

# BY-LAWS OF THE SOUTHERN LOCAL MASTERS SWIMMING COMMITTEE

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(Effective Date, August 3, 1991)

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## ARTICLE I

### DEFINITION

1.1 OBJECTIVES — The objectives shall be to promote and develop swimming for the benefit of swimmers of all abilities eighteen (18) years of age and older, in accordance with the standards, and under the rules prescribed, by the United States Masters Swimming, Inc. (USMS) and the Southern Local Masters Swimming Committee (LMSC).

1.2 NAME and TERRITORY — The name of this committee shall be the Southern Local Masters Swimming Committee (LMSC). The geographic boundaries of this Local Master Swimming Committee shall include all the states of Louisiana and Mississippi.

1.3 JURISDICTION — The LMSC shall have jurisdiction over the sport of Masters Swimming as has been delegated to it by USMS.

1.4 ORGANIZATION — This organization shall be organized as a tax-exempt association under the rules of United States Code 501 for the mutual benefit of its members.

## ARTICLE II

### MEMBERSHIP

2.1 COMPOSITION — The membership shall consist of the following:

#### 1.) Club Membership

a.) A Club is defined by USMS. Those swim organizations which have registered with USMS and are in good standing with both USMS and the LMSC and who have athletes registered to represent said organization in the sport of Masters Swimming.

b.) Those organizations which conduct a program in Masters Swimming or are composed of persons joined together in support of Masters Swimming or some aspect of it.

c.) Each club may appoint a representative to the LMSC Board of Directors. Such appointment shall be in writing, duly certified by the chief executive officer, or Secretary, of the appointing club. The appointed member may withdraw his/her representation by written notice addressed to the LMSC Registration Chair and signed by the member club's Chief Executive or Secretary. Substitute representatives may be submitted in the same manner.

d.) Each club will be eligible to have individual members compete as a unit in competitions outside the Southern LMSC, as well as inside the Southern LMSC at the discretion of the meet director.

#### 2.) Workout Group Membership

a.) A Workout Group is a subset of a club registered within the Southern LMSC. Workout Groups shall register according to USMS guidelines.

- b.) No individual may be a member of more than one Workout Group at the same time. USMS and Southern LMSC rules governing procedures for a member changing club registration shall apply to members changing Workout Group registration.
- c.) Each Workout Group may appoint a representative to the LMSC as the main point of contact for the LMSC. This representative shall help to identify individuals within the Workout Group who may serve various functions as needed by the LMSC Board of Directors. Such appointment shall be in writing, duly certified by the chief executive officer, or Secretary, of the appointing team. The appointed member may withdraw his/her representation by written notice addressed to the LMSC Registration Chair and signed by the member team's Chief Executive or Secretary. Substitute representatives may be submitted in the same manner.
- d.) Each Workout Group will be eligible to have individual members compete as a unit in competitions within the Southern LMSC.

### 3.) Individual Membership

Each individual who is an athlete, coach, official, administrator, or other person who is interested in the purposes and programs of the LMSC, and who has completed the required membership application shall be recognized as an LMSC registered member. The membership/application fee shall be paid to the LMSC and shall include the fee payable to USMS. Each individual member shall receive a USMS membership card certifying his/her membership and may attend all general meetings of the LMSC.

## 2.2 RESPONSIBILITIES

- 1.) Duties and Powers of Members:
  - a.) Elect officers.
  - b.) Ratify or rescind policy and programs established by the Board of Directors.
  - c.) Amend the By-laws of the LMSC.

## ARTICLE III MANAGEMENT

### 3.1 LMSC BOARD OF DIRECTORS

- 1.) Members — The LMSC Board of Directors shall consist of:
  - a.) Each officer of the LMSC.
  - b.) All appointed chairs of the LMSC.
- 2.) Duties and Powers — The Board of Directors shall act for the LMSC and its members during the interval between membership meetings, subject to the approval and ratification of the membership. The Board of Directors cannot amend these by-laws without the approval and ratification of the general membership.

The Board of Directors shall have the power and duty to:

- a) Establish programs and policies (subject to ratification by the general membership).
- b) Establish the Review Section.
- c) Review and adopt the annual budget of the LMSC.

- d) Call regular and special meetings of the LMSC Board of Directors.
- e) Lend direction where needed.

## ARTICLE IV OFFICERS

4.1 OFFICERS — The elected officers shall be the general Chair, Secretary/Registration Chair, Treasurer, and Convention Delegate(s). Note that the Secretary/Registration Chair may be one or two individuals, depending on the needs of the LMSC.

4.2 ELIGIBILITY — Only current members of the LMSC shall be allowed to hold office.

4.3 TERM OF OFFICE — Each officer shall serve for a term of two (2) years, or until a successor is chosen. There is no limit to the number of terms an officer may serve.

4.4 NOMINATION — The slate of officers to stand for election shall be prepared by a nomination committee, the chair of which shall be appointed by the general Chair. Nominations of the Nominating Committee shall be distributed to the membership with notice of the annual meeting at which the officers will be elected. Additional nominations may always come from the floor. Officers should be chosen from a variety of different organizations within the LMSC to encourage wide representation.

4.5 DUTIES — The duties of the officers are hereinafter set forth. The LMSC Board of Directors may designate other duties as needed from time to time.

1.) General Chair — The general Chair shall be responsible for the day-to-day management of the business affairs of the LMSC. He/she shall call meetings when and where deemed necessary and shall preside at all meetings. He/she shall appoint committee chairs for standing and special committees that may be necessary to fulfill the duties and responsibilities of the LMSC, all with the advice and consent of the Board of Directors

2.) Secretary — The Secretary shall be responsible for keeping a record of all meetings, preparing official correspondences, issuing meeting notices, and keeping minutes of all meetings. The Secretary shall also make official reports available to the national office as required by the USMS Rule Book.

3.) Registration Chair — The Registration Chair shall notify clubs and current members of the USMS and LMSC membership renewal process within the timeline defined by the USMS national LMSC Standards Policy. He/she shall also keep accurate records of said individual and club registrations, and make reports to the Secretary and Treasurer as required by LMSC policy.

Note: the Secretary and Registration Chair (commonly referred to as the Registrar) may or may not be the same individual, depending on the needs of the LMSC at the time.

4.) Treasurer — The Treasurer shall be responsible for preparing the annual budget for review and approval by the Chair and Board of Directors. The Treasurer shall receive all monies and pay bills approved by the Board of Directors or authorized by the budget approved by the Board of Directors. The Treasurer shall maintain all financial records, including for bank and checking accounts, and for making timely reports (at least annually) to the Board of Directors.

5.) Convention Delegate(s) — The delegate(s) shall attend and participate in the USMS National Convention as a representative of the LMSC. The Delegate(s) shall prepare a convention report to be distributed to the LMSC general membership following the convention.

4.6 VACANCIES — Vacancies created for whatever reason, in any office, may be filled by appointment of the general Chair, with the advice and consent of the Board of Directors.

## ARTICLE V MEETINGS

5.1 ANNUAL — The annual meeting of the membership shall be held no later than December 1 of each year. When elections are to be held the new officer(s)' term shall commence the Monday following the election.

5.2 SPECIAL — Should the general Chair fail to call regular membership meetings, or should the need for a special membership meeting be required, such a meeting may be called by any three (3) members of the Board of Directors.

### 5.3 NOTICES

1.) Time — A minimum fifteen (15) day notice shall be given for any annual or special meeting called by the Chair or Board of Directors.

2.) Information — The notice of a meeting shall contain the time, date, and site of such meeting. For special meetings, the purpose of such a meeting shall be given.

3.) Address — The notice shall be sent to the last address (physical and/or electronic) given to the Secretary/Registration Chair of each organization's representative.

5.4 ORDER OF BUSINESS — At all LMSC membership meetings, and meetings of the Board of Directors, the following shall be the order of business:

- 1.) Roll call.
- 2.) Reading, correction, and adoption of minutes.
- 3.) Reports of officers.
- 4.) Reports of committees.
- 5.) Unfinished business.
- 6.) Elections where appropriate.
- 7.) New business.
- 8.) Resolution and Orders.
- 9.) Adjournment.

5.5 QUORUM — A quorum at all meetings shall consist of those present and eligible to vote.

5.6 RULES OF ORDER — At all meetings, the current Robert's Rules of Order shall serve as guidelines for parliamentary procedures.

ARTICLE VI  
COMMITTEES

6.1 CHAIRS — The chairs of committees shall be appointed by the general Chair with the advice and consent of the Board of Directors. Committee chairs should be chosen from a variety of different organizations within the LMSC to encourage wide representation.

1.) Vice Chair – The Vice Chair shall fill the duties of the General Chair when the General Chair is not available to fill those duties.

2.) Competition Committee — The Competition Committee shall oversee the competitive swimming programs to insure that LMSC program offerings are consistent with USMS and LMSC objectives, rules, and policies. The competition committee shall also process applications for meet sanctions, process referee’s reports, process financial reports from sanctioned competitions, develop and schedule the meet program, promote competent officiating, and make suggestions for projects and priorities to the Board of Directors, as well as, develop long range plans for the LMSC programs.

Note: the chair of the Competition Committee is commonly known as the Sanctions Chair.

3.) Top 10/Records Committee — The Top 10/Records Committee shall maintain LMSC records based on the final meet results and prepare a list of swimmers for National Top 10 consideration. The Top 10/Records Committee shall ensure that all pool results are from facilities that meet USMS pool certification requirements.

4.) Newsletter Committee — The Newsletter Committee shall be responsible for gathering information pertinent to the LMSC members and publishing a periodical to be sent to all clubs, teams, and individual members.

5.) Website Committee — The Website Committee shall be responsible for maintaining the LMSC website.

6.) Coaches Committee – The Coaches Committee shall be responsible for ensuring coaches have the support they need to fulfill their duties as Masters coach. This support may include answering questions, mentoring, communicating new rules or techniques, etc.

7) Officials Committee – The Officials Committee shall be responsible for ensuring all sanctioned events are conducted in accordance with USMS swimming rules and administrative regulations. The Officials Committee shall ensure that all events meet the minimum requirements in the rulebook for the number of officials, and that qualified referees are assigned for all sanctioned events. USMS Rules are posted on the USMS website. The Officials Chair shall maintain a current hard copy of the USMS Rule Book if one is provided free-of-charge by the USMS National Office.

8.) Open Water and Long Distance Committee – The Open Water and Long Distance Chair shall be responsible for ensuring that sanctioned open water events operate under USMS and LMSC guidelines in a safe manner, and with promoting USMS Postal events within the LMSC. It will oversee open water sanction process and create or coordinate open water clinics.

6.2 CHAIRS OF COMMITTEES

1.) Appointment — Chair of committees shall be elected or appointed as provided by the by-laws.

2.) Duties — The duties of the chair of each committee shall be as follows:

- a.) Communicates with the committee members to keep them fully informed.
- b.) Keeps the LMSC general Chair and Secretary informed of committee actions and recommendations.
- c.) Forwards reports and/or minutes of all meetings to the Chair or Secretary.
- d.) Performs such specific duties as outlined in LMSC policy.

### 6.3 MEMBERS OF COMMITTEES

- 1.) Appointment — Members of all committees shall be appointed by the committee chair with the advice and consent of the General Chair.
- 2.) Duties — The duties of the members of committees is to carry out agreed-upon tasks and remain in communication with the committee.

## ARTICLE VII

### CONDITIONS OF COMPETITION

7.1 GENERAL — The conditions of competition in any swimming event and the rules governing it shall be those established by the USMS or LMSC, where its rules and regulations are not contrary to the rules of USMS. The LMSC encourages individual clubs/workout groups to host one-day and multi-day meets.

## ARTICLE VIII

### CHAMPIONSHIPS

8.1 GENERAL — Swimming championships, when conducted, shall be held in accordance with the rules of the USMS for conduct of championships, as described in the USMS Rule Book. A championship meet is defined as a competition designated as such by the Competition Committee, with the approval of the general Chair. A championship meet shall be conducted over a minimum two-day period in which a complete and standard order of events for Masters competition shall be offered. It is the aim of the LMSC to offer a championship meet for each recognized course.

## ARTICLE IX

### DUES AND FEES

9.1 ATHLETE REGISTRATION — Each member, or each swimming organization on his/her behalf, shall pay an annual fee established by the LMSC. Payment will be made through the process established by USMS guidelines. The LMSC fee shall include the USMS registration fee.

9.2 COST OF DELEGATE(S) MEETING — The LMSC shall reimburse expenses of the delegate(s) that attend the national convention. Those expenses that qualify for reimbursement include airfare, ground transportation to and from the airport to the hotel, the national convention registration fee, one half(1/2) the hotel, and a daily food allowance not to exceed \$25. If the convention is within driving distance, the association shall reimburse delegate the legally appropriate rate for mileage. Receipts for any reimbursable expense shall be presented to the treasurer before any monies may be distributed.

ARTICLE X  
REPORTS AND REMITTANCE

10.1 ANNUAL REPORTS — The Secretary shall forward to the Secretary of USMS a copy of the audit of accounts of the LMSC along with a complete report of the annual meeting of the LMSC within four (4) months following the end of the calendar year. The audit of accounts is to be signed by either a Certified Public Accountant or by three members of the Board of Directors. The Secretary of USMS shall then forward same report to the Treasurer of USMS for filing.

10.2 MEMBERSHIP REPORTS — The Registration Chair or his/her designee shall forward to the USMS Registrar a report listing total number of athletes and clubs who have joined the LMSC and USMS within the previous year. This report shall be forwarded to the USMS Registrar prior to the annual membership meeting. The Registration Chair may submit interim reports to the LMSC Board of Directors at LMSC Board Meetings.

10.3 GENERAL — The LMSC shall make such other reports and remittances to the USMS as specified in its Code or by the National Board of Directors or Board of Governors. The general Chair, Secretary, and Treasurer shall be responsible for seeing that all required reports and remittances are made

ARTICLE XI  
PARTICIPATION, HEARINGS, AND APPEALS

11.1 PARTICIPATION — The LMSC, in accordance with the rules of the USMS, shall respect, and protect, the opportunity of every eligible individual to participate in USMS administrative activities and sanctioned or recognized events. All competitions shall be conducted in compliance with all local, state, and national laws, and within the rules outlined in the USMS Rule Book and applicable international requirements.

11.2 REVIEW SECTION — The Board of Directors may annually elect a Review Section comprised of no less than five (5) members. Its hearings may be conducted by an attorney at law retained by the Review Section for that purpose. If the attorney is not a member of the USMS, he/she shall have no vote. The Chair of the Review Section shall be elected by its membership. A quorum for any hearing conducted by the Review Section shall be fifty percent (50%) of its membership but in no event less than three (3) members.

11.3 GENERAL JURISDICTION — The Review Section may conduct hearings on any matter affecting USMS and the LMSC and arising solely within the geographical boundaries of Southern LMSC and involving only members of Southern LMSC.

11.4 APPEAL — The decision of the Review Section shall be final in all cases, subject only to appeal to the Board of Directors of the LMSC at the option of the applicant, and thereafter to the USMS National Board of Review.

11.5 NOTICE TO ATHLETES — In each case, where notice is mailed to a registered athlete, it is sufficient to mail the notice addressed to him at the last residence given on his/her application for registration to the Registration Chair.



ARTICLE XII  
MISCELLANEOUS

12.1 AMENDMENTS — Any provision of these by-laws not proscribed by USMS may be amended at any meeting of the general membership of the LMSC by a two-thirds (2/3) vote of the members voting. At least thirty (30) days notice shall be given to every member of any proposed amendment.

12.2 FISCAL YEAR — The fiscal year of the LMSC shall correspond to the calendar year.

12.3 MAILING ADDRESS — The LMSC shall submit a permanent mailing address for use by the National Headquarters. This address shall be the mailing address of the current General Chair.

12.4 MAIL/E-MAIL VOTE — Any action which may be taken at any regular, or special, meeting of members of either the membership or the Board of Directors, except amendment of the By-laws, may be taken without a meeting. If an action is taken without a meeting, the Secretary shall distribute a written ballot (hard copy or electronic) to every member entitled to vote on the matter. The ballot shall set forth proposed action, provide an opportunity to specify approval or disapproval of any proposal, and provide a reasonable time within to return the ballot to the Secretary. Approval by written ballot shall be valid only when the number of votes cast by ballot within the time period specified constitutes a majority of the votes cast by the general membership.

ARTICLE XIII  
DISSOLUTION

13.1 DISSOLUTION — Upon dissolution, the net assets of the LMSC shall not inure to the benefit of any private individual or corporation, but shall be distributed to United States Masters Swimming, Inc. to be used exclusively for educational or charitable purposes. If USMS is no longer in existences or is not a corporation which is exempt under Section 501(c)(3) of the Internal Revenue Code and to which contributions, bequests, and gifts are deductible under Section 170(c)(2), 2055 (a)(2) and 2522 (a)(2) thereof, such assets shall be distributed to a corporation, to be used exclusively for educational or charitable purposes.