

BYLAWS

SOUTHERN PACIFIC MASTERS ASSOCIATION

DIVISION OF UNITED STATES MASTERS SWIMMING, INC.

(revised 11/20/08)

Section I

Purpose and Objectives

- 1) To provide education, instruction, and support to local organizations and communities; to establish and sponsor Masters swimming programs and promote improved physical fitness and health in adults.
- 2) To offer adults the opportunity to participate in a lifelong fitness program.
- 3) To plan, organize, and coordinate sanctioned events for Masters Swimming.
- 4) To stimulate research in the sociology, psychology and physiology of Masters Swimming
- 5) To enhance fellowship and camaraderie among Masters swimmers.
- 6) To maintain active liaison and cooperation with local, regional, and national organizations and individuals concerned with Masters Swimming.
- 7) To encourage and support the sponsorship of events by qualified clubs, groups and organizations.
- 8) Neither SPMA nor SPMSC shall participate in any political campaign or attempt to influence and Federal, State or local legislation. Nor shall SPMA or SPMSC carry on any activity not permitted to be carried on by (a) a corporation exempt from the Federal Income Tax under §501 (c) or the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) a corporation, contributions to which are deductible under §170 (c) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

Section II

Definitions

UNITED STATES MASTERS SWIMMING, INC. (USMS) - the governing organization for Masters Swimming in the United States.

SOUTHERN PACIFIC MASTERS ASSOCIATION SWIMMING (SPMA) - is the association of Master Swimmers in the state of California counties of San Luis Obispo,

Kern, Ventura, Los Angeles, San Bernardino, Orange, Riverside, and Santa Barbara; and in the state of Nevada the counties of Clark, Esmeralda, Lincoln, and Nye.

LOCAL MASTERS SWIMMING COMMITTEE (LMSC) - is a division of USMS with supervisory responsibilities within the geographic territory as defined by USMS.

SOUTHERN PACIFIC MASTERS SWIMMING COMMITTEE (SPMSC) - is the LMSC for the SPMA.

MEMBER CLUB - any club duly registered with SPMA with at least one registered Member, and a minimum of 50% of the club's registered membership as current residents and registrants in the authorized registration territory of SPMA. The residency requirement may be waived by a 2/3 majority vote of the SPMSC.

MEMBER - any individual currently registered with SPMA.

Section III

Dues and Fees

- 1) **Club** - Every Member Club joins SPMA and USMS by submitting an approved application and by paying an annual fee consisting of a national club fee established by USMS and a local club fee established by the SPMSC.
- 2) **Member Registration** - Each Member pays to SPMA an annual fee established by the SPMSC and USMS.
- 3) **Sanction Fees:**
 - a. Each applicant for a sanctioned event shall submit at time of application such fees and documents as required by SPMSC.
 - b. In addition to, or in place of, a sanction fee the SPMSC may establish a service charge consistent with the nature of the event and which may be a flat amount, a percentage of receipts, or a combination of both.
- 4) **Failure to Pay** - The failure of Member or Club to pay dues or fees required by the SPMSC or USMS within the time prescribed prevents competition, representation and vote by the delinquent member.
- 5) **Infractions** - A Member Club may be held responsible for infractions of rules and regulations committed by a Member who is competing as a representative of such organization.

Section IV

Membership of SPMSC and Voting Privileges

- 1) The membership of the SPMSC shall consist of the officers, one representative from each Member Club, chairs of the SPMA subcommittees, and any member who has attended more than 1/2 of the SPMA meetings in the previous 12 month period.
- 2) Each member of the SPMSC has voting privileges at meetings.
- 3) Any other Member may attend the SPMSC meetings and express views, but shall not be entitled to vote.
- 4) A quorum at all meetings shall consist of SPMSC members present and eligible to vote.
- 5) Robert Rules of Order shall govern all meetings.

Section V

SPMSC Officers and Duties

- 1) The officers shall be a Chair, a Vice-Chair, a Secretary, a Treasurer, and a Member at Large.
- 2) These officers constitute the Executive Committee of the SPMSC and each may conduct essential business of the SPMSC within the scope of his duties between regular meetings provided that the action taken is reported at the next regular meeting. The SPMA registrar shall be a non-voting member of the Executive Committee.
- 3) The officers shall be elected at an annual meeting of the SPMSC, in odd-numbered years, hereinafter referred to as the election meeting.
- 4) The Chair shall preside at all meetings and shall execute all policies established by the SPMSC. The Chair shall call special meetings when necessary. The Chair may appoint subcommittees as necessary.
- 5) The Vice-Chair shall be in charge of the scheduling of all swim meets, subject to confirmation by the SPMSC. The Vice-Chair shall act and preside as Chair in the absence of the Chair.
- 6) The Secretary shall be responsible for recording and keeping minutes of the business meetings of the SPMSC. The Secretary shall also be responsible for the mailing of agendas, meeting announcements and other materials to members of the SPMSC and for the preparation and processing of all correspondence.
- 7) The Treasurer shall have custody and be accountable for all funds of SPMA and shall disburse funds from the account upon approval or direction by the SPMSC. The Treasurer shall prepare a monthly financial summary including all income and expenditure transactions of the preceding month and a summary of all the account activity including savings and investment accounts. The Treasurer shall keep accurate records of all receipts and expenses and present the financial records for inspection at the

annual meeting. The Treasurer shall be bonded to ensure the faithful discharge of his duties at the expense of either USMS or SPMA.

- 8) An officer can be removed from office or a vacancy filled by a majority of the SPMSC present at any monthly meeting, provided written or email notice of a vote on such action has been mailed to all members of the SPMSC at least ten (10) days prior to said meeting.

Section VI

Term of Office

The officers of the SPMSC shall serve for two (2) years and begin their tenure on January 1st following the annual meeting of the SPMSC.

Section VII

Nominations and Elections

- 1) The Chair will appoint a Nominating Committee of at least three (3) persons two months prior to the election meeting of the SPMSC.
- 2) The Nominating Committee will canvass persons and present at least one (1) nominee for each office at least one (1) month prior to the election meeting.
- 3) The list of nominees will be published on the SPMA website.
- 4) Additional nominees may be presented at the election meeting by any Member providing the nominee has given written consent.
- 5) Election of all officers shall take place at the annual meeting in odd numbered years.

Section VIII

Responsibilities of the SPMSC

- 1) To adhere to all USMS rules, regulations and policies. If any conflict arises, USMS rules, regulations and policies shall take precedence.
- 2) To plan, organize and direct the activities of Masters Swimming in SPMA.
- 3) To assure conformance of all Masters Swimming activities with these Bylaws and with current USMS policies and the official published rules of USMS, the latter shall prevail.
- 4) To plan, schedule, encourage and support a variety of swim meets, clinics and educational programs for the benefit of Master Swimmers.
- 5) To consider all requests for sponsorship of swimming events and to issue sanctions in accordance with the USMS bylaws and rules.

- 6) To establish an annual budget of income and expenses.
- 7) To review and approve all disbursements by the Treasurer.
- 8) To meet periodically. A meeting of the SPMSC may be conducted by telephone at the discretion of the Chair.
- 9) To hold an annual meeting at a time, date and place as determined by a majority vote of the SPMSC.
- 10) To establish and enforce SPMA policies. Once established, any change to a policy requires a 2/3 vote of the SPMSC.

Section IX

Grievance Procedure

- 1) Disputes arising within a single club shall be filed directly with such club and handled pursuant to that club's rules and procedures.
- 2) Disputes during competition shall be resolved at the event, if at all possible. Failing that, the complainant shall inform the Chairman of SPMA, in writing, of the nature and details of the dispute within 30 days of the incident.
- 3) If a dispute arises outside of competition, the complainant shall inform the Chairman of SPMA, in writing, of the nature and details of the dispute within 30 days of the incident.
- 4) The Executive Committee shall investigate any written complaints and make a recommendation as to the resolution for action by the Southern Pacific Masters Swimming Committee.

Section X

Amendment of Bylaws

- 1) These Bylaws may be amended or repealed and new Bylaws adopted by a vote of the majority at any meeting of the SPMSC providing that notice of the proposed change has been given members of the SPMSC at least one (1) month prior to said meeting. Notice shall be given by first class mail, or by e-mail, addressed to the last known address of each member.
- 2) Proposals for amendments, repeal or new Bylaws must be:
 - a) in writing;
 - b) consistent with the rules, regulations and purposes as established by the USMS and SPMSC.

Section XI

Dissolution

Upon dissolution, the net assets of SPMA will not inure to the benefit of any private individual or corporation, except that they will be distributed to United States Master Swimming, Inc., a non-profit corporation, to be used exclusively for educational or charitable purposes, or, if United States Master Swimming, Inc., is not then in existence, or is not then exempt under Section 501 (c)(3) of the Internal Revenue Code and to which contributions, bequests and gifts are deductible under Section 170 (c)(2), Section 2055(a)(2), and Section 2522 (a)(2) thereof, such assets shall be distributed to such an exempt corporation, to be used exclusively for educational or charitable purposes.