

LEGISLATION PROPOSALS

2015 Convention – Kansas City, Mo.

*L-1 201.1.3 page 51 Michigan LMSC Replace

~~**B Pool One-Event Registration**—An LMSC may offer a single-event registration that allows an athlete to participate in one event sanctioned by that LMSC. Membership cards shall not be issued for one-event registration. One-event registrants must be considered unattached and agree to be governed by the rules and regulations of USMS, except that their times shall not be considered for Top 10 tabulation and national or world records, All American status, or any other USMS special awards. One-event registrations shall be identified as such in the meet results.~~

B Pool One-Event Registration—USMS will no longer offer pool single-event registrations that allow an athlete who is not currently registered as a USMS member to participate in one pool event sanctioned by any LMSC.

Rationale: Very few LMSCs currently offer any one-event registration for pool events. A one event registration for pool events requires extra work for the event host, the registrar, and the Top 10 recorder and has not historically resulted in increases in the annual membership resulting from those individuals who have competed using the one-event registration. Times swum by those swimming with a one-event pool registration are not counted in either the USMS or FINA top times databases. Disallowing one-event pool registration also would be in keeping with current USA Swimming, which allows for single-meet open water membership but not for single-meet pool membership.

With the “Year Plus” membership option that USMS uses from September to December, a swimmer gets a discounted full USMS membership for both the current year and the following year where in the past this option was not available and the use of one-event registration was used heavily during this period by the LMSCs.

For a one-year period (Sept. 2013–Aug. 2014) there were 13 LMSCs that collected one-event registrations at their pool meets. The list shows the number of meets where OEVTs were collected, and the total number collected from those meets:

- Adirondack, 1 meet, 1 OEVT
- Hawaii, 1 meet, 2 OEVTs
- Iowa, 1 meet, 4 OEVTs
- Inland Northwest, 1 meet, 5 OEVTs
- Minnesota, 2 meets, 5 OEVTs total
- Nebraska, 1 meet, 1 OEVT
- North Carolina, 1 meet, 5 OEVTs total
- Niagara, 4 meets, 12 OEVTs total
- Ozark, 1 meet, 2 OEVTs total
- South Carolina, 3 meets, 9 OEVTs total
- Southeastern, 1 meet, 3 OEVTs total
- Southern, 3 meets, 7 OEVTs total
- Utah, 5 meets, 71 OEVTs total (47 were from the Huntsman Games)

B Pool One-Event Registration—An LMSC may offer a single-event registration that allows an athlete to participate in one event sanctioned by that LMSC. Membership cards shall not be issued for one-event registration. One-event registrants must be considered unattached and agree to be governed by the rules and regulations of USMS, except that their times shall not be considered for Top 10 tabulation and national or world records, All-American status, or any other USMS special awards; one-event registration forms must include the statement “Times swum under one-event registration are not eligible for USMS Top 10 or records consideration.” One-event registrations shall be identified as such in the meet results.

Rationale: Some recent one-event registrants have not realized they were not eligible for records, Top 10, and other awards until after the fact. A statement on the entry form will help communicate the restrictions on one-event registrations.

A ... except that their swims shall not be eligible for USMS ~~national~~ open water awards and recognition. ...

B ... except that their times shall not be considered for Top 10 tabulation and ~~national~~ USMS or world records, All-American status, or any other USMS special awards. ...

Other articles that would require changing in order to maintain consistency:

Table of Contents, page v: 105.3 USMS ~~National~~ Records

Article 102.1.2, page 6: ... cannot be used for LMSC rankings or ~~national~~ USMS Top 10 times, ...

Article 103.18.4, table, page 26:

Automatic timing	<ul style="list-style-type: none"> World records, USMS national records, and USMS Top 10 times Initial splits for all purposes Relay leadoff times for all purposes
Semiautomatic with three buttons or manual with three watches	<ul style="list-style-type: none"> World records, USMS national records, and USMS Top 10 times Initial splits and relay leadoff times for world records and USMS Top 10 times
Semiautomatic with two buttons or manual with two watches	<ul style="list-style-type: none"> USMS Top 10 times Initial splits and relay leadoff times for USMS Top 10 times

Article 104.5.3C(1), page 31: ... The adjustment times for men and women competitors shall be calculated by multiplying the time adjustment in the following table by the ratio of the 200-yard freestyle ~~national~~ USMS record for the age group to that of the 25–29 200-yard freestyle for men and women, respectively. ...

Article 104.5.4A(2), page 32: Foreign swimmers—National championship meets shall include and welcome foreign swimmers, except that they may not qualify for USMS Top 10 and All-American awards nor set USMS ~~national~~ records.

Article 105.1.3, page 37: LMSC Responsibility—Each LMSC is responsible for reporting the Top 10 times, USMS ~~national~~ records, and world records achieved in its LMSC in the appropriate format (see Appendix B), including all times achieved by swimmers from other LMSCs.

Article 105.1.4, page 38: Required Information—To be considered for ~~national~~ USMS Top 10 times or for USMS ~~national~~ records, eligibility ...

Article 105.1.8, page 39: USMS ~~national~~ records shall be published annually in the *USMS Code of Regulations and Rules of Competition*.

Article 105.2.1, page 39: The ~~National USMS~~ Top 10 Times list shall be published annually for each age division and for each gender for the events listed under article 102.5.

Article 105.3, page 39: USMS ~~National~~ Records

Article 105.3.1, page 39: The fastest official time by a USMS member in each event in a USMS-sanctioned or USMS-recognized competition, as verified in accordance with article 105.3.8, shall be designated as a USMS ~~national~~ record. For open water and long distance records, see article 308.

Article 105.3.6, page 39: Split times shall be considered for USMS ~~national~~ records if:

Article 202.1, page 53: Times achieved at sanctioned events are considered for USMS ~~national~~ records, USMS Top 10 times, and FINA world records ...

Article 202.2, page 55: Times achieved at recognized events shall be considered for USMS ~~national~~ records and Top 10 times Times achieved by USMS members at events sanctioned by USA Swimming shall be considered for USMS ~~national~~ records and Top 10 times Times achieved by USMS members at events sanctioned by a FINA member federation shall be considered for USMS ~~national~~ records ...

Article 203.1, page 56: Swims achieved by USMS members at sanctioned events are considered for USMS open water ~~national~~ awards and recognition

Article 307.8.1G, page 75: Special information (~~national USMS~~ records, overall place, place among gender, etc.).

Article 307.9.1B, page 75: ... to fit the age group ~~national USMS~~ record times for each gender.

Article 308.1.1, page 77: Individual ~~national USMS~~ records will be maintained Relay ~~national USMS~~ records shall be maintained

Article 308.1.2, page 77: To be considered for a ~~national USMS~~ record, individual participants and relays

Article 308.1.3, page 77: ... no ~~national USMS~~ records will be maintained in open water events due to differences in courses, currents and other physical factors.

Article 308.1.6, page 77: Long distance ~~national USMS~~ records for cable swims may not be established by using a swimmer's split time in an individual event.

Article 308.1.7, page 77: Long distance ~~national USMS~~ records for postal swims may be established by using a swimmer's split time in an individual event if:

Article 507.1.11, page 96: Records and Tabulation Committee—The Records and Tabulation Committee shall establish and maintain a standardized process of recording and verifying times and shall publish the Top 10 times, All-American and All-Star rosters, and USMS ~~national~~ records annually for each course. ...

Appendix A, page 103: ... For the most up-to-date and complete record listings, please check the USMS ~~national~~ pool records database online at: www.usms.org/com/usmsrecords.php.

Appendix B, page 144: FMS1.14 Records—Applications for FINA Masters world records Applications for USMS ~~national~~ records

Appendix B, page 150: "Complete the above form, lines 1 to 17, in its entirety. Line 18 is for use by the Records Administrator. ~~National USMS~~ records are due within 90 days of the end of the season of the swim.

Rationale: Because citizenship is not required to be a member of USMS, the correct term is "USMS record" rather than "national record."

L 4 **201.1.4** **page 51** **Legislation Committee** **Modify**

201.1.4 Membership Application ~~Forms~~

- A** ~~Individuals may apply for membership through the USMS website or by obtaining an individual membership~~ application forms ~~may be obtained~~ from the registrar of the LMSC.

reporting should be borne by ILSA not Wisconsin. Wisconsin should have the option of transferring its sanctioning requirements to ILSA if it desires.

L-8 **202.1.1A** **p. 53–54** **Records and Tabulation Committee** **Insert**

Insert new 202.1.1A(4) and renumber thereafter.

(4) When the one-event registration is allowed for a pool meet, the meet information must state “Times swum under the one-event registration are not eligible for USMS Top 10 or records consideration (see article 201.1.3B).”

Rationale: Although not often used, there have been misunderstandings about the privileges attributed to one-event registrations at pool meets. In order not to disappoint potential USMS members, it is necessary to clearly state in the meet information that the one-event registrations are ineligible for Top 10 or records considerations.

L-9 **202.1.1D, 202.2.1D** **p. 54–55** **Rules Committee** **Modify**

202.1.1D

No sanction may be issued to any organization whose interest in sports and games is purely commercial, or where the event is to be promoted solely for the profit or the advertising value to be derived therefrom. Any income derived from sanctioned events must be used for the further promotion of swimming, for an approved charity, or for the general welfare of the promoting organization as a whole.

202.2.1D

No recognition may be issued to any organization whose interest in sports and games is purely commercial, or where the event is to be promoted solely for the profit or the advertising value to be derived therefrom. Any income derived from recognized events must be used for the further promotion of swimming, for an approved charity, or for the general welfare of the promoting organization as a whole.

Rationale: Expand the acceptable use of income from events (language taken from USA-S).

***L-11** **202.1, 202.2, 203.3** **pages 53–57** **Board of Directors** **Modify**

202.1 Sanctions

202.1.1 Sanction Requirements—Sanctions shall be issued, withheld, or withdrawn in accordance with the following:

- A** Applications for sanction shall be made to the LMSC within which the event is to be held. Sanction applications shall be accompanied by the entry form ~~and applicable fee.~~ ...
 - (4)** The sanction fee shall ~~be established by the LMSC.~~ consist of:
 - (a)** A national fee established by the House of Delegates.
 - (b)** A local fee established by the LMSC.

202.2.1 Recognition—Recognition shall be issued, withheld, or withdrawn in accordance with the following:

- A** Application for recognition of events within the jurisdiction of USMS shall be made to the LMSC within which the event is to be held, and applications shall be accompanied by the recognition fee. The recognition fee shall consist of:
 - (1)** A national fee established by the House of Delegates.
 - (2)** A local fee established by the LMSC.

203.3 Sanction Requirements

203.3.1 Jurisdiction—The LMSC in which the event originates shall have jurisdiction in issuing the sanction. If any events are to be swum in more than one LMSC, the other LMSC(s) may also issue a sanction for the event. ~~The sanction fee shall be established by the LMSC with jurisdiction.~~

203.3.2 Requirements—The following requirements shall be followed by the sanctioning LMSC and sanction applicant: ...

I The sanction fee shall consist of:

(1) A national fee established by the House of Delegates.

(2) A local fee established by the LMSC.

Rationale: (1) Provide the necessary rules to allow the House of Delegates to set a national level fee for sanctions and recognitions. It should be noted that national membership fees are established by the HOD or BOD. Until such time as the HOD establishes a fee, this should be under the jurisdiction of the HOD. Once we have a track record with national sanction fees then this code should be reviewed to determine if the BOD should be given authority similar to membership. (2) The existing rules do not specify who sets a recognition fee; this corrects that oversight. (3) Reorganize the open water sanction section to move sanction fees from jurisdiction to requirements. (4) Remove the requirement for pool events to collect fees at the time of application of sanction. This allows national and LMSC sanction fee collection to be set in policy instead of code.

L-12 **202.1.1, 203.3.3** **pages 53, 58** **Legislation Committee** **Insert and renumber**

202.1.1 Sanction Requirements—Sanctions shall be issued, withheld, or withdrawn in accordance with the following:

...

A(2) Event entry forms and programs must bear the statement “Sanctioned by (LMSC name) for USMS Inc. ~~Sanction number: _____.”~~ Event entry forms and programs may include the statement “Sanction number _____.”

Insert new 202.1.1B and renumber:

B Entries shall not be accepted before the sanction has been granted. Paper forms shall not be distributed, online entry systems shall not be activated, and the event shall not be listed as sanctioned on the USMS Calendar of Events until the sanction has been granted.

203.3.3B Entry forms, programs, and results must bear the statement “Sanctioned by (LMSC name) for USMS Inc. ~~Sanction number: _____.”~~

Add new 203.3.3D and renumber.

D Entries shall not be accepted before the sanction has been granted. Paper forms shall not be distributed, online entry systems shall not be activated, and the event shall not be listed as sanctioned on the USMS Calendar of Events until the sanction has been granted.

Rationale: There have been instances of entries being improperly accepted before the event has been sanctioned, particularly online entries.

L-13 **202.1.1B** **page 54** **Legislation & Rules Committee** **Modify**

B Approval of All sanctions shall be signed made by the LMSC’s authorized representative, and a record thereof shall be retained for two years.

D If a moveable bulkhead is used and the initial pool length certification for all lanes is on file, the measurement rules and policies of FINA shall be the standard for events sanctioned by a FINA Masters member federation other than USMS.

(1) Documentation for pool measurement is not required for times set at a USA Swimming recognized elite international meet sanctioned by a FINA member federation held under the control of FINA.

Rationale: USA Swimming has a similar rule that allows times at these kinds of meets, e.g., Olympics or world championships, shall be considered for all official purposes without additional documentation. Refer to 2015 USA Rules & Regulations, page 54, rule 104.2.2C(6). **For proposed amendment to article 105.3.9A:** It is next to impossible to obtain signatures, pool measurements, and copies of timing system tapes at these meets. Information about the swims can be obtained from official published results. **For proposed amendment to article 105.1.7D:** It is next to impossible to obtain pool measurements at these meets.

L-17	202.2	page 55	Records and Tabulation Committee	Modify
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Times achieved at recognized events shall be considered for USMS national records and Top 10 times if a designated USMS observer is present and verifies in writing that the conduct of the competition conforms to the relevant USMS swimming rules and administrative regulations. USMS membership is not required for swimmers entered in recognized events. Times achieved by USMS members at events sanctioned by USA Swimming shall be considered for USMS national records and Top 10 times without formal application for recognition. Times achieved by USMS members at the FINA World Masters Championships shall automatically be considered for USMS records and Top 10 without formal application for recognition and without further documentation. Times achieved by USMS members at events sanctioned by a FINA member federation shall be considered for USMS national records and Top 10 times without formal application for recognition if the USMS member(s) register for the meet as USMS members. It is the responsibility of the swimmer to submit times obtained in recognized events with complete documentation to the appropriate LMSC Top 10 recorder and the Records and Tabulation Committee chair.

Other articles that would require changing in order to maintain consistency:

105.3.9, p. 40

Records set outside the United States shall be submitted on official USMS record application forms (Appendix B) and are subject to all pertinent requirements.

B Records set at the FINA World Masters Championships shall be considered for USMS records without further documentation.

105.1.7D, p. 38

D If a moveable bulkhead is used and the initial pool length certification for all lanes is on file, the measurement rules and policies of FINA shall be the standard for events sanctioned by a FINA Masters member federation other than USMS.

(2) Documentation for pool measurement is not required for times set at the FINA World Masters Championships.

Rationale: For the last 22 years, a USMS representative has acted as the FINA Masters Recorder at the subject championships and has completed all the documentation for USMS swimmers entered in the FINA Masters World Championships. This position might not be held by a USMS representative in the future, thereby making it difficult to obtain signatures, pool measurements, and copies of timing system

**ARTICLE 511:
Dissolution**

If deemed advisable by the members, USMS may be dissolved pursuant to the applicable provision of the corporation laws of the state of ~~Ohio~~Florida.

Rationale: This change is recommended to conform USMS rules to an impending change of state of incorporation from Ohio to Florida.

Housekeeping Proposals

C To encourage organizations and communities to establish and sponsor Masters ~~s~~Swimming programs.

Rationale: Housekeeping to conform with the Masters Swimming service mark.

E To stimulate research in the sociology, psychology, and physiology of Masters swimming.

Rationale: Housekeeping to add serial comma.

Club—an organization or group of permanent character ... participates in Masters ~~s~~Swimming.

Rationale: Housekeeping to conform with the Masters Swimming service mark.

Escort Craft—boats or paddle boards that accompany swimmers in an open water swim

Rationale: Housekeeping to add article before “open water swim.”

Event—any clinic, demonstration ... or meet; including pool, long distance, and open water.

Rationale: Housekeeping to correct punctuation.

FINA—Fédération Internationale de Natation ...

Rationale: Housekeeping to include French accent marks.

Foul—an instance of obstruction, interference, collision, or equipment malfunction

Rationale: Housekeeping to add serial comma.

Masters Swimming—a program including training, competition, and other activities

Rationale: Housekeeping to add serial comma.

HK-9	Glossary	page xiv	Legislation Committee	Modify
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Medical Identification Item—an item worn by a swimmer that identifies medical conditions, emergency contacts, or other information

Rationale: Housekeeping to add serial comma.

HK-10	Glossary	page xiv	Legislation Committee	Modify
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Member—an individual, club, or organization registered with USMS.

Rationale: Housekeeping to add serial comma.

HK-11	Glossary	page xiv	Legislation Committee	Modify
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Recognized Events—the written acknowledgment ... or a demonstration, clinic, or exhibition conducted by USMS member clubs, individual members, or organizations

Rationale: Housekeeping to add serial comma.

HK-12	Glossary	page xiv	Legislation Committee	Modify
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Sanction—the written authorization of an LMSC ... competition, demonstration, clinic, exhibition, or Swim-A-Thon®.

Rationale: Housekeeping to add serial comma.

HK-13	Glossary	page xiv	Legislation Committee	Modify
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Session—any portion of a pool meet ... by locale, time, day, or type of competition

Rationale: Housekeeping to add serial comma.

HK-14	Glossary	page xv	Legislation Committee	Modify
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Warning Signal—a bell, whistle, air horn, or other appropriate audible device.

Rationale: Housekeeping to add serial comma.

HK-15	201.1	page 51	Legislation Committee	Modify
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201.1 Membership of Individuals

All swimmers participating in events sanctioned by USMS, with the exception of events falling under articles 203.1.1B and 203.1.1C, must be ...

Rationale: Housekeeping to make the word “article” plural.

HK-16	202	page 53	Legislation Committee	Modify
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**ARTICLE 202:
Sanction/Recognition of Pool Events**

Rationale: Housekeeping to correct capitalization.

HK-17 201.2.1 **page 52** **Legislation Committee** **Modify**

201.2.1 Annual Membership—Annual membership for clubs is from the date of registration through December 31 of that year; however, a club applying for membership on or after ~~November 1~~ October 1 will receive membership valid through December 31 of the following year.

Rationale: Housekeeping. Correct date is October 1.

HK-18 202.2.1E **page 55** **Legislation Committee** **Modify**

E The conduct of a recognized event shall conform to relevant USMS swimming rules and administrative regulations, including but not limited to~~o~~, the following:

Rationale: Housekeeping. Delete unnecessary comma.

HK-19 202.1.1F(2) **page 54** **Rules Committee** **Modify**

(2) In order to be in compliance with FINA rule C.7.~~23~~, an LMSC may grant exceptions to specific USMS swimming rules and administrative regulations when sanctioning a FINA Masters World Championship.

Rationale: FINA rule C.7.2 is now C.7.3.

HK-20 202.2.1E(6) **page 56** **Rules Committee** **Modify**

(6) Articles 107.2.1, Minimum Standards for Facilities
107.2.3A, 107.3,
107.11.1, 107.11.2,
and 107.~~13~~14

Rationale: Article 107.13 is now 107.14 due to renumbering in article 107.

HK-21 403.4.1 **page 81** **Legislation Committee** **Modify**

D Upon a majority vote of the Executive Committee, the National Board of Review may be assigned exclusive and immediate jurisdiction at any stage of any matter within the purview of this article 403 to serve the best interests of Masters ~~s~~Swimming.

Rationale: Housekeeping to add missing “point D” and to conform with the Masters Swimming service mark.

HK-22 502.4 **page 86** **Legislation Committee** **Modify**

502.4 Election ~~O~~Of Officers

Rationale: Housekeeping to correct title case capitalization.

HK-23 503.6 **page 87** **Legislation Committee** **Modify**

503.6 Communications

Zone chairs shall enhance communications among the LMSCs to promote Masters ~~s~~Swimming within the zones.

Rationale: Housekeeping to conform with the Masters Swimming service mark.

HK-24 504.1.1 **page 87** **Legislation Committee** **Modify**

504.1.1 One member from each LMSC. If the LMSC has ~~over~~ more than 300 individual members, it is entitled to one additional member. ...

Rationale: Housekeeping. Better usage. “More than” is preferred with numbers.

HK-25 504.2 **page 88** **Legislation Committee** **Modify**

504.2 Powers

The powers of the House of Delegates shall be as follows:

504.2.1 To determine the mission and objectives that ~~shall~~ govern USMS in all of its activities.

Rationale: Housekeeping. We already say “shall” in the first sentence of 504.2, and don’t need to repeat it in 504.2.1.

HK-26 504.2.6 **page 88** **Legislation Committee** **Modify**

504.2.6 To call regular and special meetings of USMS and to fix the time, place₂ and manner for holding all meetings not fixed by this code.

Rationale: Housekeeping to add serial comma.

HK-27 506.7.5 **page 93** **Legislation Committee** **Modify**

506.7.5 **Investment Committee**—The Investment Committee shall be responsible for developing and submitting written recommendations for Board of Directors’ approval of investment objectives ...

Rationale: Housekeeping to add possessive apostrophe to “Board of Directors.”

HK-28 507.1.3 **page 94** **Legislation Committee** **Modify**

507.1.3 **Fitness Education Committee**—The Fitness Education Committee shall promote the fitness, health, and lifestyle benefits of Masters ~~s~~Swimming. ...

Rationale: Housekeeping to conform with the Masters Swimming service mark.

HK-29 507.1.10 **page 96** **Legislation Committee** **Modify**

507.1.10 **Recognition and Awards Committee**—The Recognition and Awards Committee The committee shall consist of the committee chair, at least four Ransom J. Arthur ~~a~~Award recipients ...

Rationale: Housekeeping to capitalize “Award,” which is part of the proper noun.

HK-30 507.1.14 **page 96** **Legislation Committee** **Modify**

507.1.14 **Sports Medicine and Science Committee**—The Sports Medicine and Science Committee The committee shall stimulate and encourage research pertaining to Masters ~~s~~Swimming. ...

Rationale: Housekeeping to conform with the Masters Swimming service mark.

HK-31 510.1 **page 98** **Legislation Committee** **Modify**

510.1 Coverage

Each person who is or was a director, officer, or employee of USMS (including the heirs, executors, administrators, or estate of such person) shall be indemnified by USMS to the full extent permitted by the Nonprofit Corporation Law of the state of Ohio against any liability, cost, or expense incurred in the capacity as director, officer, or employee, or arising out of the status as a director, officer, or employee (including serving at the request of USMS as a director, trustee, officer, employee, or agent of another not-for-profit organization).

Rationale: Housekeeping to add serial comma.

HK-32 601.3 **page 100** **Legislation Committee** **Modify**

601.3 Modification of Proposed Amendments

Proposed amendments may be modified in any manner by the Legislation, LMSC Development, Long Distance, or Rules Committees, or the House of Delegates

Rationale: Housekeeping to clean up language.

HK-33 601.4.7A **page 101** **Legislation Committee** **Modify**

A Amendments to USA Swimming articles 101, "Individual Strokes and Relays," 102, "Conduct and Officiating of All Swimming Competition," and 105, "Guidelines for Officiating Swimmers ~~w~~With a Disability in USA Swimming Meets," shall

Rationale: Housekeeping to conform to capitalization guidelines for titles in the USMS Style Guide.