

1994 USMS Convention
Legislation Committee Minutes - 2nd Session
Friday September 30, 1994 3:30 PM

The second session of the Legislation Committee was called to order by Chairman Jerianne Donnelly at 3:30 PM on Thursday September 30, 1994 at the USAS Convention in Kansas City, Missouri.

A discussion of the legislative proposals presented to the committee was conducted. The committee Moved Seconded and Carried ("MSC") to affirm the committee's recommendations of proposals reviewed yesterday. Refer to the attached legislative proposals.

The following new legislative proposals were considered by the committee:

- L-5 202.1.1.G - MSC that this was Emergency legislation that should be presented to the House of Delegates. It was deemed an emergency because the old language, as written, did not conform to current administrative practices.
- L-6 202.1.1.H - MSC that this was NOT Emergency legislation. The committee will continue to work on this for presentation to the House next year.
- L-7 202.2 - MSC that this was NOT Emergency legislation.

Jeanne Crouse has done a great deal of work on Part Four: Athletes; Rights, Hearings, and Appeals. The committee reviewed high level aspects of the proposed revisions. The committee will all perform an extensive review of the proposed revisions and report back to Jeanne Crouse before October 30, 1994. Copies of the drafts of Part Four will be distributed to Zone Representatives.

The Meeting was adjourned at 4:52.

L-1 Membership of Athletes; adds new wording. (Submitted by Rules Committee)

COMMITTEE RECOMMENDATION				
Approved	Amended	Dis-Approved	Non-Emergency	Withdrawn by Submitter

- p.59 201.1.1 Annual Registration - Athlete registration is for the period January 1 through December 31 of each year. Swimmers applying for registration on or after November 1 will be issued a registration card valid through December 31 of the following year. A swimmer who has not yet reached the age of nineteen may apply for and receive a registration card prior to his/her nineteenth birthday, but the effective date of the registration card for the purposes of competition or participation in workouts and related master swimming activities shall be his/her nineteenth birthday.

L-2 Sanctions; adds new subsection to sanction conditions. (Submitted by Oregon)

COMMITTEE RECOMMENDATION				
Approved	Amended	Dis-Approved	Non-Emergency	Withdrawn by Submitter

p.61 202.1.1.F.4. At sanctioned events, only swimmers registered with USMS shall be allowed in the competition pool and warm-up pool or warm-up lane(s) during the duration of the scheduled warm-up and during the meet.

L-3 Elections and Terms of Office (Submitted by Planning Committee)

COMMITTEE RECOMMENDATION				
Approved	Amended	Dis-Approved	Non-Emergency	Withdrawn by Submitter

p. 79 504.2.1 All officers of the Corporation shall be elected by the members of the House of Delegates at annual meetings held *in odd numbered years every third year, beginning in 1995.* Elected officers shall hold office for *two three* years or until their successors are elected and qualified.

.2 Each officer is eligible for election to *the same an* office for *two terms one term only.* *No person so elected for two successive terms is eligible for re-election to the same office until after the lapse of two years following the terms of office to which that person was last elected.*

.3 Each interested party for any of the Executive Committee positions shall file with the Nominating Committee an intention to run for a specified position no later than April 1st of an election year.

LH -1 Housekeeping to Liability Release

COMMITTEE RECOMMENDATION				
Approved	Amended	Dis-Approved	Non-Emergency	Withdrawn by Submitter

p. 62 203.1 All registration forms, and sanctioned entry forms, and recognized event entry forms must shall include a liability release. The liability release must shall be signed by the person registering or entering. The language of the release must shall be:

"I, the undersigned participant, intending to be legally bound, hereby certify that I am physically fit and have not been otherwise informed by a physician. I acknowledge that I am aware of all the risks inherent in Masters Swimming (training and competition), including possible permanent disability or death, and agree to assume all of those risks. AS A CONDITION OF MY PARTICIPATION IN THE MASTERS SWIMMING PROGRAM OR ANY ACTIVITIES INCIDENT THERETO, I HEREBY WAIVE ANY AND ALL RIGHTS TO CLAIMS FOR LOSS OR DAMAGES, INCLUDING ALL CLAIMS FOR LOSS OR DAMAGES CAUSED BY THE NEGLIGENCE, ACTIVE OR PASSIVE, OF THE FOLLOWING: UNITED STATES MASTERS SWIMMING, INC., THE LOCAL MASTERS SWIMMING COMMITTEES, THE CLUBS, HOST FACILITIES, MEET SPONSORS, MEET COMMITTEES, OR ANY INDIVIDUALS OFFICIATING AT THE MEETS OR SUPERVISING SUCH ACTIVITIES. In addition, I agree to abide by and be governed by the rules of USMS."

L-5

COMMITTEE RECOMMENDATION				
Approved	Amended	Dis-Approved	Non-Emergency	Withdrawn by Submitter

p.62 202.2.G Recognition for foreign any meets held outside the jurisdiction of USMS, other than those organized by FINA, MSI or CASA, shall be obtained from the USMS Registration Committee Chairman Executive Committee.

L-6

COMMITTEE RECOMMENDATION				
Approved	Amended	Dis-Approved	Non-Emergency	Withdrawn by Submitter

p.61 202.1.1.H Scheduling for meets that are international in scope and are within 30 days of a USMS National Championship shall be approved by the Executive Committee before a sanction can be granted by the LMSC.

L-7

COMMITTEE RECOMMENDATION				
Approved	Amended	Dis-Approved	Non-Emergency	Withdrawn by Submitter

p.61 202.2. RECOGNIZED EVENTS -Times swum at recognized events may be considered for USMS National records and Top Ten Times if the event has been granted recognition and a designated USMS observer is present and verifies in writing that the conduct of the competition conforms to the relevant USMS swimming rules and administrative regulations. Times swum at or the events is organized by USS, FINA, MSI, or CASA/Swimming Canada Natation ,or organized by MSI, will automatically be considered for USMS National records and Top Ten Times.