ARTICLE 4 – HOUSE OF DELEGATES

4.1 Members
The House of Delegates of Pacific Swimming shall consist of the Group Member Representatives, the Athlete Representatives, the Coach Representatives, the Board Members designated in Section 5.1, and the At-Large House Members.

4.1.1 Group Member Representatives
Each Group Member in good standing shall appoint from its membership a Group Member Representative and one (1) or more alternates. The appointment shall be in writing, addressed to the Secretary of Pacific Swimming and duly certified by the chief executive officer or secretary of the appointing Group Member. The appointing Group Member may withdraw its Group Member Representative or one (1) or more of its alternates and substitute a new Group Member Representative or new alternates by written notice, addressed to the Secretary of Pacific Swimming and signed by the chief executive officer or secretary of the appointing Group Member.

4.1.2 At-Large House Members
Up to ten (10) At-Large Members of the House of Delegates may be appointed by the General Chair with the advice and consent of the Board of Directors. Additionally, a sufficient number of athlete members-at-large shall be appointed by the General Chair with advice and consent of the Board of Directors or elected to constitute at least 20% of the voting membership of the House of Delegates. The At-Large House Members shall hold office from the date of appointment through the conclusion of the annual meeting of the House of Delegates following such appointment or until their successors are appointed to the House of Delegates.

4.1.3 Athlete Representatives
Athlete Representatives shall be appointed by the General Chair with the advice and consent of the Board of Directors, one (1) each year for a two-year term or until their respective successors are appointed. At the time of appointment, each Athlete Representative must (a) be an Athlete Member in good standing; (b) be at least sixteen (16) years of age or at least a sophomore in high school; (c) be currently competing, or have competed during the three (3) immediately preceding years, in the program of swimming conducted by Pacific Swimming; and (d) reside in the Territory and expect to reside therein throughout at least the first half of the term. The General Chair shall make the appointment within ninety (90) days of the meeting of the House of Delegates at which Administrative Review Board Members were elected. Prior to the appointment, the current Athlete Representatives shall be asked to nominate one (1) or more Athlete Members for consideration. Zone Athlete Representatives selected according to Section 7.8 will be able to represent their respective Zone. The number of Athlete Representatives shall be increased or decreased, as may be necessary to have them comprise at least 20% of the voting members of the Board of Directors.

4.1.4 Coach Representatives
Two (2) Coach Representatives shall be elected, one (1) each year for a two-year term, or until their respective successors are elected. The election of the Coach Representative shall be conducted during a meeting timely called by the Senior Coach Representative, or the Board of Directors, and determined by a majority of the Coach Members in good standing present and voting or, failing that, at a time and place and in a manner designated by the Board of Directors.

4.2 Eligibility
Only Individual Members in good standing shall be eligible to be elected or appointed members of, to be heard at or to vote at the House of Delegates in any capacity. Members of the House of Delegates must
maintain their status as Individual Members in good standing throughout their terms of office.

4.3 Voice and Voting Rights of Members
The voice and voting rights of members of the House of Delegates and of Individual Members shall be as follows:

4.3.1 Group Member Representatives, Board Members, the Athlete Representatives, the Coach Representatives and At-Large House Members
Each of the Group Member Representatives, the Board Members, the Athlete Representatives, the Coach Representatives and the At-Large House Members shall have both voice and one (1) vote each in meetings of the House of Delegates.

4.3.2 Pacific Swimming Zones
Each Zone shall have both voice and one (1) vote in meetings of the House of Delegates.

4.3.3 Individual Members
Individual Members who are not members of the House of Delegates may attend open meetings of the House of Delegates and its committees and be heard at the discretion of the presiding officer. Unless entitled to vote under another provision of these Bylaws, Individual Members shall have no vote in meetings of the House of Delegates.

4.4 Duties and Powers
The House of Delegates shall oversee the management of the affairs of Pacific Swimming and the establishment of policies, procedures and programs. In addition to the duties and powers prescribed in the USA Swimming Rules and Regulations or elsewhere in these Bylaws, the House Delegates shall:

1. Elect the officers, At-Large Board Members, members of the Administrative Review Board, and the Chair listed in Section 6.1 in accordance with Sections 6.2 through 6.6;

2. Elect alternates to the USA Swimming House of Delegates in accordance with Section 502.2 of the USA Swimming Rules and Regulations (see also Section 6.7.10.B);

3. Elect the members of the Nominating Committee;

4. Review, modify and adopt the annual budget of Pacific Swimming recommended by the Board of Directors;

5. Call regular and special meetings of the House of Delegates;

6. Ratify or prospectively modify or rescind policy and programs established by the Board of Directors, except any action or authorization by the Board of Directors with respect to contracts or upon which any person may have relied, shall not be modified or rescinded;

7. Establish joint administrative committees, or undertake joint activities with other sports organizations where deemed helpful or necessary by Pacific Swimming;

8. Establish by resolution or the Pacific Swimming Policies and Procedures Manual one or more committees of its members. The committees shall have the powers and duties specified in the resolution or the Pacific Swimming Policies and Procedures Manual, which may include delegation of one or more of the powers and duties of the House of Delegates other than the powers to amend these Bylaws or
remove Board Members and other elected officers;

9. Amend the Bylaws of Pacific Swimming in accordance with Section 12.3; and

4.5 Annual and Regular Meetings
The House of Delegates meeting will take place twice a year, once in the spring and once in the fall, with the date determined by the Board of Directors.

4.6 Special Meetings
Special meetings of the House of Delegates may be called by the Board of Directors or the General Chair. Should the Board of Directors or the General Chair fail to call the annual or scheduled regular meetings or should a special meeting be appropriate or helpful, a meeting of the House of Delegates may be called by a petition signed by at least five (5) members of the House of Delegates.

4.7 Meeting Location and Time
All meetings of the House of Delegates shall take place at a site within the Territory. The House of Delegates or the Board of Directors shall determine the location and time of all meetings of the House of Delegates.

4.8 Nominating Committee
4.8.1 Members of Nominating Committee; Election
The Nominating Committee shall comprise the Immediate Past General Chair and not fewer than six (6) Individual Members. The Nominating Committee shall be elected annually by the House of Delegates. If the House of Delegates does not act in a timely fashion, the Board of Directors shall elect a Nominating Committee to serve until their successors are elected. A number greater than six (6) may be designated from time to time by either the House of Delegates or the Board of Directors. One (1) member shall be elected from each Zone plus one (1) at-large member. Each Nominating Committee member shall be a member of the House of Delegates and no more than two-fifths shall be Executive Committee members. Consecutive term limits shall apply to members of the Nominating Committee, but service as the Immediate Past General Chair shall not be counted for that purpose. If any member of the Nominating Committee resigns or otherwise becomes unable to participate in its affairs, the General Chair, with the advice and consent of the Board of Directors, shall appoint a successor to serve until the next meeting of the House of Delegates. In no case shall the General Chair serve on the Nominating Committee.

4.8.2 Chair Elected by Nominating Committee
The Chair of the Nominating Committee shall be elected annually by a majority vote of the members of the Nominating Committee present, at a meeting called promptly after the members are elected or appointed.

4.8.3 Duties of Nominating Committee
A slate of candidates for election as the officers, Chair, the At-Large members of the Board of Directors, and the members of the Administrative Review Board to be elected at the next annual meeting shall be prepared by the Nominating Committee. The Nominating Committee may in its discretion nominate a slate of one (1) person for each position to be filled, or may nominate more than one (1) candidate for one (1) or more of the positions. The Nominating Committee shall also nominate a slate of candidates for the Nominating Committee to be elected at the last regularly scheduled meeting, before the next annual meeting of the House of Delegates.
4.8.4 Publication of Nominations
Nominations by the Nominating Committee shall be published by distributing a slate of candidates, together with the positions for which they have been nominated, to each member of the House of Delegates and to each Group Member not less than twenty (20) calendar days prior to the election. This notice may be combined with the notice of the meeting pursuant to Section 4.15.1 where convenient. See Section 18.1.5 for the methods which may be used for the distribution.

4.8.5 Additional Nominations
Additional nominations may be made from the floor of the House of Delegates by any member of the House of Delegates eligible to vote.

4.8.6 Meetings and Notices
Meetings of the Nominating Committee shall take place at a site within the Territory, when called by the Chair or any three (3) members of the Committee with a minimum of six (6) days-notice required. Pertinent provisions of Section 8.5 through 8.16 and Section 18.1.5 also shall apply to the Nominating Committee’s meetings and notices.

4.8.7 Quorum
A quorum for any meeting of the Nominating Committee shall consist of not fewer than four (4) members. The committee shall act by a majority vote of its members voting in any meeting at which a quorum is present.

4.9 Meetings Open; Executive Sessions
4.9.1 House of Delegates
House of Delegates meetings shall be open to all members of Pacific Swimming and USA Swimming. Issues pertaining to personnel, disciplinary action, legal, tax or similar affairs of Pacific Swimming shall be deliberated and decided in a closed executive session, which only House of Delegates Members may attend. By a majority vote on a motion of a question of privilege, the House of Delegates may decide to go into executive session on any matter deserving of confidential treatment, or of personal concern to any member of the House.

4.9.2 House of Delegates Committees
All meetings and deliberations of the Nominating Committee shall be conducted in executive (closed) session. Meetings of all other committees established by the House of Delegates shall be open to all members of Pacific Swimming and USA Swimming, unless otherwise provided by the House of Delegates resolution creating the committee, or by a vote of the committee as provided by the rules of the Parliamentary Authority.

4.10 Quorum
A quorum of the House of Delegates shall consist of those members present and voting.

4.11 Voting
Except as otherwise provided in these Bylaws or the Parliamentary Authority, all motions, orders and other propositions coming before the House of Delegates shall be determined by a majority vote. A motion or order calling for the removal of a member of the Board of Review pursuant to Section 4.4.10 shall be determined by a two-thirds vote after at least thirty (30) days-notice. See also Section 13.3 regarding amendment of these Bylaws.

4.12 Proxy Vote
Voting by proxy in any meeting of the House of Delegates shall not be permitted.
4.13 Mail Vote
Any action which may be taken at any regular or special meeting of the House of Delegates, except elections of Board Members, members of the Administrative Review Board, elected committee chairs and amendments of these Bylaws, may be taken without a meeting. If an action is taken without a meeting, the Secretary, by first class mail, postage prepaid, shall distribute a written ballot to every member of the House of Delegates entitled to vote on the matter. The ballot shall set forth the proposed action, provide an opportunity to specify approval or disapproval and provide a reasonable time (but in no event less than the period specified in Section 4.15.1) within which to return the ballot to the Secretary. Action by written ballot shall be valid only when the number of votes cast in favor of the proposed action within the time period specified constitutes a majority of the votes entitled to be cast.

4.14 Order of Business
At all meetings of the House of Delegates the following shall be included in the order of business to the extent applicable. The order in which the various subjects are taken up may be varied.

1. Roll Call
2. Reading, correction and adoption of minutes of previous meeting
3. Ratify actions of the Board of Directors taken since the previous meeting
4. Reports of officers
5. Reports of committees
6. Presentation and approval of the annual budget
7. Presentation and approval of the annual audit pursuant to Section 8.5, when applicable
8. Unfinished (old) business
9. Elections
10. New business
11. Resolutions and orders
12. Adjournment

4.15 Notices
4.15.1 Time
Not less than twenty (20) days written notice shall be given to each member of the House of Delegates and each Group Member for any annual, regular or special meeting of the House of Delegates. See Section 18.1.5 for the various permitted forms of notice.

4.15.2 Information
The notice of a meeting shall contain the time, date and site. For special meetings of the House of Delegates, the expected purpose (which may be general) of the meeting shall be stated. If an expected purpose is the amendment of the Bylaws, a copy of the proposed amendment shall be included in the notice. Failure to have included in the notice any germane amendments subsequently adopted by the House of Delegates at the noticed meeting, shall not be the basis for any claim that the amendments, as so adopted, are invalid.