be developed by the trustees.
4. Staff positions and contracts will be approved by a majority vote of membership at business meeting.

## **ARTICLE VI** **Financial Policy**

1. The fiscal year shall be the calendar year.
2. Tithes and offerings will become part of the church working fund except for that portion designated on the envelope as intended for specific special funds.
3. Funds collected in a special offering will be used for the stated purpose of the offering.
4. Gifts and memorial donations will be used as intended whenever possible.
5. Interest and dividends on trust funds, savings accounts and investments will become part of the church working fund unless the details of the trust specifies differently
6. Any excess funds will be invested in a prudent manner to obtain the highest possible interest income for the church.
7. Funds donated to the church will be accounted for as a separate bookkeeping line item
8. Dedicated funds for specific projects or programs may be established as needed and will be accounted for as a separate bookkeeping line item.

## **ARTICLE VI** **Liability Protection and Indemnification**

**Section 1: Limitation of Liability.** The boards, officers, members, employees and agents of the church shall not be liable to the church or to any other board, officer, or member for any mistake of judgment, negligence, or



otherwise, except for his or her individual willful misconduct or except if he or she fails to act in good faith with a view to the interests of the church (and, in the case of an officer, with a view to the interests of the church's Members) and with that degree of diligence, care and skill which an ordinarily prudent person would exercise under similar circumstances in like positions. No Board member, officer, board member, employee or agent shall be liable out of his .or her personal assets for any obligation or liability incurred by the church. The church alone shall be liable for the payment or satisfaction of all obligations and liabilities incurred in carrying on the affairs of this church.

**Section 2: Indemnification.** The church shall, to the greatest extent permissible by law, indemnify each person who serves or who has served at any time as a board member, officer, member, employee or agent of the church. The indemnification provided hereunder shall apply to all expenses and liabilities, including, without limitation, counsel fees, judgments, fines, excise taxes, penalties and settlement payments, reasonably incurred by or imposed upon such person in connection with any threatened, pending or completed action, suit or proceeding in which he or she may become involved by reason of his or her service in such capacity, or who is or was serving in another capacity at the request of the church.

Any compromise or settlement payment related to such proceeding shall be approved by a majority vote of a quorum of members who are not at that time parties to the proceeding This Article constitutes a contract between the church and the indemnified board members, officers, members, employees and agents. No amendment or repeal of the provisions of this Article which adversely affects the right of a person indemnified under this Article shall apply to such person with respect to those acts or omissions which occurred at any time prior to such amendment or repeal.

**Section 3: Insurance.** The church may, at the discretion of the members, purchase and maintain insurance on behalf of the persons described in Section 2 against any liability asserted against such person and incurred by such person in any such capacity, or arising out of his or her status as such, whether or not the church would have the power to indemnify such person under the laws of the State of Maine.

#### **ARTICLE VIV** **Disposal of Assets**

The church shall exist in perpetuity, but in the event of dissolution of the church or the termination of its activities, the assets of the church remaining after the payment of all its liabilities shall be distributed exclusively to one or more organizations organized and operated exclusively for such purposes as shall then qualify as an exempt organization or organizations under Sections 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended and as a nonprofit corporation within the meaning of Title 13-B, of the Maine Revised Statutes as amended.