Michigan Swimming
Proposed Legislation

Revised 3/10

This form must be submitted a minimum of 20 days prior to the Board of Directors Meeting to be acted upon at that meeting. (Copies of all proposed legislation will be sent to all Board Members and clubs along with the agenda.)

Date Submitted: **Feb 2010** ***Date of Board Meeting to be discussed:*** **HOD**

Name of Legislation: **New Preamble & Amendment Procedures to MS Rules & Procedures**

Description of Issue:

Proposed new page nine (9) of MS Rules and Procedures. Current page nine (9) contains inaccuracies and not enough information about amendment procedures. A Form is needed. This proposal mirrors method outlined in USA Article 511.

Requested New Rule or Procedure:
See below text.

Proposed Effective Date: ***Immediately***

Preamble

& Amendment Procedures

All MS rules and procedures contained herein are designed to supplement and not contradict, either directly or indirectly, USA Swimming Rules and Regulations which are published annually by USA Swimming, the National Governing Body for competitive swimming in the United States. Copies of the Official Rulebook are available from USA Swimming, One Olympic Plaza, Colorado Springs, CO., 80909-5770. If any rule or procedure contained herein is found to be in conflict, either directly or indirectly, the below stated rule or procedure is null and void.

~~***Changes to these Rules:***~~
~~**Changes to the Rules and Procedures proposed by committees or divisions of Michigan Swimming, Inc. must be approved by the Board of Directors and published in the meeting minutes of the Michigan Swimming Board of Directors.**~~

Amendment Procedures

By Whom Proposed: An amendment to the MS Rules and Procedures may be proposed only by a current member of Michigan Swimming, Inc. Any other interested party may also propose an amendment; however, such amendment must be then sponsored by a current member of Michigan Swimming, Inc.

Form Required: Every proposed amendment to the MS Rules and Procedures must clearly indicate what changes in the existing wording of these Rules and Procedures would result by the adoption of the proposed amendment with any additions single underlined and deletions lined out. The MS Proposed New Rule or Procedure Form may be used.

Last Date For Proposal: Proposed amendments can be made at any time during the year and should be submitted to the Office of Michigan Swimming sufficiently in advance of a scheduled Board of Directors meeting (20 days prior to meeting) in order for the Board of Directors to have time to consider the proposed amendment. However, proposed amendments may also be made from the floor of the House of Delegates by a current member of Michigan Swimming, Inc., or any other interested party so long as it is sponsored by a current member.

Consideration and Recommendation by Board of Directors: If a proposed amendment is received by the last regularly scheduled Board of Directors meeting prior to a scheduled House of Delegates meeting, the proposed amendment shall be considered for possible approval, rejection or a germane modification. The Board of Directors may then make a recommendation to the House of Delegates concerning the proposal.

Changes to Proposed Amendments at House of Delegates: A proposed amendment may be modified in any manner by the House of Delegates while under consideration but such modification must be germane, as determined by the General Chair, to the subject matter of the proposed amendment.

Vote at House of Delegates:
The passage of the proposed amendment at a House of Delegates meeting shall be determined by a simple majority vote if received by the MS Office no later than the last regularly scheduled meeting of the MS Board of Directors prior to any House of Delegates. Any proposals received after this date or made from the floor of the House of Delegates shall then be determined by a two-thirds vote.

~~***Effective Date of Changes to these Rules:***~~
~~**Changes to the Rules and Procedures approved by the Board of Directors or House of Delegates will have an effective date of September 1 following the completion of the competitive year in which they were approved. For example, a change made during the 2002-2003 short course/long course competitive year would become effective September 1, 2003.**~~

Effective Dates: All amendments made at a House of Delegates meeting shall become effective at the beginning of the next competitive year (September 1) or sooner if specified at the time of adoption.

Amendments by Board of Directors between House of Delegates Meetings: The Board of Directors may amend these Rules and Procedures at any time during the year at any meeting of the Board of Directors provided that a two thirds majority of the Board of Directors agree that an immediate implementation of the new Rule or Procedure is in the best interest of the LSC. Notice of the passage of any such Amendments must be immediately distributed to all registered Clubs and if five (5) or more of the registered Club House of Delegate voting members object in writing, as indicated by the Clubs current voting delegate, within ten (10) days to the immediate implementation of the new Rule or Procedure, then the new Rule or Procedure shall not go into effect. The Board of Directors may then consider calling a Special House of Delegates meeting to discuss the matter further or postpone the matter to the next Annual House of Delegates meeting.

Emergency Changes to these Rules:
The Executive Committee or the Board of Directors ~~or the House of Delegates~~ may enact emergency changes to these Rules and Procedures during the competitive year, for example, if mandated by USA Swimming or in order to comply with laws or regulations promulgated by State or Federal authorities. Such changes are effective immediately.

Role of Administrative Vice Chair: The MS Administrative Vice Chair is responsible for including any new amendments into these Rules and Procedures which occur during the year in a timely manner and also having an up to date annual posting to the MS website by September 1st of each year.

Proposed by: ___Kirk Nissley, NTV Chair Club: Unattached

Michigan Swimming
Proposed New Rule or Procedure

Revised 4/10

This form should be submitted a minimum of 20 days prior to the Board of Directors Meeting to be acted upon at that meeting. (Copies of all proposed legislation will be sent to all Board Members for their consideration, recommendation and possible Approval.) This form can also be used to submit Rule and Procedure proposals at the House of Delegates.

Date Submitted:_____Date of Board Meeting to be discussed: _____

Affected Rule or Procedure (current page #, or n/a):_____

Description of Issue:

Requested New Rule or Procedure:

Proposed Effective Date: _____

Proposed by (must be a current member): ___ _____Club_____

Board Action: *(Adopted by Board)* *(Adopted by Board with modification)* *(Board recommends rejection)*

(Board recommends referral to House of Delegates)