

Preamble

PREAMBLE & GENERAL STATEMENT REGARDING PRIORITY OF RULES

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 MS Rule or Procedure contained herein is null and void.

AMENDMENTS PROPOSED

A. 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.

B. 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—see the MS Proposed New Rule or Procedure Form.~~ Every proposed amendment to the MS Rules and Procedures shall be in such form as to show the entire section as it will read if adopted, with any changes single underlined if new and lined out (struck through) if deleted. Each amendment shall be accompanied by a concise, but informative rationale for adoption and proposed effective date. In addition, the name, address, and telephone number of the proposer must be included (if the proposer is an entity, the name, address, and telephone number of an authorized spokesperson with authority to agree to changes in the proposed amendment)

C. 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 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.~~ Every proposed amendment shall be submitted to the MS Office no later than May 15th preceding an annual meeting of the Michigan Swimming House of Delegates.

D. Consideration and, Recommendation, by Board of Directors and Report

~~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. The Board of Directors shall consider all proposed amendments and shall present them to the annual meeting of the House of Delegates with the Board's recommendations.~~

E. Procedures for Recommendations

As part of its consideration, the Board of Directors is encouraged to consult with the proposer and any other interested parties and suggest changes (which may be substantive or drafting) to the amendment that would enable the Board to support adoption. Recommendations under this Article may be for or against adoption, a statement of no recommendation, or a recommendation to commit the proposal to a MS Officer or another MS Committee or the proposer for further consideration. Each recommendation for rejection shall include a concise but informative rationale for the recommendation.

F. Publication of Amendments

All proposed amendments to all parts of these Rules and Procedures shall be published and made available on the MS website not less than 60 days prior to the annual meeting of the House of Delegates. Members of the House of Delegates may request a printed copy of the amendments after they are posted on the website for a nominal fee for postage and supplies.

G. 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 (determined by the General Chair) to the subject matter of the proposed amendment (which does not require the two thirds (2/3) vote as provided in Section I). If more than one amendment has been proposed on the same subject matter, and there are substantive differences between such amendments, the House of Delegates may adopt a compromise of substance as well as form, and if the adoption of an amendment as proposed or amended is inconsistent or in conflict with other parts of the Rules and Procedures, the House of Delegates may adopt conforming amendments appropriate to the case. ,as determined by the General Chair, to the subject matter of the proposed amendment.

H. Late Submission and Majority Required

After the deadline has expired for the submission of legislation to the Board of Directors, new and/or additional amendments may be proposed, but they may only be adopted by an affirmative vote of two-thirds (2/3) of the members of the House of Delegates present and voting and the submission must conform with Section B. For the purpose of this section, legislation originating with the Board of Directors will be considered as being submitted before the deadline as long as it is published in accordance with Section F.

I. Vote at House of Delegates

All amendments for consideration at the House of Delegates shall be presented in block format. (All amendments with Board of Directors recommendation for approval shall be listed as one block; amendments not recommended for approval in another, and proposals with no recommendation shall be discussed by the House of Delegates). With regards to discussion of amendments, any voting member of the House of Delegates may request that an amendment be discussed during the presentation of amendments to the House of Delegates. If there are no requests for discussion the amendments will be voted on within their respective blocks with no further discussion. 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 on or before the May 15th deadline. 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.~~

J. 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.~~ approved shall become effective January 1 of the year following their adoption, unless otherwise specified at the time of adoption.

K. 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.

L. Emergency Changes

The Executive Committee or the Board of Directors 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.

M. 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.~~

Michigan Swimming

FORM FOR PROPOSED AMENDMENTS OR PROCEDURE

Revised 9/13

This form shall be submitted by May 15th to the Board of Directors for consideration prior to the annual House of Delegates meeting to require a simple majority vote. Submissions after that date must have a two-thirds (2/3) majority vote at the House of Delegates. All submissions of amendments shall conform to MS Rules and Procedures Amendments Proposed Section B. Amendments not in the correct format will not be considered. (Copies of all proposed amendments will be sent to all Board Members for their consideration). This form can also be used to submit Rule and Procedure proposals at the House of Delegates but must conform to Section B as stated above.

Date Submitted: _____

Date of Board Meeting to be discussed: _____

Affected Rule or Procedure

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

Proposed Changes/Additions: (must conform to Section B of Amendments Proposed. Please attach additional pages as needed)

PROPOSED BY: JEFF WILKINS

ADDRESS & PHONE NUMBER: _____

PROPOSED EFFECTIVE DATE: _____

BOARD ACTION:

APPROVAL RECOMMENDED: _____

REJECTION RECOMMENDED: _____

COMMIT TO: _____

NO RECOMMENDATION: _____

Rationale: The proposed changes listed above will allow the MS Rules and Procedures to more accurately conform with USA Swimming Rulebook and enable the House of Delegates to conduct business in a more orderly and timely fashion. This practice is used at the USA Swimming House of Delegates Meeting quite successfully. The change in the effective date of amendments allows MS to better align to our new Fiscal Year and the proposed legislation submission dates.