

LEGISLATION COMMITTEE MINUTES

OCTOBER 1, 1998

1:00PM

ACTION ITEMS:

***Approval of housekeeping amendments

***Continue to review USMS committee descriptions. Generate proposed, amended descriptions for 1999.

***Suggestions from the LMSC Handbook Review Subcommittee will be discussed with Tracy Grilli and Sarah Hrmonda. Continue to review the handbook every other year.

***Suggest additional sections be added to the LMSC Handbook (see below).

***No further action required on postal/fitness event sanctioning.

***Continue to work with Finance Committee, USMS Treasurer and Controller in reviewing finance sections of code. Generate proposed amendments to code for 1999.

***Continue education of LMSCs and clubs concerning correct language of liability release statement.

ATTENDANCE: Number of Committee Members present: 15
Number of Committee Members absent: 2

MINUTES (See Agenda)

1. Introduction of new members.
2. No emergency legislation amendment proposals received.
3. Housekeeping proposals.

LC-10 withdrawn as more substantive than housekeeping.
Other proposals reviewed briefly.
M/S/P to approve remaining housekeeping items (see attached)

4. Subcommittee reports:

Committee Description Review

Jack reports that the subcommittee has had problems having USMS Committee Chairs return surveys. See attached letter and statistics report. The purpose of the review is to assure that the code reflects the work and membership requirements of each committee and that the descriptions be clear.

ACTION: * The subcommittee will continue to solicit input from the committee chairs as well as the Executive Committee liaison to each committee. Continue to review USMS committee descriptions. Generate proposed, amended descriptions for 1999.**

LMSC Handbook Review

Steve Peterson presented a report detailing suggested corrections, changes and new sections.

ACTIONS:

***** Suggestions from the LMSC Handbook Review Subcommittee will be discussed with Tracy Grilli and Sarah Hrmonda. Continue to review the handbook every other year.**

***** Suggest additional sections to LMSC Handbook to include: Convention, LMSC Bylaws criteria and suggestions and job descriptions.**

Postal/Fitness Event Sanctioning

Current sanctioning requirements were reviewed with the USMS Insurance Committee and found to be adequate.

Finance Section Review

Not much to report to date.

ACTION: * Continue to work with Finance Committee, USMS Treasurer and Controller in reviewing finance sections of code. Generate proposed amendments to code for 1999.**

LMSC Bylaw Review

The Zone Committee has also done some reviewing of the election procedures of the LMSCs as stated in their bylaws. After discussion with Legal Counsel, it was determined that it is USMS' role to educate and provide suggestions for LMSC bylaws, but that a formal review process is not necessary.

ACTION: *Investigate the inclusion of general bylaw information in the LMSC Handbook.**

Liability Release Statement

ACTION: *Legal Counsel encouraged the committee members to continue their informal education of the LMSCs and clubs concerning the precise language of the liability release statement.**

5. Committee Membership Issues.

Two members have moved out of their previous zones.

ACTION: *Elin will investigate whether committee membership needs to be changed to reflect the requirement for 2 members from each zone.**

6. Plan of work for next year. (See action items above.)

ACTION: *Rob Copeland will review Part VI.**

7. Meeting adjourned at 2:08pm.

TASKS FOR UPCOMING YEAR: See ACTION items.

HOUSEKEEPING AMENDMENTS TO THE CODE

LC-11 p. 13 **Glossary** ~~MSI--Masters Swimming International~~

LC-12 p.13 **Glossary** *Recognized Meet*--a designated meet conducted by organizations other than USMS from which swimmers may have their times accepted for recording purposes by USMS. ~~An observer designated by USMS must be present to attest that the conduct of competition conforms to all relevant USMS rules and meet standards.~~

Rationale: Already defined within the code.

RBC-3 p. 13 **Glossary** SCN --Swimming Canada Natation

Rationale: We should define all abbreviations used in the rule book.

LC-1 p. 54 **201.1 MEMBERSHIP OF ATHLETES**--All swimmers ~~competing~~ participating in events sanctioned...

Rationale: With the addition of fitness events, participating seems to be a more appropriate verb.

LC-2 p.54 **201.1.2** ...Swimmers applying for registration on or after November 1 ~~will~~ shall be issued...

LC-3 p.54 **201.1.3 One-Event Registration**--An LMSC may offer a single-event registration that allows an athlete to participate in ONE event sanctioned ~~event~~ by that LMSC. Registration cards ~~will~~ shall NOT be issued for one-event registration....except that their times ~~will~~ shall not be considered for Top Ten...

LC-4 p.54 **201.1.4A Registration forms**--Athlete registration forms may be obtained from the ~~registration chairman~~ registrar of the LMSC. The form, fully completed, shall be submitted with the applicable fee to the ~~registration chairman~~ registrar of the LMSC,...

Rationale: Change to reflect title commonly used.

LC-5 p.55 **201.3.2** Written ~~authoritative~~ permission to compete in a foreign country...

Rationale: Redundant.

- LC-6 p.55 **202.1.1 Sanction Requirements**--Sanctions ~~will~~ shall be issued, held or withdrawn...
- LC-7 p.55 **202.1.1E** No sanction of any event ~~will~~ shall be granted with the word...
- RBC-1 p.56 **202.2 RECOGNIZED EVENTS**--...Times achieved at events sanctioned by USS or ~~CASA~~ SCN, or FINA championships ~~or MSI championships~~, shall be considered for USMS...
Rationale: SCN or Swimming Canada Natation is the correct name of the governing body for Canada swimming. MSI is defunct and should be deleted.
- LC-8 p. 56 **202.2.1 Recognition**--Recognition ~~will~~ shall be issued, withheld...
- LC-9 p.56 **202.2.1G** ...other than those organized under the auspices of FINA ~~or MSI~~, shall be obtained from...
- RBC-5 p.68 **403.1 REPORTING**--Any individual or ~~his/her~~ the estate of any individual (hereinafter, "grievant") ~~who that~~ alleges that a violation of ~~his/her~~ rights...has occurred...
Rationale: Better English. Using his/her is an awkward way to be gender neutral.
- RBC-7 p.75 **506.2.2** ...The Coaches Committee shall promote Masters Swimming from an organizational standpoint in the conduct of ~~Masters Swimming~~ workouts and by providing leadership...
Rationale: Redundant. The phrase "Masters Swimming" is used four times in this one paragraph! I (Meg) look forward to a more succinct rewrite next year!
- RBC-8 p.76 **506.2.8B** Examine at least annually all financial records received pursuant to article ~~506.2.7A~~ 506.2.8A to determine the accuracy and validity of the records...
Rationale: Wrong article reference (got thrown off last year by the addition of Computer online Committee).
- RBC-9 p.76 **506.2.8D** Present the financial statements listed in article ~~506.2.7G~~ 506.2.8C to the...
Rationale: Another wrong article reference.
- RBC-10 p.77 **506.2.21** ...Zone representatives shall be elected in odd-numbered years at the annual meeting of the House of Delegates for 2-year terms...
Rationale: We haven't said before *when* we'll elect them.
- RBC-11 p.78 **507.2.4** Authorize the treasurer to disburse corporate funds pursuant to ~~paragraph .3 above~~ article 507.2.3.
Rationale: This is the style followed throughout the rest of the rule book.
- RBC-12 p.78 **508.1.1** ...against any liability, cost, or expense

incurred...

Rationale: Commas got left out.

RBC-13 p.80 **601.4.1** Rules--In even-numbered years, Part 1 and the Glossary may be amended by a majority vote of the House of Delegates members present and voting if amendments to them are submitted to and recommended by the Rules Committee, or by a two-thirds vote of the House of Delegates members present and voting if amendments to them are submitted to and NOT recommended by the Rules Committee.

Rationale: Correction of grammar so that subject and verb match.

RBC-14 p.80 **601.4.2** Long Distance--...members present and voting, if amendments to them are submitted to and recommended by... present and voting if amendments to them are submitted to and NOT recommended...

Rationale: Same as RBC-13

RBC-15 p.81 **601.4.3** Legislation--...members present and voting, if amendments to them are submitted to and recommended by...present and voting if amendments to them are submitted to and NOT recommended..

Rationale: Same as RBC-13

RBC-16 p.81 **601.4.4** Emergency Amendments--Emergency amendments (amendments not submitted in conformity with articles ~~601.1.4~~ 601.4.1, 601.4.2, and 601.4.3)...

Rationale: Numbers got transposed at some point. God only knows how many years this has been wrong!

RBC-17 p. 123 **App. D** Allegheny Mountain--The ~~state~~ commonwealth of Pennsylvania west of Potter...

Rationale: Pennsylvania is a commonwealth, not a state.

RBC-18 p.123 **App. D** Delaware Valley--...In the state of Maryland the ~~county~~ of Cecil. The ~~state~~ commonwealth of Pennsylvania east of...

Rationale: Same as RBC-17

RBC-19 p.123 **App. D** Kentucky--The ~~state~~ commonwealth of Kentucky except...

Rationale: Same as RBC-17

RBC-20 p.124 **App. D** New England--The states of New Hampshire, Vermont, ~~Massachusetts,~~ Rhode Island, and Maine, and the commonwealth of Massachusetts.

Rationale: Same as RBC-17

RBC-21 p.124 **App. D** Ohio--The state of Ohio except...In the ~~state~~ commonwealth of Kentucky...

Rationale: Same as RBC-18

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1 July, 1998

TO: Legislation subcommittee on Committee Description Review

FROM: Jack Buchannan, Chairman

Since my last letter of 20 February, 1998, I have heard only from Darlyne Ferguson and my thanks to her. It is now a couple of deadlines later and this committee needs to get it's act together prior to convention.

I have listed the committees, number of members, ex-officio members, and if there is a requirement for that membership. I have assigned each of you four committees to evaluate. You need to contact the committee chairman, probably by phone at this late date and answer the following questions:

- 1- Is this committee necessary?
- 2- Are you happy with the number of committee members? If not suggestions.
- 3- How are your members chosen? Zone - LMSC - Other
- 4- Should there be a required number and representation?
- 5- Do you anticipate a need for more members in the future as Masters grows?
- 6- Does your committee description (rule book) indicate what is actually happening with your committee, and/or should it be re-written?
- 7- Should all committees have the same representation and numbers of members?

Rule 506.2 seems ambiguous - what are your thoughts?

I need answers by 1 August Please. We will schedule a meeting, Wednesday evening 30 September, to finalize our report for the committee the following morning. Let me know if you cannot be there.

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