



United States Masters Swimming Legislation Committee

Operating Policies and Procedures

November 30, 2005

Version 2005-06



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History of Changes

Ver.	Author	Date	Description
0.1	Rob Copeland	05/20/2000	First draft
0.2	Rob Copeland	10/06/2000	Working revisions to draft
2001-D3	Rob Copeland	08/27/2001	Revisions based on committee recommendations and added Document Management Guidelines and History of Committee Action Items
2001	Rob Copeland	11/18/2001	First Version, with 2001 Convention Actions
2002D1	Rob Copeland	10/27/2002	2002-03 draft with 2002 Convention Actions
2003	Rob Copeland	12/12/2003	2003-04 Version, with 2003 Convention Actions
2004	Rob Copeland	12/06/2004	2004-05 Version, with 2004 Convention Actions
2005	Rob Copeland	11/30/2005	2004-05 Version, with 2005 Convention Actions

Document Management Guidelines

It is intended that this document will be periodically updated to reflect the current policies of USMS and the Legislation Committee. The chair shall maintain the official version of the “United States Masters Swimming Legislation Committee Operating Policies and Procedures,” and an archive copy shall be kept at the National Office. Additional, courtesy copies will be made available to committee members, the Board of Directors and other interested parties.

The purpose of the version control process is to reduce confusion by proper revision management and provide guidance to authors in maintaining a consistent means of communicating the status of the document. Author accountability is inherent to version control. The author is responsible for using this tool to determine and communicate the current status of a document.

Version control of this document will adhere to the following standards:

- Annual changes to this document, as approved by the committee, will be included in the current version.
- The current and all prior versions will be archived by the chair.
- Version numbering is reflected in the document file name, on the title page and on page footers.
- Version numbers are composed of major and minor version numbers (e.g., “USMS Legislation 2001” would be the version approved at the 2001 convention, “USMS Legislation 2001D1” would be the first draft of revisions to the 2000 version, for discussion at the 2001 convention).
- The letter “D” after a year denotes that it is a working draft, not officially approved. The number after the “D” denotes the draft revision number.
- A synopsis of the revision will be included in the *History of Changes* section.



1. Overview

1.1. Document Overview

This document of the practices, policies and procedures of the United States Masters Swimming (USMS) Legislation Committee is organized as follows.

- Table of Contents
- History of Changes and Document Management—discusses where and how this document is to be maintained and provides a brief summary of changes.
- 1. Overview—discusses the purpose and intent of this document, as well as providing context for the roles and responsibilities of the committee.
- 2. Legislation Committee Policies—discusses how the committee goes about conducting business and how to ensure continuity from year to year.
- 3. Proposing Changes to USMS Code—discusses the authority by which the committee receives and acts upon proposed amendments.
- 4. Rules of Order—discusses some of the basics of “Robert’s Rules of Order” as they are used by the committee.
- 5. Sample Documents—shows samples of other Legislation Committee documents.
- 6. Guidelines for Writing Proposed Amendments—discusses the format for writing and submitting proposed amendments to the code.
- 7. Glossary of Terms
- 8. History of Committee Action Items—This section lists committee actions, excluding code changes. The purpose is to provide a single, historical accounting of noteworthy actions of the committee.

1.2. Purpose

The purpose of this document is to put into writing the practices, policies and procedures of the Legislation Committee to ensure the continuity of process from year to year. This provides committee members, chairs of standing committees and the Executive Committee with background and insight into our committee.

This document in no way supersedes USMS articles of incorporation, USMS code or any procedures and protocols defined in the USMS Guide to Operations. Any discrepancies are accidental and shall be corrected in subsequent document revisions.

Revisions to this document must be approved by a majority of the Legislation Committee, and changes documented in the History of Changes section.

1.3. Committee Definition

507.1.5 Legislation Committee—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 and the rule book coordinator shall be ex officio members of the committee.

1.4. Committee Jurisdiction

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 Inc. as a corporate entity.

As defined in article 601.1.2, “Proposed changes to the Code of Regulations (Organizing Principles, Glossary, Part 2: Administrative Regulations of Competition, Part 4: Athletes’ Rights, Hearings, and Appeals, Part 5: United States Masters Swimming Inc.: Organization and Bylaws, and Part 6: Amendment Procedures) shall be considered by the Legislation Committee for report and recommendation to the House of Delegates.”



2. Legislation Committee Policies

2.1. Parliamentary Procedures

To maintain order and to ensure proper consideration of all actions placed before the committee, the chair or committee parliamentarian will enforce a common sense interpretation of *Robert's Rules of Order (RRO)*. The purpose of this relaxed interpretation is to provide an efficient and effective means of conducting committee business without getting overly distracted by rules of order.

Basics of parliamentary procedures can be found in the section Rules of Order.

The rules contained in the current edition of RRO Newly Revised shall govern the committee process in all cases to which they are applicable with the following exceptions: (1) They are inconsistent with USMS code; (2) They are superseded by policies found within this document; or (3) They are superseded by special rules of order adopted by USMS.

2.2. Actions of the Legislation Committee

Most of the activities of the committee revolve around reviewing and recommending changes to the USMS code. This section describes, in some detail, the life cycle of proposed amendments to the code.

The basic flow is as follows:

1. An LMSC, a 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:Amendments" and submits the proposal to the chair of the Legislation Committee no later than July 10.
2. The chair confirms that the proposal is in order and includes it with other proposals. If the proposal needs to be reworked to put it in order or to clarify information, the chair works with the submitter to clean it up.
3. As dictated by the National Office, the chair prepares a packet of all proposed amendments to the code that "shall be published and distributed to each LMSC and each member of the House of Delegates not later than August 15." Each page of this published list must be clearly dated, with page numbers.
4. **Prior to the convention**, committee members carefully review the proposals and should be prepared to discuss all in detail. The chair may wish to initiate preconvention discussions, via email or phone, if there are issues that could otherwise overwhelm or confuse the committee.
5. **At the convention**, the committee will meet, thoroughly discuss each proposal, and provide the House of Delegates with specific recommendations for each properly submitted proposal.
6. At the convention, standing committees et al., including the Legislation Committee, may introduce the code changes. These "committee proposals" must be submitted to the chair in proper order and in a timely fashion that allows the committee to review and make recommendations, prior to the presentation of the Legislation Committee's report to the House of Delegates.
7. The chair oversees the preparation of a report (minutes) of all actions/recommendations of the committee and presents it to the convention coordinator for distribution to all HOD members.



8. The chair presents the committee’s recommendations to the HOD and invites approval of the committee’s recommendations. Items that are not controversial are approved en masse; any item that an HOD member wishes to discuss further is “pulled” and considered for approval separately.
9. After the convention, the chair works with the National Office and the rule book coordinator to ensure that all adopted amendments appear properly in the USMS rule book.

2.2.1. Committee Consideration of Proposed Amendments

The primary function of the Legislation Committee is to consider administrative or organizational code change proposals (“proposed amendments”).

In advance of committee meetings, the chair determines the order in which proposed amendments will be discussed. As a standard practice, proposals are not necessarily discussed in the order in which they are presented in the convention packet. Usually housekeeping and simple amendments are discussed first, before getting into more time-consuming and meatier amendments. Some proposed amendments may require a special meeting of the committee in order to adequately address the issues. When possible, these special sessions should be coordinated through the convention coordinator.

Consideration of a proposed amendment includes the following steps:

Step	Open to committee members	Open to HOD and guests
1. Introduce a main motion to act on the proposed amendment. The motion should be to recommend the proposed amendment; e.g. “ <i>I move that the committee recommend L-1, as written.</i> ” NOTE: to reduce confusion, the committee should recommend approval of all proposals, as written, even those that are rejected or amended.	Yes	No
2. Second the motion. A second is required, prior to any discussion. Since the committee must vote on all proposed amendments, all main motions must be seconded.	Yes	No
3. Discussion regarding the proposed amendment and the committee motion.	Yes	Yes
4. Introduction of secondary motions (amendments), if necessary, to make germane modifications to the proposed amendment.	Yes	No
5. Second the secondary motion. If no committee member volunteers a second, the secondary motion “dies for lack of a second” and discussion on the primary motion resumes.	Yes	No
6. Discuss the secondary motion. At this point, discussion of the main motion should be limited to clarification for the secondary motion.	Yes	Yes
7. Vote on the secondary motion.	Yes	No
8. Additional discussion regarding the proposed amendment and all approved committee amendments, and any new secondary motions.	Yes	Yes



9. End discussion—either by: a) the chair “hearing no more discussion” calling for a vote, b) “calling the question”—second/vote, c) “motion to postpone”—second/vote	Yes	No
10. Vote on the main motion, or the main motion as amended.	Yes	No

The opinions of amendment sponsor and the committee are solicited, prior to recognizing members of the audience.

2.2.2. Source of Proposed Amendments

Proposed amendments are only accepted from an LMSC, a standing committee of the House of Delegates, the Board of Directors or the Executive Committee.

All proposed amendments shall be in such form as to show the entire section as it will read if adopted, with any changes in language underlined if new and lined out if deleted. The LMSC chair or the committee chair must sign proposed amendments.

For an LMSC to submit a proposal, it must be sent to the chair by July 10.

A standing committee of the House of Delegates, the Board of Directors or the Executive Committee may submit a proposal in accordance with the rules for LMSCs or it may submit a proposal during the convention.

Proposals submitted at the convention by a standing committee of the House of Delegates, the Board of Directors or the Executive Committee must have the support of a majority of the committee, as determined by a vote, to be accepted for consideration.

Proposals submitted at the convention must be in writing, conform to the format for proposed amendments, and a minimum of 20 copies need to be provided to the chair for distribution to Legislation Committee members.

Each proposed amendment should include a brief written rationale, describing the need for the proposal. This will assist the committee in understanding the sponsors’ desire to see the amendment passed.

Proposed amendments that are not properly submitted (not timely or improper format) will be returned to the amendment sponsor by the chair. The chair will provide an explanation as to why the amendment is not in order and attempt to assist the sponsor in resubmitting the amendment.

The chair will work with the amendment sponsor to correct any housekeeping errors or omissions prior to including the proposed amendment in the convention packet and bringing it before the committee.

2.2.3. Introduction of Proposed Amendments

Proposed amendments can be debated only after they have been introduced in the form of a main motion. A main motion can include one or more proposed amendments. It is customary for the committee to consider all housekeeping amendments in a single main motion.

In Legislation years (odd-numbered years), **all** properly submitted proposed amendments must be introduced and acted upon by the committee. In an effort to reduce confusion in the voting process, the committee will move to recommend all proposed amendments.

1. *“I move that the committee recommend Lxxx, as written.”*



In Rules years (even-numbered years), **all** properly submitted proposed amendments must be introduced, but **only** housekeeping and emergency proposed amendments are acted upon by the committee. One of three main motions can be used to introduce the proposed amendment:

1. *“I move that the committee recommend, as housekeeping, Lxxx, as written,”* or
2. *“I move that the committee recommend, as an emergency, Lxxx, as written,”* or
3. *“I move that the committee consider Lxxx not an emergency.”*

Once a motion has been introduced and seconded, debate can begin. In the case of amendments considered “not an emergency,” in a Rules year, debate can only include consideration whether the amendment is truly an emergency, and not the merits of the amendment.

2.2.4. Classes of Proposed Amendment

There are three primary classes of proposed amendments. These are (1) housekeeping, (2) substantive and (3) out of order. The committee must act upon the first two classes. The third, out of order amendments, must be put in order or discussed as other business, nonamendment.

Housekeeping Amendment—Amendments that correct errors of grammar and punctuation, without changing the substance of the code. Any amendment that can be construed as changing the intent of the code cannot be housekeeping. Example: Changing “will” to “shall” is housekeeping, but changing “should” to “shall” is substantive.

Substantive Amendment—Amendments that change the substance of the USMS code. An emergency amendment is a substantive amendment that is proposed in Rules years and whose passage is critical to maintaining the integrity, safety or fairness of USMS.

Out of Order Amendments—Amendments that do not conform to published rules and guidelines for the submission of amendments. Examples of out of order amendments include: (1) LMSC submissions after the deadline, (2) submissions at the convention that have not been approved by vote in the sponsoring committee, (3) submission without a proper signature from the sponsoring group, (4) submission not conforming to the formatting rules or (5) a verbal request made during a committee meeting. 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. The committee takes no action on out-of-order amendments, and these amendments are not presented to the House for adoption.

2.2.5. Classes of Amendment Recommendations

There are four recommendations that the committee can make for proposed amendments. These are (1) recommended as written, (2) recommended as amended, (3) NOT recommended or (4) NON-emergency.

Recommended as Written—Amendments that are proposed and whose passage is recommended by the committee, with the sponsor’s original language intact. These amendments are presented to the House. They require 50 percent approval in Legislation years and 90 percent approval in Rules years to be adopted.

Recommended as Amended—Amendments that are proposed and whose passage is recommended by the committee, with modifications to the language. The modifications must be germane (relevant) and attached via an approved secondary motion. These amendments are presented to the House. To be adopted into USMS



code, they require 50 percent approval in Legislation years and 90 percent approval in Rules years.

NOT Recommended—Amendments that are proposed in Legislation years and whose passage is not recommended by the committee. These amendments are presented to the House and require a 66.7 percent majority vote against the committee’s recommendation to be adopted.

NON-Emergency—Amendments that are proposed in Rules years and whose passage is NOT determined to be critical to maintaining the integrity and safety of USMS. These amendments are not presented to the House for a vote.

2.2.6. Evaluation Criteria

In determining whether to recommend acceptance of a proposed amendment to the code, the committee members consider several issues. These usually include such items as fairness, consistency, the goal of the proposed change and the organization’s ability to implement the change. In addition, the history of the issue may play an important part in the deliberations. For example, proposed changes that reverse a previous change may be viewed in the light of whether the initial change has had enough time to have its intended effect.

While the personal opinion of each committee member is valued and solicited, it is important for the members to keep in mind that they are representatives of their zone and the whole of USMS. Therefore, they must look at the broader ramifications when making recommendations.

2.2.7. Legislation Years vs. Rules Years

Odd-numbered years (e.g., 2001, 2003) are commonly referred to as Legislation years. During Legislation years, the committee will consider all properly submitted proposed amendments to the code. The committee will either recommend a proposed amendment to the House for adoption or NOT recommend adoption. If the committee recommends adoption, the proposal requires a simple majority vote of the House to pass. If the committee does not recommend adoption, the proposal requires a two-thirds (66.7 percent) majority vote of the House for passage.

During even-numbered years, commonly referred to as Rules years, (e.g., 2000, 2002) the committee does not consider all proposals submitted. The committee will only consider proposals that it deems emergencies. The committee accepts all properly submitted proposed amendments, but must first determine if the proposal constitutes an emergency, prior to consideration of merit. If the committee decides that a proposed amendment constitutes an emergency and recommends its passage, a 90 percent majority vote of the House is required for passage. Amendments determined to be NON-emergency are referenced in the committee minutes; however, they are not introduced to the House for a vote. The sponsors of these amendments are encouraged to reintroduce their amendments during a Legislation year.

2.3. *Committee Member Responsibilities*

- Committee members are selected as representatives of a specific zone; therefore they are responsible for representing their constituency, as well as their own opinions, in discussions and in voting.
- Almost all of the important business of the committee revolves around



amendments to USMS code at the USMS convention. Committee members who are unable to attend a convention should inform the chair as early as possible so that another representative from the zone can be named.

- At the direction of the Executive Committee, Board of Directors, House of Delegates or the committee, the committee members are often asked to support planning and organization initiatives. The members should be willing to support these initiatives.
- 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. Typically the chair will be asked to render opinions and interpret code. The chair should consult with the committee to solicit a consensus opinion.
- The chair has an enormous amount of work to accomplish. Each committee member should be ready and willing to assist both during and outside of the convention.

2.4. Committee Chair Responsibilities

The chair has an enormous amount of work to accomplish. The chair is responsible for delegating work to committee members and establishing subcommittees as needed to conduct committee business. The chair:

- Ensures that all committee members are given a copy of the USMS rule book and that new members are oriented as to the workings of the committee.
- 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 convention coordinator to develop a convention meeting schedule and to schedule special committee sessions.
- Work with Policy Committee to reconcile Guide to Operations and other USMS publications to code.
- Represents the committee's interests to the vice president of operations 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, maintaining order and ensuring that the presentation flows in a productive fashion.
- Ensures that the actions of the HOD are accurately reflected in the USMS code.
- Maintains an archive of the actions and policies of the committee.

2.5. Committee Vice-Chair Responsibilities

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



2.6. Other Business

2.6.1. Nonamendments

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 subcommittee.

Reports of these discussions may be included in the committee minutes. At the chair's discretion these matters may be reported during the committee report to the House.

2.6.2. Subcommittees

In the committee's ongoing efforts to enhance and improve the quality of the USMS code, the chair is encouraged to empower subcommittees to evaluate various articles of the code, work with other standing committees and undertake initiatives that serve the needs of the committee and USMS. Reports of subcommittees are included in the minutes for committee meetings.

2.7. Miscellaneous Policies

2.7.1. Cut-Off for Preconvention Amendments

Often members of the committee and amendment sponsors will identify corrections and clarifications to proposed amendments after they are published to the HOD. The chair has the option to include or exclude any and all late amendment revisions from the on-site convention materials and/or post-packet mailings to the committee. The chair must weigh the value of revisions against the potential for confusion or any impression of impropriety. In addition, the chair must get concurrence from the amendment sponsor. Generally, it is assumed that all proposed amendments are well thought out and written in such a way that they enhance the code. However, in many instances amendments require fine-tuning, and some require major overhauls. As a rule of thumb, revisions should be allowed if they will improve the committee's ability to conduct business at the convention. The chair is responsible for providing committee members with the "final proposed amendments" in advance of the convention as well as making sufficient copies available at convention. Each page of this publication must be clearly dated, with page numbers.

2.8. 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, there are instances where typographical and other errors occur during the production of the convention packet, committee minutes and the code. The chair, in working with the committee, HOD and rule book coordinator, may correct these errors and omissions before they are reflected in the code, provided that the correction helps to improve the quality of the code and in no way alters the intent of the adopted amendment.



3. Proposing Changes to USMS Code

3.1. Submission of Proposed Amendments

.1 Authorization—Changes to the USMS Code of Regulations and Rules of Competition may be proposed only by an LMSC, a standing committee of the House of Delegates, the Board of Directors or the Executive Committee.

.2 Format—Proposed changes shall be in such form as to show the entire section as it will read if adopted, with any changes in language underlined if new and lined out if deleted.

.3 Submission Deadline—Proposed changes by an LMSC must be submitted to the chair of the Legislation Committee not later than July 10.

.4 Publication of Proposed Amendments—All proposed changes to the rules or the code shall be published and distributed to each LMSC and each member of the House not later than August 15.

3.2. Modification of Proposed Amendments

The Legislation Committee may modify proposed amendments in any manner, where appropriate, while under consideration by the committee. Such modification must be germane to the subject matter and intent of the proposed change.

3.3. Adoption of Proposed Amendments

The USMS Code of Regulations and Rules of Competition may only be altered, amended, repealed or otherwise changed at the annual meeting of the House and only as follows:

Legislation—In odd-numbered years, the Organizing Principles, Glossary, Part 2, Part 4, Part 5 and Part 6 may be amended by a majority vote of the House present and voting if amendments to them are submitted to and recommended by the Legislation Committee, or by a two-thirds vote of the House members present and voting if amendments to them are submitted to and NOT recommended by the Legislation Committee.

3.4. Emergency Amendments

Emergency amendments (amendments not submitted in conformity with articles 601.4.1, 601.4.2 and 601.4.3) may be passed by a nine-tenths vote of the House members present and voting if they are properly submitted to, deemed an emergency by and recommended by the appropriate governing committee as defined in article 601.1.



4. Rules of Order

4.1. *Robert's Rules of Order*

Robert's Rules of Order is a system of parliamentary procedures first published in 1876 by Henry Robert, an American army general. This set of rules forms the basis for the "Rules of the House of Representatives of Congress," and contemporary editions of Robert's Rules are tailored toward the practices of that body.

A common sense interpretation of Robert's Rules was adopted by USMS to promote orderly discourse and debate, to defend the parliamentary rights of the minority, to act on the will of the majority and to streamline the workings of the business of Masters swimming.

As always, the final interpreter of Robert's Rules is the chair, and he or she is bound only by the bylaws of USMS and Robert's Rules of Order, Revised, in that order of precedence.

4.2. *Business, Motions, Debate*

Business is conducted in committee meetings by means of motions introduced by members present at a general or special meeting. Business may only be conducted when the committee is in session. However, in an effort to expedite process and improve the efficiency of the committee's limited convention meeting time, the chair is encouraged to get the committee engaged in evaluating the legislative amendments prior to convention. This includes using mail, email and phone calls to solicit constructive prepublication amendments and conduct straw-poll votes.

In committee meetings, an individual is typically permitted to speak by raising his or her hand and waiting for the chair to recognize him or her. When an individual has been recognized, he or she is said to have the floor; that is, he or she has the right to offer any motion or debate that is in order at that time. A speaker will yield the floor when finished speaking. The chair will typically recognize committee members and the principal maker of a motion before recognizing other meeting participants.

A motion to act on proposed amendments of the code or a motion to bring new business before the committee is called a main motion. It is submitted to consideration (debate and a vote) when it has been seconded by a member other than the member who proposed it. Once a main motion has been stated by the chair, debate can commence. Only one main motion may be considered at a time. The committee may bring back for further consideration a motion that has already been voted on; this is known as the reconsideration of a motion.

All meeting attendees are encouraged to participate in the debate of motions. However, only members of the committee, who are present, may introduce motions, provide a second and participate in the official vote.

4.3. *Basic Main Motions*

These motions apply only when no other business is pending before the committee and are used to introduce business into a meeting.

The original main motion. This is a motion that brings new business before the committee; such a motion can be made only while no other motion is pending. A main motion is out of order when another speaker has the floor. It must be seconded, it is debatable and amendable, and it may be brought back for further consideration after it has been voted upon. A main motion requires a majority vote except in



special cases, such as suspending a rule.

Take from the table. A question that has been previously tabled may be brought up again for consideration by way of this motion. If it succeeds, debate immediately resumes on the motion that had been tabled. A motion to take from the table is in order only when its sponsor has the floor; it must be seconded and is neither debatable nor amendable. It requires a majority vote to bring the tabled matter before the committee.

4.4. *Subsidiary and Privileged Secondary Motions*

These are motions that control the flow of debate and the subject matter being debated. They take precedence over any main motion currently on the floor. They are listed here in increasing rank; that is, each of these motions may be introduced only when a main motion is pending.

Amend a main motion. One of the most common secondary motions is to modify the wording of the pending question on the floor. The proposed amendment must be germane—no new subject may be introduced—and the changes to the wording of the current question are limited to certain instances of insertions, deletions and substitutions. The chair has the discretion to evaluate whether a proposed amendment is germane and valid.

Amendments may be applied to main motions and to primary amendments. The speaker must have the floor to propose an amendment, the motion to amend must be seconded and it is debatable. Debate is confined to the substance of the amendment and may not stray into the substance of the question being amended except where it applies to the content of the amendment. An amendment to a pending motion requires a majority vote, even in cases where the question being amended requires a two-thirds vote.

Calling the question. This motion closes debate immediately on the current main or secondary motion and brings said motion to an immediate vote. If it passes, it supersedes any previous motion to limit or extend debate. It may be qualified by its sponsor to apply to all pending questions. The speaker must have the floor to call the question; it must be seconded and is neither debatable nor amendable. A two-thirds vote is required to call the question.

Motion to postpone. This motion enables the majority to temporarily set aside the consideration of the pending motion (possibly with amendments). A motion to postpone is usually called when the body has determined that they do not have enough time or information to make an informed vote. Consideration of the postponed motion may be resumed at the will of the majority, whenever a primary motion is in order. Any postponed motion that deals with proposed amendments to the code must be considered prior to the conclusion of the annual meeting of the House. When a motion has amendments pending, the motion and its amendments are postponed by this motion. The speaker must have the floor to request that a pending matter be tabled; it must be seconded and is neither debatable nor amendable. A majority vote is required.

Lay on the table. This motion enables the majority to temporarily set aside the consideration of the pending motion (and its amendments) to consider a pressing matter. Consideration of the tabled matter may be resumed at the will of the majority, whenever a motion to take from the table is in order. Any tabled motion that deals with proposed amendments to the code must be removed from the table prior to the conclusion of the annual meeting of the House. The speaker must have the floor to request that the pending matter be tabled; it must be seconded and is neither debatable nor amendable. A majority vote is required.



Point of personal privilege. A member may at any time raise a point of personal privilege to make a motion related to the rights and privileges of the committee or any one of its members or guests. This motion was designed to provide the means to make a main motion even when another main or secondary motion is pending. A point of personal privilege is a very powerful motion, and it is not to be abused. Its most common use is to inform the committee of a problem and to request aid from the membership.

This motion is in order when the chair has not recognized the speaker. It is in order even when another speaker has the floor, if the urgency of the situation warrants. It is ruled upon by the chair, who decides only whether or not the point of personal privilege is to be admitted before the committee. A subsequent motion contained in the point of personal privilege is treated as a main motion; that is, it must be seconded, debated and passed by a majority vote to take effect.

4.5. *Incidental Secondary Motions*

These secondary motions deal with the parliamentary procedure of the committee's meetings. They may, in general, be applied at any time, subject to limitation imposed by the motions themselves. There is no strict hierarchy among them, and each of them applies even when a privileged or subsidiary secondary motion is pending.

Point of order. This motion applies when an individual believes that the parliamentary rules of the committee are being violated. This motion is in order when its sponsor does not have the floor, even when it interrupts another individual who has the floor. The chair normally rules upon it, unless he or she is in doubt and requests a vote. The chair's ruling may be appealed.

A member of the House may challenge a chair's ruling on a procedural point by immediately calling for an appeal of his or her decision. If any new main motion is initiated following a questioned ruling, the ruling is no longer subject to appeal. A motion to appeal is in order when its sponsor does not have the floor; it must be seconded and is debatable, but not amendable. Debate is limited to one contribution per speaker, except for the chair, who has no such limit. An appeal of a decision requires a two-thirds vote.

Suspend the rules. This motion is used to temporarily suspend one of the committee's regular rules for the purpose of accomplishing some task that could not otherwise be performed under the guidelines imposed by parliamentary law. A motion to suspend the rules can be made whenever no other business is pending or whenever the proposed suspension of the rules applies directly to a pending question. Its sponsor must have the floor and it must be seconded; it is neither debatable nor amendable. A suspension of the rules requires a two-thirds vote.

Requests: Point of inquiry or information, or withdraw. This is a request to the chair for information on a matter of parliamentary procedure or on some factual matter currently before the committee. Questions of procedure are satisfied through a point of inquiry; questions of fact are made through a point of information. These questions may be raised even when the speaker does not have the floor. The answers are provided or solicited at the discretion of the chair.

There is a provision whereby the sponsor of an amendment may at any time move for its withdrawal from further consideration, effectively killing it. This motion only takes effect by unanimous consent, since once a question enters into debate it becomes the property of the committee as a whole.

Reconsider. Any time during a meeting that a member on the prevailing side of a vote feels that his or her vote was cast incorrectly or without the benefit of all available information, he or she may move to reconsider a vote. The effect of a



successful reconsideration is to open up debate again on the motion and to call for a subsequent vote in light of the new information introduced in the debate. This motion can be raised at any time during the same meeting, provided the person moving to reconsider was on the prevailing side of the vote. The motion to reconsider must be seconded. The mover must have the floor. It is not amendable. Successful reconsideration requires a majority vote, and this motion merely invalidates the previous vote and brings the matter up for further consideration by the committee.



5. USMS Writing Style Guide

This section contains information regarding the writing style that is used in all USMS publications. This is courtesy of the copyeditor *SWIMMER* magazine and should be periodically reviewed to ensure it reflects the current style rules.

Capitalization

Capitalize titles only when they immediately precede a personal name (e.g., President Goldstein). Titles following a personal name or used alone in place of a name are lowercased (e.g., the president; Mel Goldstein, president). By the same token, capitalize names of committees (Legislation Committee) and parts of the rule book, because they are considered proper nouns.

Some other words and phrases requiring capitalization are:

Masters; All-American; the Corporation; Masters swimming

Numbering

When to spell out and when not to spell out? Before the 1996 rule book, we were inconsistent. Some places we would say “twenty days” and other places, “20 days.” Even worse, some places we said “twenty (20) days.” In an attempt to standardize, for the 1996 rule book we followed the recommendation of the University of Chicago Manual of Style (12th edition, 1969, p. 196) for scientific text: “physical quantities, such as distances, lengths, areas, volumes, pressures, and so on, are expressed in figures” (p. 197).

Following is a list of examples of what *SWIMMER* staff has determined to be correct usage:

one arm, one leg, one kick, one pull, etc.; 5 yards, 50 meters, etc.; 100 freestyle, 50 backstroke, etc.; 19 years of age; eight lanes; 2 lengths; 4-day program; six events; 5 months; 60 days

Exception: Numbers at the beginning of a sentence are spelled out, but most sentences can be worded so as not to begin with a number.

Sexist Pronouns

The now-disbanded Rule Book Committee undertook an arduous, multiyear project to rid the rule book of masculine pronouns. It was neither a popular nor an enjoyable task—we actually had one member of the committee resign rather than participate in the project. Any new language inserted into the rule book should therefore be gender neutral, so that all this work will not have been in vain. This is, of course, easier said than done. As *Suggestions to Authors of Publications of the U.S. Geological Survey* notes (U.S. Government Printing Office, 1990, p. 155), “Contrived, tricky artifices to cover both genders should be avoided: he/she, she or he, s/he, his/hers, his or hers, him/her, and him-or-her sometimes appear in technical reports, but they tend to distract or annoy the reader, especially if used repeatedly. Moreover, by making curt little bows to feminism, they are condescendingly sexist.”

What are you supposed to do, then? You can’t say, “The swimmer is responsible for providing his own counter” because that’s sexist, and you can’t say, “The swimmer is responsible for providing their own counter” because the subject and pronoun are not in agreement. Instead, try these strategies:

1. Use plurals instead of singulars:

The swimmers are responsible for providing their own counters.

2. Change the voice of the verb from active to passive:

Providing a counter is the responsibility of the swimmer.



3. Insert a participle. Instead of saying:

The swimmer may follow the same procedure before he turns the relay card in to the clerk of course.

say:

The swimmer may follow the same procedure before turning the relay card in to the clerk of course.

4. Simply omit the offending word. Instead of saying:

A swimmer may declare his unattached status at any time.

say:

A swimmer may declare unattached status at any time.

Chair vs. Chairman

In keeping with our gender-neutral policy, we refer to the person in charge of a committee as a chair, not a chairman, chairwoman or chairperson.

Commas

Do not use the serial comma:

butterfly, backstroke, breaststroke and freestyle

not

butterfly, backstroke, breaststroke, and freestyle

Quotation Marks

Periods and commas always go inside quotation marks; colons, semicolons, exclamation points and question marks go outside quotation marks, unless they're part of the quoted material.

That/Which

According to *The Practical Stylist* (3rd edition, 1973, p. 178), "that defines and restricts; which is explanatory and nonrestrictive." In other words, say "the fruit that was rotten" if the fact that the fruit is rotten is what distinguishes it from other fruit (restrictive), and "the fruit, which was rotten" if the fact that the fruit is rotten is only an interesting sidelight (explanatory, nonrestrictive). "Which" should usually be preceded by a comma.

The incorrect use of "which" has been rampant throughout the rule book. People use "which" when they mean "that" because they think it sounds more serious. Most of it probably crept into our rule book because it was originally in the USA Swimming rule book.

Abbreviations

Do not use abbreviations that have not been previously defined. Do not use postal abbreviations for abbreviations of state names (e.g., use Calif., not CA), except for addresses. Also, say "USMS," not "U.S.M.S."

Apostrophes

Only use the apostrophe to indicate that a word is possessive. Don't use an apostrophe to make a word plural. For example:

Plural—We have 52 LMSCs.

Possessive—Each LMSC's financial report must be turned in within 4 months of the end of the fiscal year.



6. Sample Documents

6.1. Legislation Committee Meeting Minutes

1999 Legislation Committee Minutes

September 17, 1999

5:15 p.m.

Action Items

- 1) The following legislation amendment proposals were approved and shall be recommended to the House: L-25 & L-26
- 2) Legislation Committee Operating Policies and Procedures require approval of the House

Attendance

Number of committee members present: 12

Number of committee members absent: 4

Total number of delegates attending the meeting: 25

Minutes

- The meeting was called to order by the chair (Elin Zander)
- Legislative proposals L-26 through L-30 and L-34 were discussed and recommendations were made. Refer to "Proposed Amendments—Modifications and Recommendations" for specific text.
- Legislative proposal L-31 was discussed and postponed until the next meeting.
- The Insurance Committee submitted a new proposal to revise the language of the USMS release, L-42. L-42 was discussed and a recommendation was made. Refer to "Proposed Amendments—Modifications and Recommendations" for specific text.
- Other business discussed:
- Nonamendment proposals ...
- Subcommittee reports ...
- Meeting was adjourned at 6:30 p.m.



7. Guidelines for Writing Proposed Amendments

1. List the current rule book reference number (article number, section number and subsection numbers/letters) as follows: 103.2.3A, 104.5.2A, etc.
2. After the rule book reference, list the page number that is applicable: 103.2.3A, p. 31.
3. After the page number, list the LMSC or committee that is submitting the proposal: 103.2.3A, p. 31, Championship.
4. Write the body of the text. Copy the current language, striking out the language and punctuation to be deleted. Insert new language and punctuation after the stricken language/punctuation and underline that new language/punctuation. Use correct grammar, correct punctuation and correct sentence structure. Be careful to use parallel sentence structure, keep verb tense in agreement and maintain plural or singular structure throughout the text.
5. If the current language is especially long and the proposed change affects only a small part of the rule, you may insert an ellipsis (...) in place of the unaffected language.
6. Include a brief rationale for the proposed amendment, i.e., why you think the House should pass this change.
7. Find all references in the rule book that are affected by your proposed amendment and write those changes.
8. It is wise to seek other opinions/help with your proposed changes by sharing them with other delegates who are well versed in proposed changes and the rule book before submitting them to the Legislation Committee.

7.1. Sample Proposed Changes to USMS Legislation

- L-1 **201.1.4.B** p. 55 Legislation
201.1.4.B Liability release—All registration forms shall contain the exact language of the liability release according to article 203.1. The language ~~may~~ shall not be modified in any way.
Rationale: Housekeeping. The mandatory “shall” should be used to be consistent.
- L-2 **202.1** p. 56 San Diego-Imperial
202.1 **SANCTIONSED EVENTS**—Times achieved at sanctioned events by U.S. citizens are considered for USMS national records and Top 10 times.
202.2 **RECOGNIZED EVENTS**—Times achieved at recognized events by U.S. citizens may be considered for USMS national records and Top 10 times if...
Rationale: Eligibility for USMS national records, All-American and Top 10 times should be restricted to USMS-registered, U.S. citizens. Foreign countries have the equivalent restrictions, and American swimmers should be afforded equal “protection” under USMS rules.
Other articles that would be affected by this change are:
Rules Committee: 105.1.2 p. 46
105.2.1 p. 46
105.3.1 p. 46
105.4.1 p. 47





8. Glossary of Terms

Term	Definition
Amendment—NON-Emergency	Amendments that are proposed in Rules years (even-numbered years) and whose passage is NOT determined to be critical to maintaining the integrity and safety of USMS. These amendments are not presented to the House for a vote.
Amendment—NOT Recommended	Amendments that are proposed in Legislation years (odd-numbered years) and whose passage is not recommended by the committee. These amendments are presented to the House and require 66.7 percent approval to be adopted.
Amendment—Recommended	Amendments that are proposed and whose passage is recommended by the committee. These amendments are presented to the House and require 50 percent approval in Legislation years and 90 percent approval in Rules years to be adopted.
Amendment Sponsor	An individual representing the LMSC, standing committee or Board of Directors that proposed the amendment.
Chair	The chair of the Legislation Committee of United States Masters Swimming Inc.
Committee (the Committee)	The Legislation Committee of United States Masters Swimming Inc.
Emergency Amendment	Amendments that are proposed in Rules years and whose passage is critical to maintaining the integrity, safety or fairness of USMS. These amendments are presented to the House and require 90 percent approval to be adopted.
Germane	Being relevant and appropriate.
House or HOD	The USMS House of Delegates.
Housekeeping Amendment	Amendments that correct errors of grammar and punctuation without changing the substance of the code. Any amendment that can be construed as changing the intent of the code cannot be housekeeping. Example: Changing “will” to “shall” is housekeeping, but changing “should” to “shall” is substantive.
Majority or Simple Majority	More than 50 percent of committee members, excluding the chair, present and voting. In the event of a tie, the chair shall be allowed to cast the deciding vote. If the chair abstains (declines to vote), the motion is defeated, since it did not receive more than 50 percent.
Quorum	The number of members of the committee that when duly assembled is legally competent to transact business. The presence of a majority (nine or more) of committee members shall constitute a quorum for a committee meeting.
Substantive Amendment	An amendment that changes the substance of the code.



9. History of Committee Action Items

This section of our Operating Policies and Procedures is where committee actions, excluding Legislative changes to the code, are recorded. The purpose of this section is to provide a single, historical accounting of noteworthy actions of the committee. This section shall be maintained by the chair with the intent of providing future committee members with a cursory understanding of what past committees have done, when and why.

9.1. 2000 Convention—Orlando

By: Rob Copeland for Chair Elin Zander
Develop Committee Operating Policies

9.2. 2001 Convention—Louisville

By: Rob Copeland for Chair Elin Zander

Convention Action Items

1. This committee strongly urges Finance Committee to present to the HOD in timely fashion all proposed amendments to FOG. Specifically, any amendments proposed prior to convention should be included in the delegate's packet. Any amendments proposed and approved during convention should be presented to the HOD as action items in the Finance Committee report.
2. This committee recommends that the Executive Committee, in conjunction with the chair of the Legislation Committee, review the role and structure of the BOD and present their findings and recommendations to the HOD.
3. This committee will work with Legal Counselors Committee on Part 4 review and revision for 2003.

Significant Legislation

1. Swimmers age 18 and over are eligible and may apply for membership in USMS.
2. Swimmers may register unattached or may affiliate with a club that is already registered for the same year for which the swimmer is registering.
3. The legal counsel shall be an ex officio member of the Board of Directors, Executive Committee, Rules Committee and Legislation Committee, having voice but no vote on these committees. The legal counsel may appoint liaisons to any other committees when requested by such committee chair.
4. Unless otherwise specified, and subject to all standing rules, the current *Robert's Rules of Order* shall govern all USMS meetings and proceedings, at all levels.
5. Proposed Amendments Requiring Action of More Than One Committee: In any year, proposed amendments to the *USMS Code of Regulations and Rules of Competition* that fall within more than one jurisdiction, as described in articles 601.4.1, 601.4.2 and 601.4.3, may be submitted as an indivisible package to be considered by the House of Delegates.

9.3. 2002 Convention—Dallas

By: Rob Copeland



Convention Action Items

1. The committee will continue the review of governance within USMS, with the expectation of preparing a report to the Board by midyear and proposed legislation by July.
2. The committee will continue to work with Legal Counselors Committee to complete Part 4 review and amendments for 2003.

Significant Legislation

1. Membership Categories: Two new membership categories have been defined. Affiliate members are organizations that have an interest in Masters swimming. Allied members are organizations that have an interest in Masters swimming and also have a national swimming program, national competition that provides for athlete development, due process, a rule book and an officials training program. Interested organizations should contact the National Office administrator for affiliate or allied membership forms. Both affiliate and allied memberships are granted or denied by the Board of Directors. The Board of Directors also establishes dues for both membership categories. Each affiliate member is entitled to one nonvoting delegate to the House of Delegates. Each allied member is entitled to one nonvoting delegate to the House of Delegates and one nonvoting director on the Board of Directors. (articles 501.1.3, 501.1.4, 504.1.6, 506.1.6)
2. Swimmers may register unattached or may affiliate with a club that is already registered for the same year for which the swimmer is registering.
3. Clarification of committee organization, in that the chair is to be counted over and above committee membership lists. For example “The Legislation Committee shall consist of the committee chair and two members from each zone...”
4. Clarification to include the Mission Statement under the auspices of the Legislation Committee.

9.4. 2003 Convention—San Diego

By: Rob Copeland

Convention Action Items

1. The Legislation Committee will work on USMS organization issues (governance), with appropriate committees, in conjunction with the Executive Committee.
2. The committee will work with the Executive Committee to evaluate and develop model LMSC bylaws.

Significant Legislation

1. Allow centralized online registration:...The form, fully completed, shall be submitted with the applicable fee to the registrar of the LMSC or an official designee of the LMSC...
2. Elect the zone chair with all other officers:All officers of USMS shall be elected by the members of the House of Delegates at annual meetings held in odd-numbered years.
3. Differentiate registration from membership: Registration is the act of registering, membership is what is attained through registration.
4. Travel permits for foreign swimmers: Any foreign swimmers requesting an invitation to participate in USMS events may have such invitation extended



only by the USMS president or the president's designee.

5. Align/clarify authorities of Legislation, Rules and –Long Distance: The committee may initiate and shall consider proposed amendments ... may interpret and render opinions regarding any provision of the rules....
6. Times achieved at events sanctioned by USA Swimming or a FINA member federation shall be considered for USMS national records and Top 10 times without formal application for recognition.
7. Clarify mandatory membership of committee members: HOD, BOD, standing and ad hoc committees, National Board of Review, officers and board of directors of each LMSC.
8. Allow nonconforming events at sanctioned events.
9. Part 4 replacement: The current Part 4 defines a complicated process of hearings and appeals that is administered by the same group as those making many of the decisions (the Executive Committee). The new Part 4 establishes a more straightforward process, led by an independent group to hear and decide grievances. The new Part 4 also better identifies the opportunities that USMS provides to our members. It also more clearly describes sporting conduct.

9.5. 2004 Convention—Orlando

By: Rob Copeland

Convention Action Items

1. The Legislation Committee will work on USMS organization issues (governance) with the Planning Committee, in conjunction with the Executive Committee.

Significant Legislation

1. Redefine officer 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-
2. Redefine the Board of Directors: The Board of Directors of this corporation shall consist of:
 - 506.1.1—Each voting member of the Executive Committee
 - 506.1.2—A director from each zone, nominated by that zone and elected by the House of Delegates.
 - 506.1.3—Ex officio members: the executive director, legal counsel and a representative from USA Swimming.
 - 506.1.6—The nonvoting director from each allied member.

9.6. 2005 Convention—Greensboro

By: Rob Copeland

Convention Action Items

1. Select new Legislation Committee chair: Sean Fitzgerald.

Significant Legislation

1. Lots of governance changes.
2. Redefine a number of committees, including Legislation: “The Legislation Committee shall consist of the committee chair and no more than 16 additional members, with at least one member from each zone. The Rules



Committee chair and the rule book coordinator shall be ex officio members of the committee.”

3. Elections and Terms of Office: Clarify when terms take effect and establish the election of directors.
4. Executive Committee authority:
507.1.3—The Executive Committee shall have the authority to:
 - A. Manage the operations of USMS,
 - B. Carry out policies established by the Board of Directors and
 - C. In an emergency, assume the policy-making responsibilities of the Board of Directors. An action taken under this emergency provision shall be effective until the next meeting of the Board of Directors. The president shall make a detailed report of the actions taken to the entire membership of the Board of Directors within 30 days of the action taken.
5. Standing Committees:
Standing committees shall be as listed in this article. Unless otherwise specified in this article, the president, with the concurrence of the Executive Committee, shall appoint the chair of each committee, and the president, with the concurrence of the committee chair, shall choose committee members from the individual membership of USMS. When practical, each committee shall have representation from each zone. The president may appoint associate members. The divisional vice president responsible for a committee shall be an ex officio member of that committee. A committee definition may name other ex officio positions. Standing committees shall meet in conjunction with the annual meeting of the House of Delegates. Each committee member shall have one vote. Associate and-ex officio members shall have voice but no vote.
6. Replace some committees with coordinators. Convention, Rule Book.
7. Simultaneous Sanctions, USA Swimming and USMS: The conduct of a sanctioned event shall be in strict compliance with applicable USMS swimming rules and administrative regulations or, when the sanctioned event is held simultaneously in conjunction with a USA Swimming sanctioned meet, with applicable USA Swimming rules and administrative regulations.
8. Membership (House of Delegates): The president shall be empowered to appoint employees and contractors who are otherwise active in Masters swimming as members of the House of Delegates as needed for the benefit of the corporation.

