



2022 Legislative Review

LEGISLATIVE COMMITTEE REPORT

Purpose: Reviews proposed legislation and discusses items submitted by those authorized to do so. May propose legislation or work with another committee to propose necessary legislation. Presents their review along with recommendation(s) to the board.

In keeping with the North County USBC Association Bylaws (Article X), “Any member of the association or USBC youth member who bowls in USBC Leagues in the association’s jurisdiction may submit proposed amendments...” that affect local Association Bylaws. See the local association bylaws (ncusbca.com) for additional details.

All local proposed amendment (PA) legislation must be submitted, in writing, to the North County USBC Association (President or Association Manager) at least 30 days prior to the annual membership meeting. All submissions will be forwarded to the Legislative Committee for review.

The committee reviews all PA submissions and submits those that are not deemed unworkable or unenforceable to the Association Board of Directors with a recommendation. Those PA(s) deemed unworkable or unenforceable will be returned to the proposer with the reason for rejection.

The Association Board votes on a final recommendation and presents the PA(s) to the membership at the annual membership meeting for a vote of acceptance or rejection.

When a PA is announced to the membership, there is no need for a second prior to discussion. If there is an amendment to a PA, that would require a second. It is recommended that any amendment to a published PA(s) be submitted in writing to the committee chair prior to the legislative session. When recognized by the chair, any member may speak for or against the issue on the floor. Each speaker is allowed two minutes, as well as a two-minute rebuttal.

A two-thirds vote of the board and membership is required to adopt proposed amendments to the bylaws. Voting will be conducted by ballot, a show of hands, or voice vote. Instructions will be provided prior to the legislative session. All approved legislation is effective on August 1st.

On behalf of the North County USBC Association, the Legislative Committee presents the following Proposed Amendments for consideration by the members at the 2022 USBC Annual Meeting.

North County USBC Legislative Committee

Steve Johnson, Chair

Tena Dunn

Skip Wiands

2021 INDEX OF PROPOSED AMENDMENTS

Bylaws

Bylaws Proposal No. B1Page 2

North County USBC Bylaws
Article V, Board of Directors – Management
Section A, Board Composition, Authority and Duties

Reduce Board of Directors positions from 21 to 17 by eliminating 4 director positions.

Proposer: North County USBC Board

Bylaws Proposal No. B2Page 5

North County USBC Bylaws
Article V, Board of Directors – Management
Section D, Term

If B1 is approved – Changes in the “stagger system” would be made to update the Director positions.

If B1 is not approved - The board will withdraw the proposal at that time.

Proposer: North County USBC Board

Bylaws Proposal No. B3Page 7

North County USBC Bylaws
Article VII, Meetings
Section B, Board Meeting, #2 Quorum

Reduce the quorum number from 11 to 9.

Proposer: North County USBC Board

Bylaws Proposal No. B4Page 9

North County USBC Bylaws
Article VII, Meetings
Section B, Board Meeting, #4 Action(s) Without a Board Meeting

Permit the board to vote via mail, e-mail, or teleconference.

Proposer: North County USBC Board

BYLAWS PROPOSAL NO. B1

Member		Vote	%
Action		Count	
<input type="checkbox"/>	Approve	_____	____
<input type="checkbox"/>	Reject	_____	____

PRESENT BYLAW...

**North County USBC Bylaws
Article V, Board of Directors – Management
Section A., Board Composition, Authority and Duties**

Section A., Board Composition, Authority and Duties

The management and governance of the association is vested in the board of directors, which includes the officer and director positions. At least 20% of the total number of Board members must be directors representing youth. The board, adult members and youth representatives determine:

1. The number of positions on the board.
2. Terms.
3. Term limits, if any:

Note:
Here is a quick reference chart to determine 20% youth representation on the total board size.

Board members	20% minimum	Board members	20% minimum	Board members	20% minimum	Board members	20% minimum
4	1	11	3	18	4	25	5
5	2	12	3	19	4	26	6
6	2	13	3	20	4	27	6
7	2	14	3	21	5	28	6
8	2	15	3	22	5	29	6
9	2	16	4	23	5	30	6
10	2	17	4	24	5	31	7

The number of:
Officers is: 5
Adult Directors is: 10
Directors Representing Youth is: 6

Total number of board members is: 21

The board shall not engage in any acts constituting a conflict of interest. The board's duties include but are not limited to:

1. Enforce the bylaws.
2. Comply with the *USBC Association Policy Manual*.
3. Conduct championship level competition for:
 - a. **Adult.** Its member's constituency (men and women) and complying with state and local laws in their area.
 - b. **Youth.** All USBC youth members.

4. Implement USBC programs as requested.
5. Select/appoint the association manager.
6. Approve use of membership records.
7. Re-rate the league average of an association member when there is evidence the bowler's average does not represent the bowler's true ability.
8. Conduct suspension and reinstatement hearings if requested by USBC Headquarters.

(See the Suspension and Reinstatement Chapter of the *USBC Association Policy Manual* for re-rate, suspension, reinstatement and appeal procedures.)

PROPOSAL...

NOTE: *USBC made the following changes (effective 8/1/21) to this section:*

1. Deleted the second sentence in the first paragraph ("At least 20% of the total number of Board members must be directors representing youth.")
2. Deleted the word(s) "Adult" and "Directors Representing Youth is:" in the second paragraph ("Adult Directors is:" and "Directors Representing Youth is:").

In addition, the board is proposing to reduce the number of Directors from 16 to 12.

IF ADOPTED, Article V, Section A will read:

Section A., Board Composition, Authority and Duties

The management and governance of the association is vested in the board of directors, which includes the officer and director positions. The board, adult members and youth representatives determine:

1. The number of positions on the board.
2. Terms.
3. Term limits, if any:

The number of:

Officers is:	5
Directors is:	<u>12</u>

Total number of board members is: 17

The board shall not engage in any acts constituting a conflict of interest. The board's duties include but are not limited to:

1. Enforce the bylaws.
2. Comply with the *USBC Association Policy Manual*.
3. Conduct championship level competition for:
 - a. **Adult.** Its member's constituency (men and women) and complying with state and local laws in their area.
 - b. **Youth.** All USBC youth members.
4. Implement USBC programs as requested.
5. Select/appoint the association manager.
6. Approve use of membership records.
7. Re-rate the league average of an association member when there is evidence the bowler's average does not represent the bowler's true ability.

8. Conduct suspension and reinstatement hearings if requested by USBC Headquarters.

(See the Suspension and Reinstatement Chapter of the *USBC Association Policy Manual* for re-rate, suspension, reinstatement and appeal procedures.)

REASON FOR PROPOSAL....

In addition to the mandated USBC changes, the Association has experienced a dramatic drop in membership over the past 10-20 years. There are a multitude of reasons for this, from the cost of bowling, to gas prices, to the loss of centers, to COVID-19, etcetera. As a result, a number of director positions have remained unfilled for some time and as it seems highly unlikely that most of these positions will be filled going forward. We believe it is prudent to reduce the size of the board by eliminating four (4) Director positions.

Presented by: North County USBC Board of Directors

Recommended for adoption by the North County USBC Board of Directors

BYLAWS PROPOSAL NO. B2

Member	Vote	%
Action	Count	
<input type="checkbox"/>	Approve _____	_____
<input type="checkbox"/>	Reject _____	_____

PRESENT BYLAW...

**North County USBC Bylaws
Article V, Board of Directors – Management
Section D., Term**

Section D., Term

The term for Directors is 2 years. The number of years in a term, the number of terms allowed and a stagger system are determined by the board, adult members and youth representatives. Insert stagger system here:

Odd Years	Even Years
President (3 terms maximum)	First Vice President
Second Vice President	Third Vice President
Sergeant-at-Arms	
Adult Directors #1, 3, 5, 7, 9	Adult Directors #2, 4, 6, 8, 10
Youth Directors #1, 3, 5	Youth Directors #2, 4, 6

PROPOSAL...

Note: USBC has made changes to local Bylaws, Article V, Section A, which states that the designations of “Adult” and “Directors Representing Youth” will be no longer be used to refer to director positions. Effective 8/1/21 all director positions will be known only as “Director”. However, we (at the Association level) have the authority to specify that some positions will be designated/filled for/by Youth.

IF ADOPTED, Article V, Section D will read:

Section D., Term

The term for Directors is 2 years. The number of years in a term, the number of terms allowed, and a stagger system are determined by the board, adult members and youth representatives. Insert stagger system here:

Odd Years	Even Years
President (3 terms maximum)	First Vice President
Second Vice President	Third Vice President
Sergeant-at-Arms	
Directors #1, 3, 5, 7, 9, 11	Directors #2, 4, 6, 8, 10, 12

REASON FOR PROPOSAL....

If B1 is approved – To ensure that the “stagger system” properly reflects the correct number of Directors as established in Article V, Section A.

If B1 is not approved - The board will amend this proposal to only implement the USBC directed changes.

Presented by: North County USBC Board of Directors

Recommended for adoption by the North County USBC Board of Directors

BYLAWS PROPOSAL NO. B3

PRESENT BYLAW...

North County USBC Bylaws Article VII, Meetings Section B., Board Meeting

Section B. Board Meeting

The Board shall meet, at a minimum, as often as required by state law. Special meetings may be held upon the request of any board member if a majority of the board approves.

1. **Notice.** Written notice for all regular and special meetings shall be forwarded to the Board, which should be at least 15 days prior to the meeting.
2. **Quorum. 11 board members constitute a quorum.** The board, adult members and youth representatives determine the number. (Must be a number and not a percentage.)
3. **Action.** A majority vote of those officers and directors present and voting, at a properly noticed meeting, when a quorum has been established, is required to take action, unless otherwise provided by law or these bylaws. Absentee and proxy voting are not permitted.
4. **Action(s) Without a Meeting.** Actions that are deemed necessary to conduct business/operations of the association may be taken outside of a board meeting by use of mail, e-mail or teleconferencing. This type of action must be permissible by state law and approved by the board, adult members and youth representatives.
 - a. The procedures found in the *USBC Association Policy Manual*, Chapter Eight, Section D, Item 4 must be followed.
 - b. **The association Does Not allow the board to vote via mail, email, or teleconference.** (This action also applies to committees.)

PROPOSAL...

The quorum number required to vote on issues at a board meeting is typically a majority number (one more than half) of the board size. However, as stated in #2 above, that is not a requirement and the board. "adult members and youth representatives determine the number."

IF ADOPTED, Article VII, Section B, Item 2 will read:

Section B. Board Meeting

The Board shall meet, at a minimum, as often as required by state law. Special meetings may be held upon the request of any board member if a majority of the board approves.

1. **Notice.** Written notice for all regular and special meetings shall be forwarded to the Board, which should be at least 15 days prior to the meeting.

Member		Vote	%
Action		Count	
<input type="checkbox"/>	Approve	_____	_____
<input type="checkbox"/>	Reject	_____	_____

2. **Quorum. 9 board members constitute a quorum.** The board, adult members and youth representatives determine the number. (Must be a number and not a percentage.)
3. **Action.** A majority vote of those officers and directors present and voting, at a properly noticed meeting, when a quorum has been established, is required to take action, unless otherwise provided by law or these bylaws. Absentee and proxy voting are not permitted.
4. **Action(s) Without a Meeting.** Actions that are deemed necessary to conduct business/operations of the association may be taken outside of a board meeting by use of mail, e-mail or teleconferencing. This type of action must be permissible by state law and approved by the board, adult members and youth representatives.
 - a. The procedures found in the *USBC Association Policy Manual*, Chapter Eight, Section D, Item 4 must be followed.
 - b. **The association Does Not allow the board to vote via mail, email, or teleconference.** (This action also applies to committees.)

REASON FOR PROPOSAL....

The quorum number for a board meeting typically reflects a majority of the number of board of directors positions. A quorum number of nine (9) allows for a reduction in the size of the board, while still allowing for growth on the board and a majority vote of the board on those items that require a vote.

Presented by: North County USBC Board of Directors

Recommended for adoption by the North County USBC Board of Directors

BYLAWS PROPOSAL NO. B4

Member		Vote	%
Action		Count	
<input type="checkbox"/>	Approve	_____	_____
<input type="checkbox"/>	Reject	_____	_____

PRESENT BYLAW...

**North County USBC Bylaws
Article VII, Meetings
Section B., Board Meeting**

Section B. Board Meeting

The Board shall meet, at a minimum, as often as required by state law. Special meetings may be held upon the request of any board member if a majority of the board approves.

1. **Notice.** Written notice for all regular and special meetings shall be forwarded to the Board, which should be at least 15 days prior to the meeting.
2. **Quorum. 11 board members constitute a quorum.** The board, adult members and youth representatives determine the number. (Must be a number and not a percentage.)
3. **Action.** A majority vote of those officers and directors present and voting, at a properly noticed meeting, when a quorum has been established, is required to take action, unless otherwise provided by law or these bylaws. Absentee and proxy voting are not permitted.
4. **Action(s) Without a Meeting.** Actions that are deemed necessary to conduct business/operations of the association may be taken outside of a board meeting by use of mail, e-mail or teleconferencing. This type of action must be permissible by state law and approved by the board, adult members and youth representatives.
 - c. The procedures found in the *USBC Association Policy Manual*, Chapter Eight, Section D, Item 4 must be followed.
 - d. **The association Does Not allow the board to vote via mail, email, or teleconference.** (This action also applies to committees.)

PROPOSAL...

Change 4/b to allow the board to vote on motions and continue to conduct association business/operations via mail, email, or teleconferencing in the event a physical assembly of board members is not possible (Such as required by mandates established due to a pandemic or other emergency).

IF ADOPTED, Article VII, Section B, Item 4/b will read:

Section B. Board Meeting

The Board shall meet, at a minimum, as often as required by state law. Special meetings may be held upon the request of any board member if a majority of the board approves.

1. **Notice.** Written notice for all regular and special meetings shall be forwarded to the Board, which should be at least 15 days prior to the meeting.

2. **Quorum. 11 board members constitute a quorum.** The board, adult members and youth representatives determine the number. (Must be a number and not a percentage.)
3. **Action.** A majority vote of those officers and directors present and voting, at a properly noticed meeting, when a quorum has been established, is required to take action, unless otherwise provided by law or these bylaws. Absentee and proxy voting are not permitted.
4. **Action(s) Without a Meeting.** Actions that are deemed necessary to conduct business/operations of the association may be taken outside of a board meeting by use of mail, e-mail or teleconferencing. This type of action must be permissible by state law and approved by the board, adult members and youth representatives.
 - c. The procedures found in the *USBC Association Policy Manual*, Chapter Eight, Section D, Item 4 must be followed.
 - d. **The association Does allow the board to vote via mail, email, or teleconference.** (This action also applies to committees.)

REASON FOR PROPOSAL....

As recently witnessed (COVID-19 quarantines and restrictions), in the event of a pandemic or other conditions that result in the inability of the board to gather for a physical meeting the board requires a means to continue to fully conduct (vote on motions, etc.) the business of the Association via other means such as mail, email, or teleconference.

Presented by: North County USBC Board of Directors

Recommended for adoption by the North County USBC Board of Directors