



## United States Masters Swimming Legislation Committee

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Operating Policies and Procedures

September 13, 2019

This document outlines the practices, policies, and procedures of the Legislation Committee to ensure continuity from year to year.

Revisions to this document must be approved by a majority of the Legislation Committee.

## **Committee Definition**

Article 507.1.6: The Legislation Committee may initiate and shall receive, consider, and report proposed amendments with the committee's recommendations at the annual meeting of the House of Delegates, in accordance with the provisions of Part 6, which includes proposed changes to: Code of Regulations, Organizing Principles, Glossary, Part 2: Administrative Regulations of Competition, Part 4: Participation, Conduct, Hearings, and Appeals, Part 5: United States Masters Swimming Inc.: Organization and Bylaws, and Part 6: Amendment Procedures. When necessary, the committee shall interpret and render opinions regarding any provision of the rules and regulations of USMS within the committee's jurisdiction as defined in article 601.1. The committee shall consist of the committee chair and sufficient members to execute the committee function, with at least one member from each zone, not to exceed 16 additional members. The Rules Committee chair shall be an ex officio member of the committee.

The Legislation Committee has jurisdiction over the "dry rules" of Masters swimming. This includes the sections of the code that deal with the organization and operation of USMS as a corporate entity.

## **Legislation Committee Policies**

### Parliamentary Procedures

To maintain order and to ensure proper consideration of all actions placed before the committee, the chair will enforce a common sense interpretation of Robert's Rules of Order. This relaxed interpretation allows an efficient and effective means of conducting committee business without getting overly distracted by rules of order.

The rules in the current edition of Robert's Rules govern the committee process unless: (1) they are inconsistent with USMS code, (2) they are superseded by policies set forth in this document, or (3) they are superseded by special rules of order adopted by USMS.

### Actions of the Legislation Committee

The committee spends most of its time reviewing and recommending changes to the USMS code.

The basic work flow is:

- A. An LMSC, standing committee of the House of Delegates, the Board of Directors, or the Executive Committee prepares a proposed amendment to the code, in accordance with article 601, and submits the proposal to the chair of the Legislation Committee no later than June 10.
- B. The chair confirms that the proposal is in order, and if it needs to be reworked to put it in order or to clarify information, the chair works with the submitter to clean it up.
- C. Committee members carefully review the proposals, amend the proposals as necessary and are germane to the topic, and vote whether to recommend, recommend as amended, or not recommend each proposal. Discussion may take place using email, online forums, or

conference calls; usually all three types of discussion are necessary.

- D. The chair compiles a document containing all proposed amendments with the committee's recommendations (for or against) and submits it to the National Office for distribution to each member of the House of Delegates no later than 30 days before the start of the annual meeting of the HOD (article 601.2.5).
- E. At the annual meeting, the committee will meet, listen to input from other delegates, and further amend and vote on the proposals as necessary.
- F. As stipulated in article 601.2.4, the Board of Directors, Executive Committee, or a standing committee of the House of Delegates may submit proposals after the June 10 deadline. Submissions after the deadline may be adopted in accordance with article 601.4.3, by a two-thirds vote of the committee of jurisdiction, provided the proposed amendment is made available to all members of the House of Delegates in advance of the annual meeting.
- G. The chair prepares minutes (or delegates this task to another committee member) of all meetings of the committee at the annual meeting, along with a final list of proposals and the committee's recommendations, and sends them to the USMS secretary, who makes them available for all HOD members.
- H. The chair presents the committee's recommendations to the HOD and asks for approval of the meeting minutes. The chair then asks for delegates to pull any proposals they wish to discuss. The HOD votes to uphold the committee's recommendations on all proposals that were not pulled. Each pulled proposal is discussed separately, and amendments may be offered and voted on in accordance with HOD rules of the house. Once discussion has ceased, the HOD votes whether to approve, approve as amended, or defeat each proposal.
- I. After the convention, the chair works with National Office staff to ensure that all adopted amendments appear properly in the USMS rule book.

## **Committee Consideration of Proposed Amendments**

### Format of Proposed Amendments

Proposed amendments should show the entire section as it will read if adopted, with any changes in language underlined if new and lined out if deleted.

Each proposed amendment should include a brief rationale describing the need for the proposal.

An example of the proper formatting for proposed amendments should be made available on the USMS website so that potential submitters have something to guide them in formatting their proposals.

The chair will return proposed amendments that are not timely or properly formatted to the LMSC or committee that submitted them, explaining why the amendment is not in order and help the submitter get the proposal in the proper format.

### Classes of Proposed Amendments

There are three primary classes of proposed amendments:

1. Housekeeping amendments — correct errors of grammar and punctuation, without changing the substance of the code. Example: Changing “will” to “shall” is housekeeping, but changing “should” to “shall” is substantive.
2. Substantive amendment — any amendment that changes the intent of the code.
3. Out of order amendment — does not conform to the rules and guidelines for the submission of amendments. In order to be considered as proposed amendments, these must be put in order by the LMSC or sponsoring committee and resubmitted to the chair of the Legislation Committee. The committee takes no action on out-of-order amendments, and these amendments are not presented to the House for adoption.

### Classes of Amendment Recommendations

There are four recommendations for proposed amendments:

1. Recommended as written
2. Recommended as amended
3. Not recommended
4. Not an emergency

RECOMMENDED AS WRITTEN and RECOMMENDED AS AMENDED amendments require a simple majority approval in the HOD to be adopted.

NOT RECOMMENDED amendments require a two-thirds majority vote against the Legislation Committee’s recommendation to be adopted.

NONEMERGENCY amendments are amendments submitted after the deadline and deemed not an emergency by the Legislation Committee by not receiving a two-thirds vote. NONEMERGENCY amendments are not presented to the House for a vote.

Emergency amendments require a two-thirds approval by the Legislation Committee and a 90 percent approval by the House to be adopted.

### Committee Member Responsibilities

The committee may interpret and render opinions regarding any provision of the rules and regulations of USMS within the committee’s jurisdiction as defined in article 601.1.1. Typically, the chair will be asked to render opinions and interpret code. The chair should consult with the committee to solicit a consensus opinion.

### Committee Chair Responsibilities

The chair is responsible for delegating work to committee members and establishing subcommittees as needed to conduct committee business. The chair:

- Reviews all proposed amendments to the code. This includes working with amendment sponsors to ensure that all amendments are in order.
- Organizes and conducts effective/efficient committee meetings. This includes preparing agendas and materials, as needed, for all committee meetings, maintaining order, and ensuring that the meetings flow in a productive fashion.
- Works with the National Office to develop a convention meeting schedule and to schedule special committee sessions.
- Represents the committee's interests to the vice president of administration and in meetings with other USMS committees.
- Ensures that the actions of the committee are accurately recorded in committee meeting minutes.
- Presents the committee's reports to the HOD.
- Ensures that the actions of the HOD are accurately reflected in the USMS code.

### Committee Vice Chair Responsibilities

- Provide support to the chair and committee members.
- Represent the Legislation Committee in the absence of the chair.

## Other Business

### Not amendments

During the course of committee meetings, there may be discussions dealing with out-of-order amendments or other initiatives of value to the committee or USMS. These discussions should be encouraged as long as they do not interfere with the orderly review of proposed amendments. If they interfere, they should be postponed until debate on proposed amendments is concluded, or they should be referred to a subcommittee. Reports of these discussions may be included in the committee minutes.

### Errors and Omissions

The committee and the chair make every effort to ensure that the information presented to the HOD and the membership is complete and accurate. However, if typographical or other errors occur during the production of the rule book, the chair may correct these errors and omissions before they are reflected in the rule book, provided that the correction helps to improve the quality of the code and in no way alters the intent of the adopted amendment.