


September 20, 1986

To: House of Delegates

From: Arthur C. Smith III


Chairman, Legislation Committee

Attached are the 1986 proposed amendments to our By-Laws for your review and approval/disapproval.

I wish to publicly thank the members of the Legislation Committee for the extraordinary number of hours they spent in reviewing the minutiae of many of the proposals. Masters swimming is indebted to these volunteers.

Legislation Committee Report.

Proposed Amendments Reported Out Favorably:

- L-2 Definition of Team
- L-9 House of Delegates
- L-10 Board of Directors

Proposed Amendments Reported Out Unfavorably:

- L-4 Zone split
- L-5 Redefinition of club
- L-8 LMSC organization
- L-14 Legislation Committee size
- L-15 Amendments to By-Laws and Rules
- L-16 Geographic registration

Proposed Amendment Withdrawn:

- L-12 Board of Director authority

Proposed Amendments Reported Out Favorably as Amended:

- L-1 Redefinition of LMSC.

Definitions:

LMSC- Local Masters Swimming Committee, a division of United States Masters Swimming, Inc., with supervisory responsibilities within a geographic territory as defined for LSC's *as defined in Appendix C in the USS code with the following exceptions:*

- Cecil County, Md shall be part of Middle Atlantic LMSC
- The City of Fairfax, Va shall be part of Potomac Valley LMSC

- L-3 Definition of Approval.

Definitions:

Sanction/Approval: The written *approval authorization* of an LMSC to *authorize permit* registered Masters swimmers to participate in a specific competition, demonstration, clinic, exhibition or Swim-a-Thon.

Modify: IV.B.(1).(f).(i) as follows:

- IV.B.(1).(f).(i) No swimmer's entry will be accepted unless he is registered. *except for closed competition; i.e. competition open only to members of a particular organization or group.*

- IV.B. (2).(a) No event may be approved unless the conduct of the event conforms to the relevant USMS, Inc technical and administrative rules and meet standards. Closed competition in which not all swimmers are registered with USMS may only receive an approval.

Add new IV.B.(1).(f).(v) Closed competition in which all swimmers are registered with USMS may be sanctioned.

Modify IV.A.: Membership of athletes - all swimmers competing in events sanctioned by Masters swimming must be registered. *except when the sanctioned event is "Closed" (See IV.(b)(1)(g))*

Modify IV.Preface: *Refer to Appendix C for LMSC territories and registration codes.*

L-6 deleted and made a part of L-1.

L-7 Definition:

Registration - refers to the registration of an individual member of the Corporation *deemed eligible for competition in Masters swimming (25 19 years of age and older).*

This proposal shall become effective upon adoption.

Modify II.A: To outline safe Masters programs in swimming for individuals *25 years of age or over*
(remainder of paragraph unchanged)

L-11 III. F. (4) Any vacancies that may occur on the Board of Directors, except vacancies in the Officers, caused by death, resignation or otherwise, shall be filled by *a majority vote of the remaining members thereof* the President from among the members of the House of Delegates for the unexpired term.

L-13 III.h.(1) Delete in its entirety and substitute the following:

(1) The Finance Committee shall consist of the Chairman appointed by the President for a two year term. The Chairman shall choose from the House of Delegates nine members with at least one from each Zone. The Treasurer, the Chairman of the Audit Committee and the Comptroller shall serve as Ex-Officio members of the Committee.

1. The Finance Committee shall:

- a) Develop policies pertaining to the financial affairs of the Corporation.
- b) Receive and review the annual reports of the Audit Committee, Treasurer, and Comptroller.
- c) Prepare or cause to be prepared a summary of the above reports to be presented to the House of Delegates at each annual

convention.

d) Annually receive and compile all budget requests from each Officer and Committee for the next fiscal year.

e) At each annual convention, prepare the Corporation's budget for the next fiscal period, and, after approval of the Budget by the Committee, submit same to the House of Delegates for approval.

f) Report to the Board of Directors

2) Committee requests for budget items or requests for funding that are disapproved by the Finance Committee (or those not submitted to the Finance Committee) may be approved by the House of Delegates at the annual meeting by a two-thirds vote.

L-17 IV A (1) Athlete registration is for the period November 1 through October 31 each year. Swimmers applying for registration on or after *August 1* October 1 will be issued a registration card valid through October 31 of the following year.

L-18 The Legislation Committee does not recommend that the House of Delegates formally adopt the Policies and Procedures dated September 1986 and as distributed to the House of Delegates.

However, after thorough discussion, the Legislation Committee suggests that everyone read the policies and procedures as they were gleaned from our historical records and were utilized in the past. These policies are for the education of the members and use as appropriate by Committees.

L-19 The Legislation Committee has received a request for approval of legislation from Standing Committees as defined in our By-Laws. We have reviewed the request of the Finance Committee, and Audit Committee, to have the job descriptions clarified for the coming year.

The Legislation Committee, Finance Committee, and Audit Committee, recommend your approval of the revised job descriptions attached.

These provisions become effective upon adoption.

Delete III.E.(4).(d) in its entirety and substitute:

Treasurer

The Treasurer shall:

- (i) be the custodian of all Corporate funds.
- (ii) receive all funds of the Corporation and deposit to the accounts of the Corporation.
- (iii) disburse funds as directed by the Comptroller, or by the House of Delegates.
- (iv) Invest funds of the Corporation in a prudent manner for the benefit of the Corporation, in accordance with the investment policies established by the Finance Committee.
- (v) maintain adequate and accurate financial records which document the income and disbursement of the Corporation's funds.
- (vi) submit all financial records to the Audit Committee annually within one month following the end of the Corporation's fiscal year.

Comptroller

Delete III .I.(2) in its entirety and substitute:

The Comptroller shall be appointed by and serve at the pleasure of the President and shall report to the Finance Committee.

The Comptroller shall:

- (a) Establish and maintain the financial records of the Corporation using generally accepted accounting principles and practices.
- (b) ^{Records} Receive Corporate income from the Registrar and all other sources, and, after recording the income ^{ok} [on the books of the Corporation] forward the income to the Treasurer for deposit to the Corporation's accounts.
- (c) ^{+ record} Receive all invoices and/or bills, which invoice and/or bills shall have been approved by an Officer or Committee Chairman or other person authorized to approve expenses.

(d) Authorize the Treasurer to disburse Corporate funds pursuant to paragraph (c) above.

(e) Prepare annual financial summaries of the Corporation's financial status within one month following the end of the Fiscal year.

(f) Prepare the annual financial reports showing the income and disbursements of the Corporation which shall be similar to those reports required of non-profit organizations by Section 6056 of the Internal Revenue Code of 1954 (or corresponding provisions of any subsequent tax laws). Such annual financial reports shall be made available for inspection by members of the general public at the Corporation's principal office on request made within 180 days after notice of its availability.

(g) Prepare the Corporation's annual tax returns.

(h) Submit all financial records to the Audit Committee annually within one month following the end of the fiscal year.

(i) Submit recommendations for improvements in the management of the Corporation's fiscal affairs to the Chairman of the Finance Committee as requested or deemed advisable.

(j) The Comptroller shall be reimbursed for expenses incurred in the performance of the duties of the position, following authorization by an Officer or the Chairman of the Finance Committee.

Modify III.H.(13) as follows:

** with the concurrence
of the Bd of Dir.*

Audit Committee

The Audit Committee shall consist of at least two members of the Corporation, appointed by the President, ^{*} one of whom shall be designated by the President as Chairman. The members of the committee shall serve at the pleasure of the President and shall make their reports to the House of Delegates through the Finance Committee.

Duties The Audit Committee shall:

(a) Receive the financial records of the Corporation from the Treasurer and Comptroller.

(b) Examine at least annually all financial records received pursuant to paragraph (a) above to determine the accuracy and validity of the records maintained by the Treasurer and Comptroller.

(c) ^{prepare + audited} Examine the annual income statement and balance sheet of the Corporation, along with any other appropriate financial statements as of the close of the Corporation's fiscal year.

(d) Present the financial statements listed in paragraph (c) above to the Finance Committee as soon as practical after the close of the fiscal year, with a statement as to the Audit Committee's position regarding the accuracy and validity of those documents.

(e) Submit to the Finance Committee recommendations for the improvement of the financial management of the Corporation.

(f) The members of the Audit Committee shall be reimbursed for expenses incurred in the performance of their duties, following authorization by an Officer or the Chairmen of the Finance Committee.

Legislation Sept 17
Name of Committee

Arthur Smith
Chairperson

Voting Members

Art Smith

FRANK H. TILLOTSON

GEORGE CUNNINGHAM

Jennifer Parks

Bob Copeland

Huddie Murray

Karen Barnes

James Donnelly

Steve Schopf

Others in attendance. No vote - voice at the will of the Chair

Joan Spangler

PETE MULLEN

LARRY KREITZER

Lynne Wein

LARRY WOOD

BUNNY ADLER

Marilyn Fink - SD/II

Sandi Rousseau

BILL UHRICH

Hugh + Jane Moore

DiAnne Letendre

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Please attached minutes of meeting to this form and deliver to Nancy Ridout, Secretary, as soon as possible after your meeting.

Tom Boak

open discussion of all proposed legislation changes. No votes taken.