FLORIDA LOCAL MASTERS SWIM COMMITTEE BYLAWS

(INCORPORATING ALL CHANGES as of ~~11/21/2024)~~ September 2026) will update once approved

Purpose: The purpose of the Florida Local Masters Swimming Committee (FL LMSC) shall be to promote and develop physical fitness and competitive swimming for the benefit of adult swimmers of all abilities in accordance with the standards, objectives, and goals prescribed by United States Masters Swimming, Inc. (USMS).

Article 1: Membership
Article 2: Officers
Article 3: Board of Directors
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ARTICLE 1, MEMBERSHIP:

1.01 ~~General~~ Classes of Membership: There are two types of memberships: Club and Individual. ~~Individual and club/workout group membership in the FL LMSC shall be upon receipt of application form approved by the FL LMSC Board of Directors, or online with the payment of a membership fee established by the Board of Directors, and shall be assessed on a yearly basis from January 1st through December 31st.~~

1.01.1 Club Membership: ~~Club membership is open to those~~Clubs are organizations or groups of permanent character currently registered~~which register~~ with USMS through the FL LMSC ~~and which~~that are interested in fostering the purposes of this organization.

1.01.2 Individual Membership: Individual membership is open to any individual who is at least 18 years of age, to include athletes, coaches, officials, administrators, or persons otherwise interested in the purposes and programs of the FL LMSC.

1.02 Responsibilities of Members

~~**1.02.1 Income:** Any income received by any member from promotion of Masters Swimming or Masters Swimming events shall be used in accordance with the purposes of the FL LMSC~~

1.02.1~~2~~ Conduct: Each individual and club member of the FL LMSC shall **abide** by the bylaws and any rules, regulations and policies of the FL LMSC.

Commented [1]: All of this is no longer relevant—we don't set fees, or approve club applications. Even the dates are not valid since USMS is offering some staggered membership lengths.
Suggest we just have Section 1.01 as "Classes of Membership," and then the descriptions are the two listed below.

Commented [2]: I don't understand how Income is a responsibility of our Members.

Commented [3]: I suspect this statement was originally meant to prevent a member from profiting off hosting a Masters Swimming event. There used to be a similar statement in the USMS rule book about not issuing sanctions to an organization that was running a "for profit" event. That statement was removed from the rule book a couple of years ago, I believe. There's an occasional event host (usually open water) that runs events as part of their business and I don't see a problem with that. For this particular Article 1.02.1, I suggest it be REMOVED.

Commented [4]: Concur; let's remove section 1.02.1

1.02.2 Participation in Events: An event includes any sanctioned competition, clinic, club practice, or other LMSC-sponsored event. Proof of USMS registration is required prior to participation in any such event. Clubs must be registered with USMS for the current year in order for any individual member to represent that club in a sanctioned USMS competition.

1.02.3 Representation at FL LMSC Meetings: General members may attend any FL LMSC Board of Directors meeting. However, members shall have no voting rights except as club representative voting delegates as set forth in Article 5 ~~Article 1, Section 3, paragraph E~~ of these bylaws.

ARTICLE 2, OFFICERS:

2.01 FL LMSC Officers: The officers of the FL LMSC shall be a Chair, a Vice Chair, a Secretary, and a Treasurer. These positions are elected by the Board of Directors and ~~members of the House of~~delegated club Representatives.

2.01.1 Requirements: Officers shall be registered USMS members of the FL LMSC in good standing.

2.01.2 Executive Committee: Officers shall comprise the Executive Committee; meetings of the Executive Committee shall be called by the Chair; the Executive Committee shall have authority to act for the LMSC and to create policy between Board meetings. If time allows, the Executive Committee will make every effort to inform or consult with the rest of the Board of Directors before decisions are finalized.

2.01.3 Voting: Officers shall be considered voting representatives of the FL LMSC by virtue of their ffice and are not required to represent their clubs as delegates~~, but may do so at their discretion.~~

2.02 Duties of the Officers:

2.02.1 Chair: **Duties of t**~~T~~he Chair shall include:

a. Responsibility for the overall management and activities of the LMSC in accordance with these Bylaws and with the USMS Rule Book
b. Preside ~~at~~ over all meetings of the FL LMSC;
~~**b**~~**c**. Preside as Chair of the Board of Directors;
~~**c**~~**d**. With the Secretary, execute all legal papers, documents, and ~~instruments~~ artifacts ordered to be executed by the Board of Directors;
~~**d**~~**e**. Appoint the appropriate number of delegates to the ~~annual national~~ USMS Annual Meeting~~convention, or annual meeting and submit their names to the National Secretary~~; and other USMS National meetings (i.e., USMS Relay, USMS National Coaches Clinic);

Commented [5]: Updated to say "Article 5" since that's where our club representatives are defined. (We don't have an Article 1, Section 3, Paragraph E.)

Commented [6]: That's correct 👌

-Cheryl Kupan | ([727] 744-7571 | -ckupan@gmail.com <-ckupan@gmail.com>

Commented [7]: Only these 4 positions should be in this section. The other positions listed after Treasurer should be under the Board of Directors section.,

Commented [8]: This is a little confusing. If an Officer is also a club representative (as it describes here), do they then receive 2 votes?

Commented [9]: It definitely does NOT mean that the person gets 2 votes. I'm not sure why the "but may do so at their discretion" phrase is there. If I'm the sanctions chair, I have a vote per the bylaws. If I say that I'm also representing my club as one of its designated club representatives, it shouldn't mean that I get to vote twice. I suggest that we remove the "but may do so at their discretion" section of this Article 2.01.3.

Commented [10]: I believe that "instruments" is the correct term here. See the definition of "Legal instrument" at: https://en.wikipedia.org/wiki/Legal_instrument (I'm unable to find a relevant definition for "legal artifact" that would apply in our case)

Commented [11]: Agree with Anna Lea, artifact makes me think of dinosaurs, Museum of Natural History.

~~e~~f. Appoint chairperson positions as deemed necessary by the Board and subject to Board approval;
~~f~~g. Designate either the Vice Chair, Secretary, or Treasurer to preside at meetings in his/her absence; and
~~g~~h. Perform such other duties as may, from time to time, be prescribed by the Board of Directors.

2.02.2 Vice Chair: Duties of t~~T~~he Vice Chair shall include:
a. Carry out the Chair's duties in his/ ~~or~~ her absence;
b. Provide support and assistance to the Chair;
c. Accept specific responsibilities from the Chair; and~~.~~
d. Take over the Chair position until the next election if the current Chair leaves office before the conclusion of his or her two-year term.

2.02.3 Secretary: Duties of t~~T~~he Secretary shall include:
a. Together with the Chair, execute such legal documents, papers, or ~~instruments~~ artifacts as authorized by the Board of Directors;
b. ~~Keep~~ Record and maintain the minutes of all meetings of the LMSC, the Board of Directors, and of the Executive Committee and ~~make~~ ensure the minutes are available to the membership;
c. Send a copy of the FL LMSC Annual Meeting Minutes to the National USMS office as required;
d. Maintain a record of all current policies and changes in the Bylaws and forward copies to the webmaster and ~~make~~ ensure the policies and changes are available to the membership;
e. Assume the role of parliamentarian according to Roberts Rules of Order at all meetings, if needed;
f. Preside at any meetings in the absence of the Chair and Vice Chair ~~if necessary~~; and
g. ~~Shall~~ P~~p~~erform such other duties as the Chair or Board of Directors may designate.

2.02.4 Treasurer: Duties of t~~T~~he Treasurer shall include:
a. Have charge of the funds and securities of the LMSC and cause them to be deposited into depositories approved by the Board of Directors;
b. See that an accurate record is kept of the funds and provide periodic reports to the Board of Directors;
c. Sign all checks upon bank accounts of the LMSC as directed by the Board of Directors;
d. Disburse funds and pay the bills of the ~~corporation~~ LMSC for all expenses authorized by the Board of Directors or the Executive Committee;
e. Submit an annual proposed budget to the Board of Directors;
f. Send an Annual Financial Report to the USMS National Office, as required by

Commented [12]: Should add "emotional" support - joking

Commented [13]: I believe that "instruments" is the correct term here. See the definition of "Legal instrument" at: https://en.wikipedia.org/wiki/Legal_instrument (I'm unable to find a relevant definition for "legal artifact" that would apply in our case)

Commented [14]: I changed "make" the minutes available to the membership to "ensure" the minutes are made available to the membership. As you are aware, these will be posted on our website. So the Secretary's role is just to ensure they get provided to the individual responsible to post.

USMS rules, the USMS Financial Operating Guidelines, and the USMS Guide to Operations; and
g. Preside at any meetings in the absence of the Chair, Vice Chair, and Secretary ~~if necessary;~~

➔ → Moving to the BOD section and listing in alphabetical order

~~**2.02.5 Membership Coordinator :** The Membership Coordinator shall:~~
~~**a.** Process individual and club applications for membership in the Florida LMSC and USMS;~~
~~**b.** Keep accurate records of said individual and club registrations.~~

~~**2.02.6 Sanctions:** The Sanctions Chair shall:~~
~~**a.** Oversee the competitive program to insure that the Florida LMSC program offerings are consistent with USMS and the Florida LMSC objectives, rules, and policies;~~
~~**b.** Process applications for meet and event sanctions;~~
~~**c.** Keep accurate records of said sanctions;~~
~~**d.** Verify pool measurements as necessary;~~
~~**e.** Promote competent officiating;~~
~~**f.** Make suggestions for projects and priorities to the Board of Directors.~~

~~**2.02.7 Top 10 Recorder:** The Top 10 Recorder shall:~~
~~**a.** Obtain and upload meet results from all FL-LMSC sanctioned and recognized meets to the USMS event results database;~~
~~**b.** Prepare and submit Top 10 tabulations to USMS for national Top 10 consideration.~~

~~**2.02.8 Newsletter Editor:** The Newsletter Editor shall:~~
~~**a.** Publish the quarterly LMSC Newsletter in February, May, August, and November.~~
~~**b.** Deadlines for submissions will be announced at least two - three weeks prior to publication.~~

2.03 Term: Each officer shall be elected at the annual meeting and serve a term of two (2) years, such term to begin upon their election. An officer may be re-elected to successive terms.~~;~~

ARTICLE 3, BOARD OF DIRECTORS:

3.01 Board of Directors: The ~~eight~~ Board of Directors shall consist of the four elected officers of the FL LMSC: (Chair, Vice Chair, Secretary, and Treasurer) and the ~~four elected~~ appointed Directors listed below: ~~(Membership Coordinator, Top Ten Recorder, Sanctions Chair, and Newsletter Editor)~~. Members of the FL LMSC Board of Directors (also referred to as the Board hereafter) may include the following:

Commented [15]: Suggest deleting and including them in the BOD Section below. I have added them in that section.

Commented [16]: This is not correct. We are missing several BOD positions.

Commented [17]: I think this should say "Members of the FL LMSC Board of Directors may include the following:" If we put such restrictions on what board positions are required to be on the board in the bylaws it may make things difficult to abide by our bylaws.

Commented [18]: Agreed

3.01.1 Officers: As defined in Article 2, these include the Chair, Vice Chair, Secretary, and Treasurer.

3.01.2 Standing Board of Directors: These members of the Board are appointed by the Chair, with the advice and consent of the ~~entire~~ Board of Directors. Once appointed, none of these Directors can be removed without the consent of ~~the entire~~ a majority of the Board. ~~Awa~~ As such, if circumstances dictate functional changes are needed, the Board must vote on any proposed elimination of these Director positions or the addition of others. The following positions are standing positions with the following responsibilities (in alphabetical order):

3.01.2.3~~1~~ Membership Coordinator: The Membership Coordinator shall coordinate with the USMS National Office on FL LMSC club and individual membership matters; keep accurate records of said club and individual registrations; ~~and assist members with requested changes or updates to their membership records and status.~~ →This position has been taken over by USMS and primarily serves as a contact role. Not sure we need to continue to have this position and this position is no longer an elected position.

3.01.2.9~~2~~ Sanctions Chair: The Sanctions Chair shall oversee the competitive program to ensure that the FL LMSC program offerings are consistent with USMS and the FL LMSC objectives, rules, and policies. This includes processing applications for meet and event sanctions, keeping accurate records of said sanctions, verifying pool measurements, promoting competent officiating, and suggesting projects and priorities to the Board of Directors.

3.01.2.11~~3~~ Top 10 Recorder: The Top 10 Recorder shall obtain and upload meet results from all FL-LMSC sanctioned and recognized meets to the USMS event results database and prepare and submit Top 10 tabulations to USMS for national Top 10 consideration.

3.01.2.84 Records Chair: The Records Chair shall maintain the FL LMSC Swimming records, review meet results for potential records, report any new Zone records set by FL LMSC members to Southeastern Zone records representative, and collaborate with the Top 10 Recorder to ensure our members are recognized appropriately.

3.01.2.4~~5~~ Newsletter Editor: The Newsletter Editor shall publish the quarterly LMSC Newsletter in February, May, August, and November. Deadlines for submissions will be announced at least two - three weeks prior to publication.

3.01.2.5~~6~~ Officials Chair: The Officials Chair shall develop policies and procedures to assure that all FL LMSC~~LMSC for Virginia~~ sanctioned and recognized meets and events are conducted uniformly and in conformance with the USMS

Commented [19]: There are four elected officers and 13 appointed Directors. That's 17 people total. Is this saying that an appointed Director cannot be removed unless the other 16 people (four officers plus 12 Directors) ALL unanimously agree that the person should be removed? Is that what "the consent of the entire Board" means? Or should this say "the consent of the majority of the entire Board"?

Commented [20]: Ideally, I would like to list the positions alphabetically.

Commented [21]: ensure not insure

Commented [22]: . Can't figure out how to cross out the I that was there.

Commented [23]: This should say "FL LMSC" (we're not in Virginia)

Commented [24]: Changed

swimming rules. The Officials Chair must also provide updates on rule changes and differences in USA Swimming rules and USMS rules to meet directors.

3.01.2.2~~7~~ Coaches Chair: The Coaches Chair shall develop programs and tools to enhance the quality of Masters swimming programs and coaching within the LMSC. This includes maintaining a list of coach members within the LMSC and assisting coaches with any clinics or coaching certifications. The Coaches Chair will work in coordination with the USMS Coaches Committee.

3.01.2.6~~8~~ Open Water Chair: The Open Water (combined with Long Distance) Chair shall promote long distance and open water events within the LMSC. The Chair will work with meet and event directors to ensure open water and long distance events meet the guidelines set out in the long distance swimming rules in the USMS rule book.

3.01.2.1~~9~~ Awards and Recognition Chair: ~~The~~ . The Awards & Recognition Chair shall manage the process of recognizing various levels of participation and accomplishment by LMSC stakeholders. Responsibilities shall include vetting and presenting LMSC awards, including selection criteria and awards ceremonies, and submitting FL LMSC nominees for USMS awards.

3.01.2.10 Senior Games Liaison: The Senior Games Liaison shall update the Board on Senior Games events and news in the FL LMSC as well as for the National Senior Games.

3.01.2.7~~11 Immediate~~ Past Chair: ~~The~~ To maintain continuity on the FL LMSC board, the Immediate Past Chair shall be filled for one two year term only by the last person to hold the FL LMSC chair position. If that person is elected to another LMSC office, then the immediate past chair position shall remain vacant unless the other office is relinquished or a new Chair is elected.

3.01.2.12 Webmaster: The webmaster shall maintain the LMSC website, ensuring it is up-to-date and has the information most useful to our members.

3.01.2.13 Communications and Social Media Chair: The Communications and Social Media Chair shall be responsible for the dissemination of information from USMS and the FL LMSC to all members of the FL LMSC. This position shall have primary responsibility for maintaining the FL LMSC's social media assets with input from the Chair and/or Vice Chair and will be the primary person to forward communications to members via email with input from the Chair and/or Vice Chair.

3.02 Term of Office: The term of office for directors of the FL LMSC shall be a period of two (2) years.

Commented [25]: I don't think this position is needed any more. It was established long ago, probably when it was not easy to find information on the 23 different senior games events held throughout the state of Florida. Since then the Florida Senior Games organization has developed a website where all of their events, and entry information, are listed.

Commented [26]: Need to develop some responsibilities--I just got tired.

Commented [27]: I propose that we create this position as it was part of the Membership Coordinator's position. Adding the Social Media aspect is something I feel we've needed for a long time.

3.03 Board Powers: The Board of Directors shall have and exercise all necessary powers to control the work and policy of the LMSC.

3.03.1 General Powers: The Board of Directors shall have and exercise all necessary powers to control the work and policy of the LMSC. No contract, debt, or obligation shall be binding unless contracted under the authority of the Board of Directors, except for actions by the Executive Committee in amounts authorized herein or by the Board of Directors.~~;~~ .

~~**3.03.2 Vacancies:** The Board of Directors shall have the power to fill for the unexpired terms, all vacancies occurring in their number between annual elections. Such vacancies shall be filled by first recommending names to the Board, who shall act as a nominating committee for screening and recommendation to the Chair for appointment. The term of the person filling the vacancy will last until the next regularly scheduled LMSC election.~~

3.03.2~~3~~ Relationships: The Board of Directors shall have the power to enter into cooperative relationships with other agencies or organizations when, in their judgment, such relationship is desirable toward achieving the association's objectives in the area concerned. If the Board enters into Articles of Agreement setting forth the rules of such cooperative association, said agreement shall contain provisions for severing relationships at any time, when in the judgment of the Board of Directors, it is in the best interest of the ~~association~~ LMSC to do so. The Board may delegate this power to the Executive Committee.

3.04 Number of Board Members: The number of Board members may be modified upon vote of the Board of Directors and approval by 50% of the club ~~team~~ representatives present at an LMSC meeting.

3.05 Number of Meetings: The Board of Directors shall meet either in person or ~~by conference call~~virtually at least three (3) times per year. One meeting being before the October/November annual membership meeting. The other two (2) meetings shall be held during the remainder of the year as established by the Board of Directors and these articles. In addition, the Board shall hold meetings upon the call of the Chair or at the request of at least three (3) members of the Board of Directors made to the Chair. Notice of such meetings by the Chair and/or three members of the Board shall require three (3) days notice. ~~Said notice may be given via telephone or electronically;~~

3.06 Quorums: At all meetings of the Board, a majority of the entire Board shall constitute a quorum for the transaction of business. The consent of those members shall be sufficient to take or authorize action unless the concurrence of a greater proportion is required by applicable law, these Bylaws or the Articles of Incorporation~~;~~.

Commented [28]: Suggest deleting—this is covered under the Elections Section of the Bylaws. Or, we delete from the Elections section and update this paragraph.

Commented [29]: I agree with deleting it here (Article 3.03.2) and leaving it in Article 6.04 under the Elections section. This Article 3.03.2 is somewhat confusing anyway (it doesn't define who is "first recommending names to the Board," for example).

Commented [30]: I doubt we will ever get 50% of team representatives to vote on an issue. As written, this bylaw puts us in a bind that we may never be able to achieve.
We need to change this to like 50% of the responses from team reps or a quorum at a Board meeting.

Commented [31]: Agree

Commented [32]: Updated to say "50% of the club representatives present at an LMSC meeting."

ARTICLE 4, HOUSE OF REPRESENTATIVES:

4.01 The House of Representatives includes the Board of Directors and the Club Representatives.

ARTICLE 5, MEETINGS:

5.01 FL LMSC Annual Meeting: The annual meeting of the LMSC ~~corporation~~ shall be held in ~~during the month of~~ October or November each year~~.~~, provided that the USMS Annual Meeting has already occurred and new USMS rules have been adopted~~or the first appropriate Saturday after the USMS National Convention~~. The exact date shall be established by the Chair in consultation with the Board of Directors. The~~is~~ annual meeting will be face-to-face or virtual, and open to all LMSC members.~~;~~

5.02 Special Meetings: Special meetings of the ~~corporation~~ LMSC may be called at the discretion of the Chair, or upon written request of any three (3) Board D~~d~~irectors; ~~or~~ 15% of the LMSC membership ~~of the corporation~~; or 50% of the club representatives.~~;~~ Attendees of the special meeting shall be determined by the Chair, based on the subject matter.

5.03 ~~Eligibility to Vote~~Voting Procedures and Eligibility: At all meetings of the FL LMSC, except as may be provided elsewhere in these Bylaws or in the Articles of Incorporation, each member of the Board of Directors and designated Club R~~one primary r~~epresentatives~~ from each registered club that has members registered with the club~~ shall be eligible to vote on proposals. A quorum shall consist of those present and eligible to vote.

5.03.01 Eligibility:

5.03.01.1 FL LMSC Board of Directors: Each~~Each~~member of the FL LMSC Board of Directors, as described in Article 3 of these Bylaws is authorized one vote per proposal.

5.03.01.2 ~~Definitions~~ Clubs: The term "club" for the purposes of ~~this article~~ these Bylaws signifies those groups within the FL~~orida~~ LMSC who are registered with USMS.

~~**5.03.01.2.31** Duplicate names of Clubs will not be permitted.~~

5.03.01.~~2~~3 ~~FL LMSC Board of Directors~~Club Representatives: Club representatives voting at any FL LMSC Board Meeting must be a registered FL LMSC USMS member of the club they represent. Club representatives voting at the FL LMSC Annual Meeting must be a registered FL LMSC USMS member of the club they represent 30 days prior to the ~~that~~ ~~FL LMSC~~ Annual meeting.

Commented [33]: There is no need for a House of Representatives.

Commented [34]: I disagree. The "Board of Directors" consists of 17 people, per these proposed bylaws. four elected officers plus 13 appointed directors. The Club Representatives are separate. They are not part of the "Board of Directors" but they do have voting privileges at all FL LMSC meetings. In other words, the people who have voting privileges at FL LMSC meetings are the House of Representatives, which consists of the two groups (Board of Directors plus Club Representatives).

Commented [35]: Another reason to keep the "House of Representatives" definition is because of the definition of "quorum" directly above it in Article 3.06. I assume that we don't want to count the Club Representatives as part of the necessary quorum for holding a meeting. This is why Article 5.03.01.2 should NOT be titled "FL LMSC Board of Directors," but should be titled something like "Allotted Club Representatives."

Commented [36]: Replace "corporation" with "LMSC"

Commented [37]: Suggest this becomes Section 5.05

Commented [38]: Is this statement necessary? All memberships are handled by the National Office. The LMSC has no control over approval of names any longer.

Commented [39]: I put this into two different sentences. Club representatives can vote at ANY LMSC meeting, not just the annual meeting. But I assume that Cheryl's addition of the 30-day-prior membership requirement applies only to the Annual Meeting and not other LMSC meetings.

5.03.01.3.1 Allotted Votes Per Club: Each registered club in the FL LMSC will be allotted a number of representatives authorized to vote on LMSC proposals, as follows:~~;~~
1-49 registered members = 1 representative;
50-99 registered members = 2 representatives; ~~, and~~
1 additional representative for each additional 100 registered members. ~~A quorum shall consist of those present and eligible to vote.~~;

~~**5.03.01**~~.2.1 ~~**Definition**~~s: ~~The term "club" for the purposes of~~ this articlethese Bylaws ~~signifies those groups within the Florida LMSC who are registered with USMS.~~

5.03.01.2.21**3.2** Each FL~~lorida~~ LMSC club shall submit on a yearly basis the name(s) and contact information of each representative to the FL~~lorida~~ LMSC Secretary. At the beginning of each meeting the Secretary will call roll of clubs present and request identity of which member(s) are representing said clubs and ensure they are listed on the roster as present along with updated contact information.

~~**5.03.01.2**~~.3 ~~Duplicate names of Clubs will not be permitted.~~

5.03.01.~~3~~ 3.**3** Any FL LMSC USMS registered club member present at any meeting is eligible to represent their club.

5.03.01.2.54**4** Members in the Florida LMSC who are not a club representative and are not on the Board of Directors will have a voice, but no vote.

5.034.02 **Method of Voting:** At all meetings of the FL LMSC the method of voting shall be by voice vote or show of hands except on the elections of officers or on the demand of a voting member, in which case the vote shall be by written ballot, submitted to the designated Nominations Chair.

~~**5.04.01 Electronic Voting:** During any meeting including biannual elections, the Board of Directors and those club representatives present may vote electronically when an in person meeting does not take place. A vote may also be tabled for a period of twenty one days for the purpose of providing notification to all club representatives of said vote. All votes will be forwarded to the Secretary and an impartial member of USMS outside the Florida LMSC.~~

5.03.03~~5~~ **Result of Voting:** A majority of the votes cast at any meeting of the ~~corporation~~ LMSC at which a quorum is present shall be sufficient to take or authorize action upon any matter, question, or proposal which is properly presented before the meeting.

Commented [40]: Why does 5.03.01.2 have the same title ("FL LMSC Board of Directors") as 5.03.01.1? It should be different. Something like "Allotted Club Representatives."

Commented [41]: Also, this paragraph says "A quorum shall consist of those present and eligible to vote." I assume this means a quorum OF CLUB REPRESENTATIVES shall consist of those present and eligible to vote? If so we may want to clarify that. Or get rid of it completely from this Article 5.03.01.2.
Otherwise it conflicts with Article 3.06, Quorums, which says that at all meetings of the Board a quorum shall consist of a majority of the entire Board (which I assume in these updated bylaws would mean a majority of the 17 Board members).

Commented [42]: The quorum of those present (Board and Club Reps); I would put it in 5.03 Voting Procedures and Eligibility

Commented [43]: Does the Club Representative need to be a member of USMS and also a member of the club that they represent? There are about 22 club representatives that are not registered with USMS.

Commented [44]: I think we've now taken care of this in 5.03.01, @meeganwilson@gmail.com

Commented [45]: I don't feel this section is needed. Electronic voting is described in the paragraph above "Method of Voting"

5.0~~4~~6 Notice of Meetings: ~~Notice of the annual meeting and other meetings of the FL LMSC shall be sent out in written or electronic form. Notice shall be given to club representatives, who are responsible for notifying their club's membership.~~

> **5.04~~6~~.1 Regular FL LMSC Meetings:** Notification of the annual meeting ~~Said notice~~ shall be given no less than thirty (30) days prior to said meeting. Notification shall be sent to the entire membership through the LMSC newsletter, by email, or on the LMSC website.

> **5. 04~~6~~.2 Special Meetings:** Notice of special meetings shall be given to members of the Board of Directors by electronic mail at least fifteen (15) days before the date of such meeting. T ~~and t~~he notice of the special meeting shall include a statement of the specific purpose or purposes for which the meeting is called.

5.05~~7~~ Organization: At all ~~Regular~~ membership meetings and meetings of the Board of Directors shall adhere to Roberts Rules of Order, and the following shall be the general order of business:

1. Roll call~~;~~
2. Reading, correction and adoption of minutes~~;~~
3. Reports of Officers~~;~~
4. Reports of Committees~~;~~
5. Unfinished/Old business~~;~~
6. Elections ~~where~~ when appropriate~~;~~
7. New business~~;~~
8. Adjournment~~.~~

ARTICLE 6, ELECTIONS:

6.01 Nominations: Nomination of officers shall be by an ad hoc nominating committee appointed by the Chair. The nominating committee shall consist of the Chair or Vice Chair and another member of the Board that is not up for election/re-election, and two (2) to three (3) members at large. The final slate will be presented to the club representatives no later than thirty (30) days before the election.

> **6.01.1** The ~~Corporation~~ LMSC shall accept nominations from the floor at the Annual election meeting. The final slate will be presented to the House of Representatives;

6.02 Eligibility: No members may be considered as candidates for office unless they are FL LMSC USMS registered members in good standing and unless their consent is obtained.

6.03 Elections: The elections for Officers shall be elected at the Annual Meeting in staggered terms as follows: Odd years the Chair and Treasurer. Even years the Vice Chair and Secretary. ~~The elections for Directors shall be held in even numbered years at the Annual meeting.~~ ~~The FL LMSC may accept nominations from the floor at the Annual meeting; those eligible to cast votes for candidates are those defined in Article 5.03~~

Commented [46]: Seems out of order. I would suggest that this becomes Section 5.03

Commented [47]: Seems out of order. I would suggest that this becomes Section 5.04

Commented [48]: Replace "Corporation" with "LMSC"

Commented [49]: Don't know why this is a separate section. This can be included in the paragraph above—it's the same subject.

Commented [50]: This is written in a negative context. Let's make it positive. How about something like: "Any FL LMSC member in good standing may run for an elected position on the LMSC Board. Candidates may self-nominate or be nominated by another LMSC member. The candidate must accept the nomination before their name is added to the slate of candidates."

Commented [51]: already stated above in 6.01.1

6.04 Vacancies: Except for the Chair position, in which the Vice Chair would assume that role upon a vacancy, other vacancies of LMSC officers require a special election. Nominations and elections to fill a vacancy shall be held by the Board of Directors. The person filling the vacancy shall hold office until the next regularly scheduled LMSC election.

ARTICLE 7, GENERAL PROVISIONS:

7.01 Fiscal Year: The fiscal year of the LMSC ~~corporation~~ shall begin on the first day of January and end on the last day of December.~~;~~

7.02 Payment of Moneys: All checks, notes, drafts, orders for payment of money or other evidence of indebtedness issued in the name of the LMSC ~~corporation and all such instruments shall be signed by two authorized signatures if payments are~~ for payments of $250 or more must be approved in writing by email by~~. Four authorized signatures should be on file at the bank. The authorized signatures shall be of~~ the Chair, Vice Chair and/or Secretary.~~, Treasurer and Membership Coordinator.~~

7.03 Review: The Treasurer's accounts shall be examined annually by someone other than the T~~t~~reasurer, appointed by the Executive Committee, who shall verify the bank balances and samplings of the revenue and expense documentation. A signed report of the findings shall be presented at the next regular meeting after their appointment.

7.04 Removal From Office: Any director or officer may be removed for cause by a majority vote of those members present at a properly called meeting where a quorum is present. Removal or resignation of an officer shall automatically lead to removal from the membership on the Board and the Executive Committee. Suspension or revocation of membership in the LMSC ~~corporation~~, or the absence from two (2) meetings of the LMSC ~~corporation~~ or the Board without sufficient cause may be cause for removal from office or membership on the Board. Requests to be excused from a meeting of the LMSC ~~corporation~~ or the Board must be received by the Chair or the Secretary prior to the call-to-order of any such meeting.~~;~~

7.05 Records: All LMSC ~~corporation~~ records shall be open and available to inspection by members.~~;~~

7.06 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 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 Sections l70(c)(2), 2055(a)(2) corporation, to be used exclusively for educational or charitable purposes.

Commented [52]: Replace "corporation" with "LMSC"

Commented [53]: Replace "corporation" with "LMSC"

Commented [54]: Two signatures shouldn't be necessary for such a low amount (a $250 payment). And these days, most checks are created and sent electronically. I don't know whether a bank can even set up a requirement for two approvals if a check is written for more than a certain dollar amount.

In our LMSC, it's not unusual for the Treasurer to issue checks for meet stipends that are in the $1,000 to $2,000 range. The same goes for travel expenses for an LMSC representative that attends the USMS Annual Meeting. If there is going to be a requirement for a second approval (of some sort) for higher expenditures, that dollar amount probably needs to be more like $2,500 or above that would require a second approval.

Commented [55]: I agree. I think written approval via email (aka in writing) by the Chair, Vice Chair and/or Secretary should suffice. I would say for amounts of $250 or more. Personally, since I don't get the financials other than the day before the meeting, any expenditures would be nice to know about.

Commented [56]: Is this necessary anymore since the MC does not handle any funds?

Commented [57]: NOT necessary for the Membership Coordinator to be on the bank account. It's enough of a hassle with the bank to get three people authorized on the account.

Commented [58]: Why do we keep using the word corporation? Let's keep this simple and not confusing. I suggest we just use "LMSC."

Commented [59]: Replace "corporation" with "LMSC"

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Commented [62]: Replace "corporation" with "LMSC"

Commented [63]: Replace "corporation" with "LMSC"

Commented [64]: Do we know if this is still valid? When was the last time anyone researched to ensure this is the correct reference?

Commented [65]: Yes, I checked and it's still valid.

Commented [66]: Replace "corporation" with "LMSC"

ARTICLE 8, ATHLETE'S RIGHTS, HEARINGS, AND RIGHTS OF APPEAL

8.01 General Jurisdiction: The Board of Directors may conduct hearings on any matter affecting the LMSC, arising solely within the jurisdiction of the LMSC, and involving only members of the FL LMSC.

8.02 Appeal: Any registered member of the FL LMSC may appeal any decision by the Board of Directors at said hearings according to current USMS rules on Hearings and Appeals.

8:03 Grievance Procedure: Please refer to the Florida LMSC Grievance Procedure posted on our website and to Part 4 in the current USMS Rule Book.

Commented [67]: Didn't this process change within the last couple years? Aren't most grievances now handled by USMS?

Commented [68]: When I worked at USMS, every LMSC was required to have a grievance procedure that started with a grievance being filed at the national level. As far as I know, that is still the case.

Commented [69]: USMS prefers to try & settle at the LMSC level prior to going to USMS. We tried this a few years ago with a matter at St Pete Masters, but it ended up going to USMS.

ARTICLE 9, AMENDMENTS:

9.01 Adequate Notice: These Bylaws may be amended by a majority vote of those members present at any meeting of the LMSC ~~corporation~~ properly called where a quorum is present. Provided that no less than fifteen (15) nor more than thirty (30) days notice of such meeting is given and that said notice shall contain an advisory that an amendment or amendments shall be included in the order of business and provided further, that a copy of the text of such proposed amendment or amendments shall be included in the notice.

Commented [70]: Replace "corporation" with "LMSC"

9.02 USMS: Should any bylaw or rule changes occur at the USMS level or Florida State Statue 617 that are in conflict with current LMSC bylaws or rules, those LMSC bylaws or rules shall be considered immediately amended to conform to USMS standards. Notice of such changes will be made at the next scheduled FL LMSC meeting.