

# **BY-LAWS NEW ENGLAND LOCAL MASTERS SWIMMING COMMITTEE**

## **ARTICLE I**

- A. Objectives - To promote and develop swimming for the benefit of swimmers of all abilities over the age of eighteen years, in accordance with the standards and under the rules of the United States Masters Swimming Inc. and of this Local Masters Swimming Committee (LMSC).
- B. Name and Boundaries: The name of this Committee shall be the New England Local Masters Swimming Committee (NELMSC). Its boundaries shall include the states of Maine, New Hampshire, Vermont, Massachusetts, and Rhode Island. It shall have jurisdiction as delegated to it by USMS over Masters Swimming in Maine, New Hampshire, Vermont, Massachusetts and Rhode Island.

## **ARTICLE 2**

Membership shall consist of the following:

### **A. GROUP MEMBERS:**

1. Those Swimming Clubs, or other swimming organizations which are members of the LMSC and which have registered USMS swimmers.
2. Each group member shall appoint at least one and not more than two voting Representatives to the LMSC Board of Directors. Such appointment shall be in writing by the Principal Officer of that group and may be changed at any time by that Officer. Any club with less than 1,000 members is entitled to 1 Representative. Any Club with 1,000 or more members is entitled to 2 Representatives.

### **B. INDIVIDUAL MEMBERS.**

1. Any individual member of the LMSC who shall hold a USMS registration Card issued through the NELMSC. Individual members shall have all powers and duties. They may:
  - a. Elect Officers
  - b. Ratify or rescind policy or programs established by the Board of Directors.
  - c. Amend the LMSC By-Laws.

### **ARTICLE 3.**

A. The LMSC Board of Directors shall consist of::

1. Each elected officer of the LMSC, and
2. One or two members of each swimming organization as described in Article 2.A.2.

B. The Board of Directors shall have the duties and powers to act for the LMSC and its members during the interval between membership meetings, except that it may not amend these By-Laws. All such actions shall be subject to ratification or amendment by the annual membership meeting. It shall:

1. Establish programs and policy.
2. Call regular and special meetings of the Directors.
3. Call the annual membership meeting before November 15 each year. Make interim appointments to the Board of Directors as replacements or to fill vacancies.
4. Approve, before the end of July, as many delegates to the USMS Convention as allowed by USMS Rules, and to establish a stipend for them.
5. Deliver such reports as USMS may require, including financial and annual meeting reports.

### **ARTICLE 4. Officers.**

A. The elected Officers of the LMSC are: Chair, Vice Chair, Registrar, Top Ten Recorder, Treasurer, Secretary, Sanctions Chair, Officials Chair, At Large, At Large. An officer may serve in more than one capacity.

B. Only members of the LMSC are eligible to hold office.

C. Each Officer shall serve for a term of two years, or until a successor is chosen, or unless reelected to another term.

D. The Nominating Committee shall be called by the Chair no later than January 5 of the odd numbered year. The Chair of the Nominating Committee shall be the LMSC Vice Chair. The Vice Chair will propose at least two other members to serve on the Nominating Committee, provided each of the members represents at least 3 different clubs. The Nominating Committee shall be presented to the Board of Directors for approval no later than January 31. The Chair of

the LMSC may not serve on the Nominating Committee. The Nominating Committee shall distribute and publicly post the pre-election slate no later than June 1. Their nominations shall be distributed to the membership with Notice of the next Annual Meeting. Additional nominations from the floor will always be accepted, but such nominees must have indicated willingness to serve.

E. DUTIES.

1. The Chair shall be responsible for the day-to-day management of the business affairs of the LMSC; shall call meetings as deemed necessary; shall preside at all meetings; shall appoint such standing and special committees as necessary; shall appoint USMS Convention Delegates, all with the advice and consent of the Directors. The Chair shall monitor the activities of the elected Directors, offering guidance and support. The Chair shall communicate with the LMSC Group members, and thereby act as an information conduit between USMS and the LMSC's Group and Individual Members.
2. The Vice-Chair shall have the powers and duties of the Chair in the absence of the Chair, and shall otherwise give support and advice to the Chair.
3. The Registrar shall register all members, recording contact information and report this information to the member clubs and to USMS.
4. The Top Ten Recorder 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.
5. 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.
6. The Officials Chair shall govern the training and registration of USMS officials and ensure that the appropriate officials function at LMSC swimming meets.
7. The Treasurer shall be responsible for preparing and presenting an annual budget, with the help of the Chair, in accordance with all resolutions and orders, for review and approval by the Board of

Directors 30 days prior to the annual membership meeting. The Board approves the budget at least 1 week prior to the annual membership meeting. The Budget shall be ratified at the annual membership meeting. The Treasurer shall receive all moneys and pay all bills approved by the Chair and shall maintain all financial records and shall make timely reports to the Directors.

8. The Secretary shall maintain the By-Laws, minutes of all meetings, and manage any votes necessary to carry out LMSC elections or other business as required by USMS.
9. The two “At Large” Directors shall be elected in the same manner as the other Directors and shall be assigned duties by the Chair with the advice and consent of the Board of Directors.

## **ARTICLE 5: MEETINGS**

- A. The Annual Meeting of the Membership shall be held no later than November 15 of each year. The term of any newly-elected officer shall commence on a date agreed by the outgoing and incoming officers, but not later than two weeks after the election..
- B. Special Meetings may be called at any time upon the request of any three members of the Board of Directors, provided the Chair or the Vice-Chair has not called a regular or membership meeting.
- C. Notice of any Annual, Regular, or Special meeting must be given in writing to each Director at least 15 days before the meeting. Agenda, date, time and place must be shown.
- D. At all meetings, the Order of Business shall be:
  1. Roll call.
  2. Adoption of Minutes.
  3. Adoption of Treasurers Report.
  4. Reports, as necessary, from Officers and Committees.
  5. Unfinished business.
  6. New business.
  7. Elections, when needed.
  8. Resolutions & Orders.
  9. Adjournment
- E. Quorum for any meeting shall be 25% of the Board present in person or

by other real time electronic format (including telephone, web meeting etc).

F. Roberts Rules of Order shall govern procedures.

## **ARTICLE 6**

The Rules and Conditions of any Recognized or Sanctioned swimming meet within the LMSC shall be those established by USMS, with such LMSC additions as are not contrary to USMS. Such cooperative arrangements with USA Swimming and YMCA as have been agreed between those bodies and USMS may be employed.

## **ARTICLE 7**

Dues and Fees: Each Member, whether directly to the LMSC or through a member Swimming Organization, shall pay an annual fee to the Registrar in an amount established annually by the LMSC and USMS. The Registrar shall send an annual Membership card directly to that Member.

## **ARTICLE 8 Reports and Remittance.**

- A. The LMSC shall forward to the Membership Coordinator of USMS a copy of the Annual Audit of the LMSC and a complete report of the Annual Meeting of the LMSC within 60 days following the Annual Meeting.
- B. The Registrar shall forward, each month, to the USMS National Office, a report listing all individual members and group members who have joined in the past month, including appropriate fees.

## **ARTICLE 9 Hearings, Appeals, and Athletes Rights:**

- A. 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.

- B. The Board of Directors shall, if necessary, appoint a Review Section with no less than 5 members, whose Chair shall be elected by its members. A quorum shall be 50% of its membership, but no less than three. It may conduct hearings only involving LMSC members and within the LMSC boundaries. A decision by the Board of Review shall be subject to an appeal to the LMSC Board of Directors, and thence to the USMS National Board of Review.

## **ARTICLE 10      Elections**

Elections shall occur during membership meetings of odd numbered years, no sooner than June 30, and no later than November 15.

## **ARTICLE 11      LMSC Championship Meets**

- A. Any meet called a New England LMSC Championship Meet must meet the requirements of this article.
- B. All USMS Clubs with the exception of the NEM SC shall be scored directly against other USMS Clubs.
- C. In the event that non-USMS Club groups are competing in the meet, (Such as NEM workout groups), they shall be scored in their own separate division(s).
- D. Any changes to the meet format, since they are a change to these By-Laws, must be made at the LMSC's Annual Membership Meeting.
- E. In the event that any proposed changes in the meet impact the NEM workout group competition, then the change must also be approved by the NEM Swim Club at their annual meeting.
- F. In the event that an LMSC Championship meet is eligible to be either a Zone meet, or another USMS championship level meet, then the changes to the LMSC Championship Meet may be made via an emergency meeting of the Board of Directors. The changes approved are for that single specific meet, for that year only, and will only be made such that the meet will be compliant with specific requirements for that meet (Zone, USMS or otherwise).

- G. This Article takes effect for swim meets taking place on or after November 1, 2011.

**ARTICLE 12      Miscellaneous**

- A. The permanent mailing address of the LMSC shall be that of the Chair, who will so notify the USMS Membership Coordinator in writing. Any change must be immediately sent to the USMS Membership Coordinator.
- B. Electronic mail: Any action which may be taken at any regular or special meeting of the Directors may be taken via electronic mail, unless any 3 or more Directors indicate that a meeting would be preferable. Approval via email requires a majority of the votes entitled to be cast.
- C. Dissolution: Upon dissolution, the net assets of the NELMSC will be distributed to United States Masters Swimming, Inc. If USMS is not then in existence or is not then an exempt corporation under Section 501©(3) of the Internal Revenue Code, such assets will be distributed to the International Swimming Hall of Fame or a corporation that is exempt under IRS Sections 170©(2), 2055(a)(2) and 2522(a)(2) to be used exclusively for educational and charitable purposes