

# U.S. Masters Swimming — 2022 Meeting Minutes

<b>Committee Name:</b>	Legislation Committee	<b>Session #:</b>	5
<b>Committee Chair:</b>	Charles Cockrell	<b>Vice Chair:</b>	Stephanie Gauzens
<b>Minutes recorded by:</b>	Douglas Sayles	<b>Date/Time:</b>	June 15, 2022, 7:30 p.m. EDT

## Motions Passed:

1. MSA via email between meetings to initiate L-12 into the legislation package for the committee's formal consideration. L-12 was subsequently renumbered L-13 for tonight's June 15 meeting as shown below.
2. MSA to approve May 9 meeting minutes.
3. MSA to approve May 23 meeting minutes.
4. MSA to recommend L-1 to the HOD.
5. MSA to recommend L-2 to the HOD.
6. MSA to recommend L-3 to the HOD.
7. MSA to amend L-4.
8. MSA to recommend L-4 as amended to the HOD.
9. MSA to recommend L-5 to the HOD.
10. MSA to recommend L-6 to the HOD.
11. MSA to recommend L-7 to the HOD.
12. MSA to recommend L-8 to the HOD.
13. MSA to recommend L-9 to the HOD.
14. MSA to recommend L-10 to the HOD.
15. MSA to recommend L-11 to the HOD.
16. MSA to recommend L-12 to the HOD.
17. MSA to recommend L-13 to the HOD.
18. MSA to recommend L-14 to the HOD.

**Number of voting committee members present: 8      # Absent: 4      # Guests: 0**

**Committee members present:** Charles Cockrell, Rob Copeland, Diana Dolan LaMar, Kirsten Hoffman, Kristof Kertesz, Douglas Sayles, Meg Smath, Patrick Weiss

**Members absent:** Jeffrey Enge, Stephanie Gauzens, Teddy Palmer, Steve Peterson

**Ex Officio present:** Chris Colburn (VP Administration), Maria Elias (Legal Counsel), Dawson Hughes (CEO)

**Ex Officio absent:** Mollie Grover (Rules Committee Chair), Jessica Reilly (Sr. Director, Marketing Technology & Volunteer Services)

## Minutes:

### 1. Roll Call

- a. The chair called the meeting to order at 7:43 p.m. EDT
- b. Quorum present.

### 2. Meeting Minutes

- a. MSA (Kirsten, Diana) to approve May 9 meeting minutes.
- b. MSA (Rob, Diana) to approve May 23 meeting minutes.

### 3. Committee Action Between Meetings

- a. MSA (Jeff, Kirsten) to initiate **L-12** (506.3.10 and 601.5) into the legislation package for the committee's formal consideration. Motion was moved and seconded on June 3 and passed (9-0) on June 7 via email. L-12 was subsequently renumbered **L-13** for tonight's June 15 meeting as shown below.

4. **Renumbering of Amendment Proposals**

Items L-1 through L-14 constitute a special project that the Legislation Committee undertook in collaboration with other standing committees to clarify the processes for planning the annual meeting of the House of Delegates (which is no longer held in conjunction with the United States Aquatic Sports convention) and for amending the *USMS Code of Regulations and Rules of Competition* to make the annual meeting as efficient as possible.

<b>Number</b>	<b>Section</b>	<b>Draft Description</b>
<b>L-1</b>	504.3	Clarifies the requirements for the annual meeting and provisions for other meetings of the House of Delegates.
<b>L-2</b>	504.2	Clarifies powers of the House of Delegates to establish a baseline business agenda for the annual meeting.
<b>L-3</b>	504.2.5	Resolves an ambiguity in the Code of Regulations by clearly establishing the authority to determine the method for conducting the annual meeting.
<b>L-4</b>	504.2 and 504.3	Transfers authority to call meetings of the House of Delegates to the Board of Directors with provisions for a policy document to outline the process for setting the time, place, and method of the annual meeting.
<b>L-5</b>	Glossary	Clarifies the scope of “code” to establish which portions of the <i>Code of Regulations and Rules of Competition</i> (“rule book”) are subject to formal amendment processes with approval from the House of Delegates at the annual meeting.
<b>L-6</b>	Glossary	Clarifies “housekeeping” to allow for non-substantive changes to the <i>Code of Regulations and Rules of Competition</i> (“rule book”) without formal amendment processes with approval from the House of Delegates at the annual meeting.
<b>L-7</b>	507.1.6-507.1.8 and 507.1.13	Consolidates committee jurisdictions in Part 5 to avoid duplication and focuses Part 6 on the process for amendments. Adopts consistent language for committee jurisdictions.
<b>L-8</b>	601.1	Removes committee jurisdictions from article 601.1 to eliminate duplication in Part 6. Streamlines the scope of amendment processes to operational portions of the code with a consistent process and provides for changes to informational material outside of the annual meeting amendment process.
<b>L-9</b>	201.1.1 and 203.3.2	Corrects a discrepancy by inserting a reference to the Guidelines for Dual-Sanctioned Meets and Open Water Events with USA Swimming.
<b>L-10</b>	502.7 and 503.1	Moves LMSC and zone names and boundaries from Appendix D to Part 5 so they are included in an operational portion of the Code of Regulations and subject to the same amendment processes as the rest of Parts 1-6. Defines Appendices as informational.
<b>L-11</b>	507.1.6-507.1.7, 601.1.1-601.1.2, and 601.4.3-601.4.4	Realigns the jurisdiction for proposed amendments to LMSC and zone names and boundaries from the LMSC Development Committee to the Legislation Committee, where it resided prior to 2010. Allows for one consistent process for amendments to all operational portions of the Code of Regulations.
<b>L-12</b>	601.2-601.4	Clarifies and streamlines the process for submitting and adopting amendments to the <i>Code of Regulations and Rules of Competition</i> at the annual meeting.
<b>L-13</b>	506.3.10 and 601.5	Consolidates and clarifies emergency actions taken between annual meetings with emergency actions taken during the annual meeting process.
<b>L-14</b>	601.4.7 and 601.4.8	Clarifies how USMS adopts amendments to USA Swimming and FINA Masters technical rules. Provides for actions by the USMS Rules Committee since changes to USA Swimming and FINA rules may no longer align with the USMS annual meeting.

## 5. Consideration of Amendment Proposals

*Note: All votes were unanimous except for item “d.” below.*

- a. **MSA** (Meg, Rob) to recommend **L-1** to the House of Delegates.
- b. **MSA** (Rob, Diana) to recommend **L-2** to the HOD.
  - i. Discussed that existing article 508.2 empowers the HOD to set membership and sanction fees.
  - ii. Discussed the most efficient order to consider the legislative items during the annual meeting.
- c. **MSA** (Rob, Kirsten) to recommend **L-3** to the HOD.
  - i. Discussed pros/cons of including the proposed 504.3.1 provision in multiple proposals..
  - ii. **MSA** (Rob, Meg) to amend L-3 to remove the 504.3.1 provision (which already appears in L-1).
    1. L-1 will define the annual meeting method(s) and L-3 or L-4 (whichever passes) will designate who has the power to decide which method(s) to use in any given year.
    2. L-3 will be presented to the HOD as “recommended” (not “recommended as amended”) because L-3 originated in this committee and the above vote to amend was an internal procedural vote.
- d. **MSA** (Rob, Patrick) to recommend **L-4** as amended to the HOD. Vote tally: 6-1.
  - i. L-3 and L-4 are competing amendments. The HOD should pass one or the other but not both.
    1. L-3 assigns the power to set the method of the annual meeting to the HOD.
    2. L-4 assigns the power to set the method of the annual meeting to the Board of Directors.
  - ii. **MSA** (Diana, Kristof) to amend **L-4** to change “manner” to “method” for consistency with other proposals and to make the effective date immediately following the annual meeting (same as L-3).  
Chris concurred on behalf of the BOD.
- e. **MSA** (Rob, Kristof) to recommend **L-5** to the HOD.
- f. **MSA** (Rob, Kristof) to recommend **L-6** to the HOD.
- g. **MSA** (Rob, Kristof) to recommend **L-7** to the HOD.
  - i. Consensus on copy edits to make the proposed rulemaking committee descriptions consistent.
- h. **MSA** (Rob, Diana) to recommend **L-8** to the HOD.
- i. **MSA** (Kirsten, Rob) to recommend **L-9** to the HOD.
- j. **MSA** (Rob, Diana) to recommend **L-10** to the HOD.
- k. **MSA** (Rob, Kristof) to recommend **L-11** to the HOD.
  - i. If L-8 passes at the annual meeting, either entertain a motion to amend L-11 to remove the Part 6 elements or else remove said elements via housekeeping. Accordingly, there was a consensus to append L-6 (“housekeeping”) so the effective date is immediately following the annual meeting.
  - ii. In response to a question, the chair reaffirmed that he previously consulted with the chair of the LMSC Development Committee and the vice president of Local Operations about L-11.
- l. **MSA** (Rob, Kristof) to recommend **L-12** to the HOD.
- m. **MSA** (Rob, Kristof) to recommend **L-13** to the HOD.
- n. **MSA** (Rob, Kristof) to recommend **L-14** to the HOD.

## 6. New Business

- a. The chair briefly described five additional amendment proposals (L-15 through L-19) received prior to the June 10 legislation deadline in accordance with article 601.2. The committee will consider these proposals at its next meeting.
- b. The next committee meeting will be June 23 or June 27. The chair will poll the committee via email.

## 7. Adjournment

- a. **MSA** (Kirsten, Kristof) motion to adjourn.
- b. The chair adjourned the meeting at 9:00 p.m. EDT