

Amended September 18, 2004 - Including actions of the House of Delegates

I. The following proposals were reported out as emergency and are recommended for approval as amended by the Legislation Committee. They require a 90% majority of the HOD to pass. The text in yellow indicates the action taken by the House of Delegates.

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|----------------|--|------|-----------|----------------|
| L1 | 202.1.1 – Sanction Requirements | | | Page 63 |
| Approve | Approve as Amended | Fail | Withdrawn | |

Add new subsection (2) and renumber remaining subsections:

F All sanctioned events are subject to the following conditions:

(1) The conduct of a sanctioned event shall be in strict compliance with applicable USMS swimming rules and administrative regulations.

(2) In order to be in compliance with FINA rule C.7.2, an LMSC may grant exceptions to specific USMS swimming rules and administrative regulations when sanctioning a FINA Masters World Championship.

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|----------------|--------------------------------|------|-----------|-------------------|
| L2 | ARTICLE 505: - Officers | | | Page 90-91 |
| Approve | Approve as Amended | Fail | Withdrawn | |

505.1. POSITIONS

The elected officers of USMS shall be a president, a vice president of Member Services, a vice president of Community Services, a vice president of National Operations, a vice president of Local Operations, a secretary, and a treasurer, ~~and a Zone Committee chair.~~ No person may concurrently hold more than one office.

...

505.4. DUTIES OF OFFICERS

The duties of the officers shall be as follows:

...

505.4.2—The vice presidents shall chair their respective divisions, and shall coordinate their respective committee's activities and funding, as set forth in Article 507.

A In the event the president is unable to perform assigned duties, the vice president of National Operations shall perform these duties.

B The vice president of Local Operations shall Chair the Zone Committee

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505.5.5—~~The Zone Committee chair shall:~~

A ~~Conduct all meetings of the Zone Committee.~~

B ~~Carry out all responsibilities as assigned by the House of Delegates, the president, the USMS Code of Regulations, and the stated needs of the LMSCs.~~

Related Housekeeping:

503.2. ZONE MEETINGS ... Minutes of each meeting should be maintained and forwarded to the vice president of Local Operations ~~Zone Committee chair.~~

...

507.1. EXECUTIVE COMMITTEE

507.1.1—The voting members of the Executive Committee of this corporation shall consist of:

A The president, the vice president of Member Services, a vice president of Community Services, a vice president of National Operations, a vice president of Local Operations, the secretary, and the treasurer.

B ~~The Zone Committee chair.~~

...

507.2.1—The Zone Committee shall consist of the vice president of Local Operations ~~Zone Committee chair~~ plus a representative from each zone elected by the delegates from each LMSC within that zone.

...

507.2.4—If a vacancy in the position of zone representative occurs, the vice president of Local Operations ~~Zone Committee chair~~ shall consult...

NOTE: *In accordance with 601.5. (Effective Date) – This change once approved, will NOT become effective January 1, 2005. Instead, it will become effective in conjunction with the 2005 election of officer process.*

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|----------------|---------------------------|------|----------------------|
| L3 | Board of Directors | | Pages various |
| Approve | Approve as Amended | Fail | Withdrawn |

506.1 MEMBERSHIP

The Board of Directors of this corporation shall consist of:

- 506.1.1-- Each voting member of the Executive Committee
- 506.1.2—~~Each zone representative.~~ A director from each Zone, nominated by that zone and elected by the House of Delegates.
- 506.1.3—~~Past Presidents.~~ Ex officio members: the Executive Director, Legal Counsel, and a representative from USA-Swimming.
- 506.1.4—~~The chairs of all standing committees.~~
- 506.1.5—~~The liaison from USA Swimming.~~
- 506.1.6—~~The nonvoting director from each allied member.~~

506.2 TERM OF OFFICE

Zone directors shall be elected ~~or appointed~~ for a 2-year term. Each director is eligible for election to the same office for two consecutive terms.

506.3 VACANCIES

~~Any vacancies that may occur on the Board of Directors, except vacancies in the officers or zone representatives, caused by death, resignation, or otherwise, shall be filled for the unexpired term by someone appointed by the president from among the members of the House of Delegates. If a vacancy in the position of zone director occurs, the vice president of Local Operations shall consult with the chair of each LMSC in that zone and appoint a new or replacement zone representative, with the concurrence of the USMS president.~~

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506.5 MEETINGS

A minimum of two meetings of the Board of Directors will be held each year (one at the annual convention and one mid-year). Meetings held by conference call will be held on a regular basis. Other meetings of the Board of Directors shall be held at any time or place, ... *rest is the same.*

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506.7 VOTING PRIVILEGES

Each member of the Board of Directors, ~~except the president, except for the representatives of allied members,~~ shall have one vote. The president shall vote in the case of a tie vote. There shall be no voting by proxy.

ARTICLE 507: COMMITTEES

507.1 EXECUTIVE COMMITTEE

- 507.1.1—The voting members of the Executive Committee of the corporation shall consist of:
 - A. The president, the vice president of Member Services, the vice president of Community Services, the vice president of National Operations, the vice president of Local Operations, the Secretary, and the Treasurer
 - B. The immediate past president
- 507.1.2—The nonvoting members of the Executive Committee shall consist of:
 - A. The legal counsel
 - B. The executive director

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507.2 STANDING COMMITTEES

The president, with the concurrence of the Executive Committee, shall appoint the chair of each committee to a 2-year term.

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|-----------|---|-------------|-----------|
| L4 | 505.2.ELECTIONS AND TERM OF OFFICE | | |
| Approve | Approve as Amended | Fail | Withdrawn |

505.2.1—All officers of USMS shall be elected by the members of the House of Delegates at annual meetings held in odd-numbered years. Elected officers shall hold office for 2 years or until their successors are elected and qualified.

505.2.2—(After the elections to be held in 2005) All members of the Board of Directors who are not members of the Executive Committee, shall be elected by the house of delegates at annual meetings held in odd numbered years. Non-executive committee board members elected in 2005 shall be elected to a 3 year term or until their successor is selected and qualified. Non-executive committee board members, elected in 2008 and in subsequent years shall shall be elected to a 3 year term or until their successor is selected and qualified.

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505.2.5—Each non-executive committee of board is eligible for election in the same capacity for two consecutive terms.