



2013 Council on Legislation How to Propose Legislation

Every three years Rotary International's Council on Legislation meets to debate and vote on legislation submitted by clubs, districts, and the RI Board. The Council has the authority to amend RI's constitutional documents, as well as adopt resolutions. Every district sends a representative to the Council, and every club and district may propose legislation. If your club or district is considering proposing legislation for the Council, please follow the guidelines below.

What's New for the 2013 Council?

All proposed legislation must be submitted with a proposer's statement of purpose and effect in order to be considered duly proposed. Additional information about this requirement is discussed on page 3.

Who May Submit Legislation?

Clubs, districts, the RI Board, and the general council or conference of RIBI may submit legislation. However, legislation proposed by a club must first be endorsed by the clubs of the district in order to be presented to the Council.

Is There a Deadline?

Yes. Legislation from clubs and districts for the 2013 Council must be *received* at RI Headquarters on or before **31 December 2011**. There are no exceptions to this deadline. Legislation that arrives after the deadline, even if it is postmarked prior to the deadline, will not be considered.

This deadline includes:

- 1) The form certifying that legislation was proposed or endorsed by the district (one certification form for each item of proposed legislation)
- 2) The proposer's statement of purpose and effect
- 3) The text of the proposal

See below for information about each of these items.

In addition, forward all legislation proposed by or endorsed at a district conference to RI Headquarters within 45 days of the conclusion of the conference or of the date fixed by the governor for receipt of the ballots for a ballot-by-mail.

Where Is Proposed Legislation Sent?

Legislation, along with its certification form and statement of purpose and effect, may be mailed, faxed, or e-mailed to:

Council Services
Rotary International
One Rotary Center
1560 Sherman Avenue
Evanston, Illinois 60201
U.S.A.

Fax: (847) 556-2123
E-mail: councilservices@rotary.org

PROPOSING, ENDORSING, AND SUBMITTING PROPOSED LEGISLATION

All proposed legislation must

- Be proposed and endorsed properly
- Contain a purpose and effect statement
- Be submitted to RI by the 31 December 2011 deadline, along with certification of district support and purpose and effect statement

Legislation may be proposed by a club, a district conference, the RI Board, the Council, or the RIBI General Council or the RIBI Conference.

How Does My Club Submit Legislation?

For a club to propose legislation:

1. The club's board of directors must first submit proposed legislation to the club members for adoption at a regular club meeting.
2. If adopted, the proposal must then be forwarded to the district with a letter signed by the club president and secretary certifying that it has been adopted by the club.
3. The proposal must be endorsed by the club's district at a district conference (or through a ballot-by-mail) or it will not be considered by the Council.
4. If the proposal receives the district's endorsement, the governor completes the certification form that verifies this endorsement and sends **all three** of the following: the text of the proposal, and the certification form, and the proposer's statement of purpose and effect to RI Headquarters in time to meet the **31 December 2011 deadline**.

How Does My District Submit Legislation?

A district conference (district council in RIBI) may also propose legislation. When this occurs, the governor should submit the proposal, along with the form certifying that the conference proposed it and the proposer's statement of purpose and effect, to RI Headquarters in time to meet the **31 December 2011 deadline**. The legislation may either be submitted with your district conference report, or sent separately to the Council Services Section. If submitting legislation with a district conference report, please be sure to check the box indicating legislation is attached **and** include a certification form signed by the governor, the text of the legislation, and statement of purpose and effect.

Can the District Conduct a Ballot-by-Mail?

If there is not enough time for a district conference to vote on whether or not to propose or endorse legislation, the governor may conduct a ballot-by-mail. Such ballot should follow as closely as possible the balloting procedures set forth in RI Bylaw section 13.040. (electing a governor-nominee through ballot-by-mail).

Where Do I Find the Certification Form?

The certification form can be obtained online at the Council on Legislation page of Rotary.org or through your Club and District Support representative.

Is There a Limit on the Amount of Legislation that May Be Submitted?

The RI Bylaws encourage districts to submit no more than five items of proposed legislation in total (although most clubs and districts choose not to submit any legislation). If there is less legislation, the Council will have more time for in-depth examination of proposed legislation.

Do I Have to Submit a Proposer's Purpose and Effect Statement?

Yes. When submitting legislation to RI, the proposer *must* provide a statement of purpose and effect not to exceed 300 words in order for the proposal to be considered duly proposed. If a statement is not provided, it will not be considered duly proposed and will **not** be transmitted to the Council for consideration. This statement should identify the issue or problem that the proposed legislation seeks to address and explain how the proposal addresses or resolves the problem or issue.

TYPES OF PROPOSED LEGISLATION

What Are the Types of Legislation?

There are two types of legislation: proposed enactments and proposed resolutions. **Proposed enactments** seek to change RI's constitutional documents (the RI Constitution, RI Bylaws, and the Standard Rotary Club Constitution), while **proposed resolutions** seek actions by the Council that do not amend the constitutional documents. For recent examples of enactments and resolutions, see the 2010 Council on Legislation Report of Action (available on www.rotary.org).

See the enclosed document about drafting legislation for details on how to create a proposed enactment or a proposed resolution.

What Is a Memorial to the Board?

Instead of proposing a resolution to the Council, a club may wish to consider submitting a memorial to the RI Board (RCP 28.005.), which is a petition to the Board for action on a specific matter.

The process allows clubs to bring issues of concern to the Board for consideration and possible action at its regular meeting. The RI Board hears memorials at every meeting, and you may receive a more rapid response through this action than by submitting a resolution to the Council, which only meets every three years.

Memorials to the Board may be submitted by clubs only and should result from regular business at a club meeting. The intent of the memorial should be clearly explained in a letter either to the RI president, Board of Directors, or the RI general secretary. The memorial, written on the club's or club president's official letterhead, can be formatted as a proposed resolution or simply as a letter. It must be signed by the club president.

In many cases where amending the constitutional documents is not necessary, the proposer's purpose can be more efficiently and quickly accomplished by a memorial. Memorials are often formatted like resolutions.

District conferences may also submit items to the RI Board for consideration.

AFTER SUBMISSION TO RI

What Happens to Legislation Once It Is Received at RI Headquarters?

Staff first reviews the legislation to ensure that it has been endorsed by the district, certified by the governor, contains a purpose and effect statements, and has arrived by the 31 December 2011 deadline. Legislation that arrives after the deadline, even if it is postmarked prior to 31 December, will not be considered.

Staff prepares legislation for review by the Constitution & Bylaws Committee. The Committee reviews each item of legislation to determine whether it is correctly drafted or whether it is defective (see below). The Committee, working with staff, also develops an RI Purpose and Effect Statement and Financial Impact Statement for each item.

Where proposals are similar, the Committee often recommends a compromise proposal to proposers. The work of the Council is greatly facilitated when proposers agree to compromise proposals, as it allows the Council to examine a single proposal in depth, as opposed to rapidly moving through multiple proposals on the same topic.

What Is Defective Legislation?

Proposed legislation will be deemed defective if

1. it is subject to two or more inconsistent meanings;
2. it fails to amend all affected parts of the constitutional documents;
3. its adoption would violate governing law;
4. it is in the form of a resolution but:
 - a. it would require an action, or express an opinion that is in conflict with the letter or spirit of the constitutional documents; or
 - b. it would require or request an administrative act that is within the discretion of the Board or the general secretary;
5. it would amend the Standard Rotary Club Constitution in a way that would conflict with the RI Bylaws or the RI Constitution or it would amend the RI Bylaws in a way that would conflict with the RI Constitution; or
6. it would be impossible to administer or enforce.

If legislation is deemed defective, it is the proposer's or the Council representative's responsibility to submit amended legislation before the amendment deadline.

ADDITIONAL INFORMATION

- Article 10 of the RI Constitution
- Articles 7 and 8 of the RI Bylaws
- Article 59 of the RI Code of Policies
- Chapter 13 of the 2010 *Manual of Procedure*
- Rotary.org (under the "Members" tab, in the "Policies and procedures" section)
- Phone: 1-847-866-3466
- E-mail: councilservices@rotary.org