



## Council on Legislation 2019 Select Enactments of import to Clubs/Districts

An overall sense of COL19 was that the representatives did a good job serving Rotary clubs. These adopted enactments now allow clubs more flexibility, diversity, and administrative relief; as well as less classification restrictions and voting requirements. Other enactments require RI Board changes or discussions to be reported in a timely manner to districts and clubs; and to provide district flexibility after boundary changes. Modifications were made to maintain fair dues increases, clean up bylaws and club constitution language to streamline reading and understanding. Additionally, 19-117 cut costs due to tax status change of Rotary International from 501 (c)(4) to 501 (c)(3).

**Enactment 19-72 initially was defeated, but then on Thursday morning, upon a motion for reconsideration**, the proposed enactment to admit Rotaract clubs to RI was adopted! Passage of this enactment will help shape the future of Rotary. This will develop and increase the support Rotaract clubs will receive from RI and create better mutual partners between active Rotary and Rotaract clubs in our zones and districts.

COL19 was perhaps summed up best by RI President Barry Rassin's quote: "This COL was Organization focused and Youth focused. Concerning the future, I am talking about the potential for Rotaract to change the face of Rotary. By showing them our complete support and Rotary Clubs being more welcoming they will be more liable to join a Rotary Club providing our growth in membership. We will be more nimble with early discussions before COL meetings and we will save significant funds by moving to a 501 c 3."

### **Select Enactments**

#### **19-18 from India, adopted 305 to 204**

##### **Clubs should have well balanced and diverse membership.**

Amended the BYLAWS of Rotary International as follows (page 21 MOP) - Notwithstanding the provisions of section 2.030., no club, regardless of the date of its admission to membership in RI, may by provisions in its constitution or otherwise, limit membership in the club on the basis of gender, race, color, creed, national origin, or sexual orientation or impose any condition of membership not specifically prescribed by the RI constitution or bylaws. Any provision in any club constitution or any condition otherwise imposed in conflict with this section of the bylaws is null, void, and without effect. **Each club shall endeavor to build a well-balanced membership that celebrates diversity.**

#### **19-22 from France, adopted 279 to 225**

**The term of president should not be extended for more than one year** - Term of President. The president shall be elected as provided in the bylaws, not more than two (2) years but not less than eighteen (18) months prior to the day of taking office and shall serve as president-nominee upon election. The nominee shall take the title of president-elect on 1 July in the year prior to taking office as president. The president shall take office on 1 July and shall serve a period of one (1) year. **In cases where a successor has not been duly elected, the term of the current president shall be extended for one year only.**

**19-24 from Nigeria, adopted 408 to 102**

**To require the presentation of a budget and an annual report at the club's annual meeting** - An annual meeting for the election of officers, presentation of an annual budget, including income and expenditures, and presentation of an annual report shall be held not later than 31 December as provided in the bylaws.

**19-26 from Australia, adopted 398 to 96**

**To lengthen the notice period for changing a club's name or locality. Increased from 10 days to 21 days.**

The constitution shall be amended at any regular meeting of this club, a quorum being present, by the affirmative vote of not less than two-thirds of all voting members present and voting, provided that notice of such proposed amendment shall have been mailed to each member and to the governor at least **twenty-one (21)** days before such meeting, and provided further, that such amendment shall be submitted to the board of directors of RI for its approval and shall become effective only when so approved. The governor may offer an opinion to the board of directors of RI regarding the proposed amendment.

**19-28 from RI Board, adopted 404 to 104**

**A club may be organized in a locality with other clubs. The locality of an online club can be worldwide or as the club board determines.**

A club may be organized in a locality with one or more other clubs. The locality of a club that conducts its activities primarily online shall be worldwide or as otherwise determined by the club board determines.

**19-29 from New Zealand, adopted 423 to 78**

**To amend the satellite club reporting procedure a financial statement and audited OR reviewed accounts.**

A satellite club shall, annually, submit to the president and board of this club a report on its membership, its activities and programs, accompanied by a financial statement and audited or reviewed accounts, for inclusion in this club's reports for its annual general meeting and such other reports as may, from time to time, be required by this club.

**19-30 from Japan, adopted 336 to 174**

Clarifies and affirms the flexibility in meetings and attendance to allow exceptions in club bylaws. Administrative wording to align with 2016 COL enactments on flexibility.

**19-35 from USA, adopted 286 to 217**

Amends attendance makeup requirements to emphasize project and club engagement as a preferred avenue for make-ups. Also, this is now allowed to be done within an entire year instead of plus or minus 2 weeks.

**19-37 from RI Board, adopted 380 to 105**

Deleted wording prohibiting Public Officials using their classification in being a member of a club while in office. They can continue as Rotarians in their existing classifications during the time they hold office.

**19-39 from RI Board, adopted 403 to 108**

Removes limits on number of members with the same classification. Enhances the concept of membership diversity to grow clubs.

**19-40 from USA, adopted 492 to 17**

To amend the process for filling a vacancy in the office of president-elect by the Board of Directors. The Board shall select the alternate selected at the time the president-elect was elected to serve.

**19-41 from RI Board, adopted 458 to 50**

To amend the rules for selecting the president by clarifying the committee shall not nominate candidates from the same country of residence two years consecutively.

**19-43 from RI Board, adopted 467 to 37**

**Article 13 Nomination and Elections for Directors**

This enactment increases the period of time to 30 days when the nominating committee for director may meet. Meetings now must occur between September 15 and October 15, unless otherwise authorized by the board. The general secretary shall inform all Clubs in the zone or section of the results by October 30. Increases window of time which will add more flexibility for those selected to serve

**19-45 from Boothbay Harbor USA, adopted 338 to 150**

**Article 13 Nominations and Elections for Directors**

This enactment amends RI By-laws which will allow Districts to select their member and alternate to the nominating committee for director by the nominating committee procedure. Procedure now parallels the selection of COL representative and alternate. Members of the Nominating Committee are more familiar than the electors at a District Conference not only with the candidates, but also with the position to be filled, utilizes knowledge in District.

**19-49 from India, adopted 419 to 93**

**Article 14 Nomination and Elections for Governor-Nominee**

Enactment changes the date for determining the number of electors for the election of the Governor to the number of members of the Club on July 1. This will help stabilize the number of votes available from clubs that grow just before an election then disappear before an election.

**19-52 from India, adopted 442 to 69**

**Article 14 Nominations and Elections for Governors**

This enactment defines the length of the challenge period to governor nominee to **15 days**. This allows for specific guidelines for a governor for a defined period of time. The enactment will reduce nebulous guidelines and allow for selection of governor-nominee to be done within a reasonable time period.

**19-53 from India, adopted 399 to 119**

Enactment outlines that if there is no vice governor the board is authorized to appoint a past governor, priority from the same district, to fill a vacancy in the office of governor or the unexpired term or for inability to perform. Any replacement of governor will be with a person that has been duly trained at International Assembly so as to assure that the affairs of the District are conducted within RI policy

#### **19-54 from Nigeria, adopted 271 to 234**

##### **To amend the provisions for club voting at the district level**

Article 13. For clubs to participate in district voting, such as the election of DGN, Electors or COL Representative (and alternate), the Club shall not be indebted to the District (i.e., dues and all invoices paid current). The financial status of the Club shall be determined by the District Governor.

#### **19-55 from General Counsel RIBI, adopted 417 to 81**

##### **To amend the process for nominations and elections by club in RIBI**

Article 12. The nomination and election of the RI Director in RIBI is currently by zone, with 11 RIBI Districts in Zone 18A and 14 RIBI Districts in Zone 17. The recent rezoning places just 7 RIBI Districts in the new Zone19 and 18 Districts in the other new Zone 20A. This Enactment provides that now all clubs within the two new Zones shall have an equal voice at to the election to nominate a qualified Rotarian as Director.

#### **19-57 RI Board, adopted 424 to 92**

##### **To extend the deadline to submit the annual District Financial Statement to Clubs in the District**

Article 16. The time period to provide an annual District Financial Statement to Clubs in the District was extended from three months after the DG's completion of term in office to one year after DG's completion of term in office. The Financial Statement must also be reviewed by a qualified accountant or by a District Audit Committee of at least three members, one of which is a PDG or someone with financial literacy.

#### **19-58 from Japan, adopted 42 to 65**

##### **To amend the process for convening a District Legislation Meeting**

Article 16. Should the simple majority of the Clubs within a District submit a request to the Governor to convene a District Legislative Meeting, together with items to be

discussed, the Governor shall convene a District Legislation Meeting within eight weeks of such request.

### **19-61 from Japan, adopted 403 to 106**

#### **Amend the duties of the Board**

Article 5. Each Director shall now regularly report on the decisions of the board and his/her activities as Director to the members in his/her Zone and the alternate/paired Zone.

### **19-62 from USA, adopted 306 to 214**

**Rotary's General Secretary will now externally be known as CEO following action by the Council.** The General Secretary's duties and compensation will not change, and that title will still be used internally. But backers of the move said CEO better matches the actual duties of the office and the terminology used by other global organizations and will give the General Secretary more credibility with the outside (non-Rotary) world.

### **19-63 from USA, adopted 419 to 93**

It is no longer necessary to wait a minimum of two years for a District and clubs undergoing mergers or boundary changes to be effective.

### **19-66 from RI Board, adopted 444 to 62**

The Council removed the requirement that the official Rotary magazine in English be called ***The Rotarian***. The Board argued that most of the worldwide publications have the word Rotary in the title and the organization needs to be nimble and flexible in meeting its communication and marketing needs.

### **19-70 from France, adopted 302 to 205**

The measure empowers the Board, if asked by a district governor, to terminate a club that has fallen below six members. Supporters stressed their intent was to give governors leverage to prompt the club to address their situation and would still only occur if a governor asked and the board approved. There are roughly 300 clubs with fewer than six members.

**19-72 from RI Board, adopted 381 to 134**

Rotaract clubs will now be elevated as a part of Rotary International, as opposed to a program of RI. Rotaract clubs will continue to have their own standard constitution but will receive greater support from RI. RI President Barry Rassin, who presented the measure said, "This sends a strong message that they are truly our partners in service." Rotary clubs will still sponsor Rotaract clubs and will still support them. Rotaractors will also not be considered Rotarians and will retain their own unique club experience. Individuals are technically not members of RI. Clubs are members of RI. This distinction helps explain why Rotaract clubs will now become members of RI, while the club's members remain Rotaractors and not Rotarians.

**19-74 from RI Board, adopted 451 to 56**

**To amend the BY-LAWS of Rotary International as follows (pages 73-74 MOP); amend the term of service for the Convention Committee members**

Article 17 Committees: 17.050. Term of Service: No person shall be eligible to serve on the same committee of RI for more than three years except as may be otherwise provided in the bylaws.. .In addition to the chair of a convention committee, one other member of the convention committee may be a person who has served on one prior convention committee.

This proposed enactment would provide for additional experience on the Convention Committee.

**19-75 from RI Board, adopted 452 to 40**

**To amend the BY-LAWS of Rotary International as follows (page 73 MOP); amend the term of service for the Rotaract and Interact Committee members**

Article 17 Committees: 17.010. The board shall establish standing committees on communications, constitution and bylaws, conventions, districting, election review, finance, and Rotaract and Interact, as well as such other committees as it from time to time may determine is in the best interests of RI. INTERIM Provision Relating to Section 17.010: Amendments to section 17.010 adopted at the 2019 Council on Legislation pursuant to Council Enactment 19-75 shall be implemented by the board in a manner it deems appropriate.

The proposed enactment would provide for equal numbers of Rotarian and Rotaractor members on the Rotaract and Interact Committee and provide that a Rotarian and Rotaractor would serve as committee co-chairs.

**19-79 from RI Board, adopted 485 to 23**

**To amend the Bylaws of Rotary International as follows (Article 5 page 23 MOP); update and modernize the convention procedures**

Article 5 Board of Directors: (Subsequent subsections will be renumbered as appropriate) and in Article 10 (pages 42-44 MOP) Most of the current Article 10 of the RI Bylaws, "Convention," repeats the same concepts as Article 9 of the RI Constitution. The RI Board – supervising the committee, the general secretary and the RI staff has been organizing and making all arrangements for the annual conventions. This proposed enactment amends the RI Bylaws to match the reality of modern conventions.

**19-80 from USA, adopted 414 to 98**

**To amend the Bylaws of Rotary International as follows (Article 6 page 25 MOP), Article 10 (page 43-44 MOP), Article 11 (page 45 MOP), Article 12 (page 52 MOP), and Article 14 (page 60 MOP); revise the process for the election of officers**

This proposal seeks to eliminate the time-consuming process of electing certain officers at each convention, when the selection of such officers has already been declared to be final under the RI Bylaws.

**19-82 from RI Board, adopted 333 to 174**

**To amend the Bylaws of Rotary International as follows (page 76 MOP); increase per capita dues**

This enactment would amend the RI Bylaws to provide for a dues increase of US \$1.00 for 20 and 21 and for following two years 22 and 23.

**19-93 from RI Board, adopted 502 to 14**

This enactment changes both the Constitution and the Bylaws for a name change of the Surplus Fund to the Reserve Fund. It was felt that the term RI Reserve more appropriately characterized the meaning and usage of the excess funds held above the needs of the budget. It was felt that "surplus" indicated excess of funds while a "reserve" indicates those funds that are required to reduce risk.

**19-94 from California and Nevada, adopted 434 to 68**

This enactment revises how the "Reserve Fund", as renamed in the previous enactment is calculated. Previously it was set at 85% of the highest level of annual expenses over



the previous three years. Under the passage of this enactment, the Board of Directors will establish the annual reserve fund based upon current industry standards and relevant risks to RI's operations and activities at the time of adoption of the budget.

**19-96 from RI Board, adopted 325 to 182**

The Board of Directors are now allowed to propose an urgent enactment to be voted on at a yearly Council on Resolutions so that it can be considered in a timelier manner than every three years at the Council on Legislation.

**19-97 from RI Board, adopted 434 to 77**

The Board of Directors may call an extraordinary meeting of the Council on Legislation with a ninety percent (90%) vote of the entire board. All requirements in the Bylaws regarding timing of notice periods will be waived and the meeting may be either in person or electronic.

**19-100 from Japan, adopted 341 to 137**

This enactment corrects the wording of how voting will be done by clubs in a district of proposed resolutions. This article of the bylaws inadvertently left out the ability of a district to use a ballot by mail if other means were not available. Later in the article, it states that one of the options in the certification to the General Secretary of the means of voting is by ballot by mail.

**19-101 from RI Board, adopted 451 to 55**

**This enactment reduces the possible number of proposed resolutions by screening the resolutions and eliminating those that are already in place by the RI BOD and TRF Trustees**

Bylaws amendment (page 33 MOP)

**8.060.2 Defective Resolution**

A proposed resolution is defective if:

The resolution requests (versus requires) an action that is either already under the purview of the RI BOD or TRF Trustees or one that is already being implemented by the BOD or Trustees

**19-102 from RI Board, adopted 450 to 65**

**Using the COR electronic voting system, potential enactments could also be voted on and those receiving less than 20% support can be removed from the agenda.**

Item:

Bylaws amendment (page 31 MOP)

**7.050.5 Examination of Proposed Legislation**

Based on using the COR (electronic voting) as a means to poll support of a proposed enactment, this enactment sets a 20% minimum support in order for an enactment to be considered at the in-person meeting of the COL.

**19-103 from RI Board, adopted 439 to 69**

**Also using the COR electronic voting system, a proposed enactment that receives 80% or greater support could be placed on the consent agenda for the in-person meeting.**

Item:

Bylaws amendment (page 31 MOP)

**7.050.5 Examination of Proposed Legislation**

Based on using the COR (electronic voting) as a means to poll support of a proposed enactment, this enactment sets an 80% maximum support that entitles enactments to be on the consent agenda for the in-person meeting of the COL.

**19-110 from RI Board, adopted 403 to 97**

**This enactment will allow the General Secretary to establish a credentials checking system that will eliminate the duplication of multiple credential checking steps currently in place.**

Item:

Bylaws amendment (page 38 MOP)

**9.100 Credentials**

This enactment eliminates duplication of credentialing the COL delegates by the committee and moves the responsibility to the General Secretary who can then create a more streamlined process for all.

**19-112 from England, adopted 258 to 252**

**This enactment will reduce cost by requiring only one Board member to attend the in-person COL, rather than the entire Board**

Item:

Bylaws Amendment (page 34 MOP)

**9.010 Members of the Council on Legislation and Council on Resolutions**

9.010.4-5 The cost of the attending non-voting members was reduced by setting the following non-voting members as attendees: President, President Elect, one member of the Board (versus the entire Board) and the General Secretary.

### **19-113 from Japan, adopted 343 to 153**

**Obligates the convener of a Rotary Institute (intent is on zone institutes) to report on the legislation, resolutions, and actions of both the Council on Legislation and the Council on Resolutions.** It's a good reason to go to your zone institute and hear the report.

### **19-114 from Japan, adopted 323 to 180**

**Currently clubs may submit opposition to Council on Legislation's actions. This enactment obligates the General Secretary to publish the tabulations of opposition statements on the Rotary website.** Rotarians will be able to see how many clubs formally opposed an enactment.

### **19-115 from the RI Board, adopted 494 to 13**

**This enactment simplifies and consolidates the language of the Bylaws of Rotary International. No substantive changes were made.** Content is the same with a reduction of 10,000 words. You can now read the entire document almost an hour faster.

### **19-116 from the RI Board, adopted 502 to 9**

**This enactment simplifies and consolidates the language of the Standard Rotary Club Constitution.** Again, content is unchanged with a reduction of 1/6 of the original document, Club/Rotarian Impact: Easier evening reading.

### **19-117 from the RI Board, adopted 374 to 120**

**Vigorous and extended debate marked this enactment.** It approved the process of pursuing **changing Rotary International from a 501-c4 (non-profit organization) to a 501-c3** (charitable organization) capable of accepting tax deductible donations. Proponents presented savings to RI by being able to receive tax deductible in-kind donations e.g. computer equipment and increased sponsorships at International Conventions and other events. Opponents voiced concerns about competition with The Rotary Foundation, already a 501(c)(3) and possible impact on club activities. Proponents were persuasive enough to pass the enactment assuring that The Rotary Foundation Trustees were almost unanimously in favor and saw no conflict and that if implemented, it would not affect any club activities. Implementation is contingent on a favorable IRS response.

Rotary International dues **may** be tax deductible and it may mitigate the need for future dues increases.

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