

BYLAWS OF
THE NORTH DAKOTA
LOCAL MASTERS SWIMMING COMMITTEE

PURPOSE The purpose of the North Dakota Local Masters Swimming Committee (ND-LMSC) shall be to govern, administrate and promote Masters swimming in North Dakota, as defined by United States Masters Swimming Inc., and to assist its members in the conduct and organization of activities that further Masters swimming.

ARTICLE I *Boundaries*

The geographic boundaries of this LMSC shall include the state of North Dakota and Dawson and Wibaux Counties, Montana.

ARTICLE II: *Definitions*

1. Club: Four registered Masters swimmers may form a club as defined by USMS. A fee is to be paid to USMS Inc. to register the club through the ND-LMSC.
2. Workout Group: Four registered Masters swimmers may form a Workout Group. A fee is to be paid to the ND-LMSC to register the Workout Group within the ND-LMSC. No person may be a member of more than one Workout Group at the same time. Members of registered Workout Group shall be members of an ND-LMSC club. USMS and ND-LMSC rules governing procedures for a member changing club registration shall apply to members changing team registrations.
3. Quorum: A quorum shall be required for conducting all business meetings. A quorum shall consist of one of the following:
 - (a) All officers plus one representative; or
 - (b) A simple majority of selected representatives.

ARTICLE III: *Membership*

Each registered Masters club and each registered ND-LMSC Workout Group is entitled to one representative. For each additional 30 registered swimmers, a club or Workout Group, as the case may be, is entitled to one additional representative. Each club or Workout Group shall decide its own method of selecting its representative(s). The ND-LMSC shall approve the number of representatives for each club and each Workout Group, which shall be determined by the number of registered swimmers for the previous calendar year.

The ND-LMSC may select as many at-large members as it deems appropriate for its efficient operation.

Officers and directors of United States Masters Swimming shall be at-large members of the ND-LMSC for as long as they hold their office.

Representatives and at-large representatives shall have voting privileges.

ARTICLE IV: *Dues*

The ND-LMSC shall be entitled to receive a fee from each Masters swimmer.

ARTICLE V: *Year*

The fiscal year of the ND-LMSC shall be January 1 through December 31. The registration year of the ND-LMSC shall be November 1 through December 31 of the following year.

ARTICLE VI: *Officers*

Officers shall consist of a chair, vice chair, secretary and treasurer. The offices of secretary and treasurer may be held by the same person. The term of office shall be two years. The officers shall be elected at the annual business meeting in odd-numbered years by a majority of all voting representatives. Officers may succeed themselves. Officers shall be considered voting representatives of the ND-LMSC by virtue of their office, and are not required to represent their clubs or teams as delegates. Officers and directors of United States Masters Swimming are not eligible to be elected as officers of the ND-LMSC for the period in which they hold their office.

CHAIR—shall call and preside at all meetings of the ND-LMSC and the Executive Committee. The chair shall create standing or ad hoc committees when necessary and appoint chairs of those committees.

VICE CHAIR—shall act and preside as the chair in the absence or disability of the chair, and shall perform such duties as the chair may direct.

SECRETARY—shall prepare and keep the official correspondence and files of the committee and take and report the minutes of all meetings called by the chair. The secretary shall also maintain permanent records containing names and current addresses of all registered North Dakota Masters swimmers, clubs and Workout Groups.

TREASURER—shall collect, keep, disburse and invest the funds of the ND-LMSC and maintain all financial records. The treasurer shall present a yearly budget to the ND-LMSC before the beginning of each fiscal year, at which time the bank account shall be reconciled by someone who is not authorized to write checks.

ARTICLE VII: *Annual Formation of the ND-LMSC*

At the annual business meeting, the registrar shall report the number of registered North Dakota Masters swimmers for the immediate past fiscal year. The chair will declare the number of representatives from each registered club and each registered Workout Group, based upon the registrar's report. Then the chair will recognize the incoming

representatives selected by each club and each Workout Group. The representatives need not be present.

This ND-LMSC will determine the number of at-large representatives to be selected for the current fiscal year. The new club and Workout Group representatives will select any new at-large representatives deemed necessary. The at-large representative(s) need not be present. After this time, this group shall become the new ND-LMSC. Election shall follow.

ARTICLE VIII: *Election*

Election of chair, vice chair, secretary and treasurer shall be held at the annual business meeting in odd-numbered years. The outgoing chair or designee shall preside over the election. There shall be nominations from the floor. Each representative of the ND-LMSC shall have one vote. The vote may be by a show of hands or by secret ballot, at the discretion of the ND-LMSC. A majority vote elects—with a quorum present. The term of office shall be two years. If there should occur a vacancy among officers of the ND-LMSC, the chair, with the consent of the remaining members of the Executive Committee, shall nominate a current representative of the ND-LMSC to fill the unexpired term of the vacated office.

ARTICLE IX: *Standing Committees*

The chair of the ND-LMSC shall appoint chairs for the following standing committees at the annual business meeting: Registration, Communications, Top 10, Sanctions, Coaches and Officials.

The Registration chair shall register all members, recording contact information and report this information to the member clubs and to USMS.

The Communications chair shall be responsible for editing, publishing, and disseminating MI-LMSC information via the LMSC web site.

The Top 10 chair shall record all swims by LMSC members in Sanctioned or Recognized meets, preparing a tabulation of such swims for LMSC members, and reporting to USMS as they may require.

The Sanctions chair shall ensure that USMS swimming meets within the LMSC are conducted in accordance with USMS regulations, issuing "Recognized" or "Sanctioned" status, as appropriate.

The Coaches chair shall: (a) relay suggestions and concerns from coaches to the Board of Directors; (b) receive communications from the USMS Coaches Committee and distribute that information to coaches within the LMSC; (c) facilitate communication among coaches within the LMSC; and (d) schedule and facilitate coaching clinics

The Officials Chair shall govern the training and registration of USMS officials and ensure that the appropriate officials function at LMSC swimming meets.

ARTICLE X: *Ad Hoc Committees*

The chair may appoint other committees on an ad hoc basis that are deemed necessary to carry out the duties of the ND-LMSC. The chair shall charge each committee with its duties.

ARTICLE XI: *Meetings*

There shall be one mandatory annual business meeting held during the first four months of the fiscal year for the purpose of election of officers in odd-numbered years; to create a budget for the Executive Committee, which shall not exceed 25 percent of the ND-LMSC's total assets as computed as of the first day of the fiscal year; and to conduct such other business as may come before the ND-LMSC. The annual meeting shall be scheduled by the chair, and all other meetings shall be called at the chair's discretion. Notice of meetings is to be in writing (by either U.S. Postal Service or by electronic means) and sent by the secretary not less than 14 days before the date of the meeting. Motions shall be passed by a simple majority vote of those ND-LMSC members in attendance. In all other respects, *Robert's Rules of Order* shall govern the parliamentary procedure of the meetings.

ARTICLE XII: *Executive Committee*

The Executive Committee shall consist of the officers and any two chairs of standing committees, provided that no person shall take more than one seat on the Executive Committee. The two standing committee chairs shall be selected on an as-needed basis by the LMSC chair or designee. Meetings of the Executive Committee shall be called by the chair. The Executive Committee shall have authority to act for the ND-LMSC and to create policy between meetings.

ARTICLE XIII: *Activities*

The ND-LMSC shall sanction any Masters event held within its boundaries. The Registrar or Top 10 chair shall report the final results of each event to Masters publications and the USMS national office. The registrar shall make the current address file or registrar's records available to any member, club or team that is organizing an event.

ARTICLE XIV: *Amendments*

Amendments of these bylaws shall be made by a majority vote of the ND-LMSC at any general meeting. Proposed bylaw changes shall be received by each voting representative at least two weeks prior to the meeting.

ARTICLE XV: *Dissolution*

Upon dissolution, the net assets of the LMSC will not inure to the benefit of any private individual or corporation, but will be distributed to United States Masters Swimming Inc. to be used exclusively for educational or charitable purposes, or, if United States Masters Swimming Inc. is not then in existence, or is not then an organization exempt as a charitable organization under the Internal Revenue Code of the United States, as amended, and to which contributions, bequests and gifts are deductible for income tax

purposes, such assets shall be distributed to such a corporation, to be used exclusively for educational or charitable purposes.

ARTICLE XVI: Disputes

The LMSC, in accordance with the Rules of USMS, shall respect and protect the right of every eligible individual to participate as athlete, coach, trainer, manager, administrator, or other official in any Masters swimming activity as long as such activity is conducted in compliance with LMSC and USMS requirements.

The Chair shall, if necessary, appoint a dispute committee with no less than 3 members, whose Chair shall be elected by its members. It may conduct hearings only involving LMSC members and within the LMSC boundaries. A decision by the dispute committee shall be subject to an appeal to the LMSC Chair, and thence to the USMS National Board of Review.

Adopted by the Membership January 2011.