

The World Science Fiction Society

Minutes of the Business Meeting 1985

Preliminary Business Meeting - 23 August 1985

The meeting was called to order at 9:05 a.m. by Presiding Officer Jack Herman. The Presiding Officer welcomed the participants and introduced the podium staff. The secretary is Kent Bloom. The Acting Parliamentarian (substituting for Donald Eastlake III) is Ben Yalow. The agenda and practice for the meeting was explained.

The standing orders printed in the Program Book were not proposed. Robert's Rules of Order, Newly Revised, will be followed.

It was moved and seconded to accept the minutes of last year's meeting as provided to the Presiding Officer. Motion carried without objection.

The meeting considered debate times for business passed on from L.A.con II.

- Item 1 - (Program Book, p. 61) 5 minutes (Skip Morris/William Affleck-Asch-Lowe) carried.
- Item 2 - (Program Book, p 61) 5 minutes (default)
- Item 3 - (Program Book, p 61) 20 minutes (default) Speaker: Bruce Farr
- Item 4 - (Program Book, p. 61) 5 min. (default) speaker: Kent Bloom (against)
- Item 5 - (Program Book, p. 61) 20 minutes (default) speaker: Bill Wright (against)
- Item 6 - (Program Book, p. 61) 30 minutes was moved (J. Gilpatrick, M Glycer) 15 minutes was moved (??) 15 minutes carried speakers: Kent Bloom(against), Jim Gilpatrick (against) Mike Glycer(against), Fran Skene (against)

The order of business passed on to the Report of the Standing Committee. It was moved and seconded (Greg Thokar/Gail Kaufman) to table the report until 9 a.m. Saturday 24 August. Three motions were foreshadowed by the Presiding Officer: Standing Committee Financial Reporting, Tax Exemption and Authority.

The Report of the Special Committee on Worldcon Site Selection and Rotation was presented by Bruce Pelz on behalf of Ross Pavlac. The report requests that the committee be continued until ConFederation. Questions were entertained. It was moved and seconded that the report be received (Skip Morris/Chris Buck). The motion carried. It was moved and seconded to reappoint the committee with the exception that a new chairman be appointed (William Affleck-Asch-Lowe /Greg Thokar). Mover and seconder spoke in favor. It was moved to amend to delete "with the exception that a new chairman be appointed" (Mike Glycer/Amy Thomson). The amendment failed. Gail Kaufman spoke against the main motion. It was moved to substitute a motion to discharge the committee (Bill Vaughan/Cath McDonnell). Mover spoke in favor of the substitute motion. Dave Butterfield spoke against. The substitute failed. The main motion carried as originally proposed.

The meeting passed on to new business. Item numbers have been assigned by the secretary. Debate times for new business were set as follows:

- Item 10. Bid Funding Amendment. "Amend, by adding the following to Article I, Section 7: 'The net income from running a Worldcon and earnings derived from such income shall not be used to bid for a different Worldcon except that equal grants may be given to all of the bidders who have filed by the deadline for a particular year.'" 6 minutes (default)
- Item 11. Financial Reform Amendment.
Moved, "to delete Article I, Section 7 and replace it with the following three sections.
VII. All surplus funds remaining after accounts are settled for the current Worldcon should be used for the benefit of Science Fiction and WSFS as a whole. Each Worldcon Committee shall have the option of designating up to twenty-five (25) percent of said surplus funds to be used to benefit Science Fiction in the local area where the Worldcon was held.
VIII. All surplus funds (except for funds designated to benefit Science Fiction in the local area) shall be controlled and administrated by the Standing Committee. Such surplus funds shall be transferred to the Standing Committee no later than six months after the close of the current convention.
IX. The Standing Committee shall appoint an independent accountant for each Worldcon at least 3 years before that Worldcon. The Worldcon Committee shall provide said accountant with full access to all financial records, and shall publish preliminary financial statements prepared by said accountant no later than ninety (90) days before the current Worldcon and with[in] ninety (90) days after the current Worldcon. The Worldcon committee shall publish a final financial statement prepared by said accountant no later than one (1) year after the close of the current Worldcon. The Worldcon committee shall be responsible for the coverage of reasonable expenses incurred for the services of said accountant." (Skip Morris/Irwin Hirsh)
An objection to consideration was made (Bruce Pelz/Mike Glyer). The vote was 21 to 5 in favor of the objection, and the objection was sustained.
- Item 12. Standing Committee Membership Amendment.
Moved "To amend Article IV, Section 5 by:
Changing the number of members appointed to the Standing Committee by the Worldcon Committees to two (2) each.
Changing the number of elected members of the Standing Committee to two (2) each year."
Should this amendment pass and be ratified, all current members of the Standing Committee will be allowed to serve out their terms regardless of the new limits imposed on Standing Committee size by this motion.(Skip Morris/Irwin Hirsh)
This motion was withdrawn by the maker.
- Item 13. Children's Hugo Awards. Moved: "That the Science Fiction Achievement Awards known as the Hugo Awards be extended to include an award for Best Children's Novella and an award for Best Dramatic Presentation for Children." (E. Jenner O'Rourke/Lindsay R. Thompson)

An objection to consideration was made (Gail Kaufman/Greg Thokar) The vote was 20 to 11 in favor. A two-thirds majority being required, the Presiding Officer announced that the objection was not sustained. A division was called. The count was 20 in favor to 12 opposed. Lacking a two-thirds majority, the objection fails. 20 minutes was proposed (Skip Morris/William Affleck-Asch-Lowe). A 10 minute substitute was proposed (Gail Kaufman/Greg Thokar). 10 minutes carried. Speakers: Jenner O'Rourke (for), Lindsay Thompson (for), Bruce Pelz, Mike Glycer (against), Fran Skene (against).

- Item 14. Redundant Notice Elimination. "Moved, to amend the World Science Fiction Society Constitution by deleting Article III, Section 4." (Greg Thokar/Don Eastlake) 6 minutes (default).
- Item 15. Amendment Procedures Amendment.
"MOVED. To amend the WSFS Constitution by striking Article IV, Section 1 and inserting the following in its place:
'Any amendment to the WSFS Constitution must be adopted by majority vote at a Business Meeting and ratified by majority vote at the Business Meeting of the following Worldcon, except as follows: (A) one or more Worldcon Business Meetings may occur between the initial adoption and the ratification if each postpones ratification to the following Business Meeting; and (B) the version of the amendment up for ratification may be divided into severable and independent sections which may be considered separately or amended such that it is a change of lesser quantity or degree than that initially adopted provided there is no change in its nature and quality. Should any Business Meeting neither postpone nor ratify a constitutional amendment up for ratification or should the Business Meeting amend it in a way inconsistent with the restrictions above, the constitutional amendment process is thereby voided but may be restarted by a new adoption by majority vote.'" (Don Eastlake/Rick Katze)
An objection to consideration was raised (Mike Glycer/Bill Vaughan). By a vote of 13 to 7 the objection was sustained.
- Item 16. Standing Committee Regional Membership. "Moved: to amend Article IV, Section 5, by adding the following between the second and third sentences: 'Of the nine elected members, no more than three may reside in any single North American region as defined in Article III, Section 6.' PROVIDED THAT current members of the Standing Committee shall serve until the end of their terms with all new members elected under the above provision." (Jim Gilpatrick/Craig Miller)
An objection to consideration was made (Greg Thokar/Amy Thomson). By a vote of 9 to 15, the objection failed. A motion to change "reside" to "be residing at the time of election" was accepted as friendly by the maker. The substitute wording is now "Of the nine elected members, no more than three may be residing, at the time of the election, in any single North American region as defined in Article III, Section 6." 15 minutes time was moved (Greg Thokar/Gail Kaufman). A 10 minute substitute was moved (Jim Gilpatrick/Bill Vaughan). 10 minutes carried.
- Item 17. Standing Committee Name Change. "Moved: That all references to "The Standing Committee" be changed to "the Trademark Registration and Protection Committee" wherever they occur." (Jim Gilpatrick/Scott Dennis)

An objection to consideration was made (Skip Morris/Greg Thokar). By a vote of 3 to 17 the objection failed. 6 minutes (default) was ordered. Speaker: Skip Morris (against)

A request for permission to speak after the Standing Committee report was received from Fred Pohl. It was so ordered, to be allowed after the report is presented at 9 a.m. on Saturday (24 August).

The Presiding Officer announced that Lise Eisenberg intends to move rescission of Moshe Feder's motions at last year's Business Meeting censuring L.A.con II committee over the question of Britain in '87 tables. An explanation was made, and Bruce Pelz (L.A.con II) and Colin Fine (Britain in '87) spoke. It was moved and seconded (Amy Thomson/Gail Kaufman) that the censure motions (appearing in the minutes of the 1984 Business Meeting of the World Science Fiction Society on page 12) be rescinded. The motion carried.

Nominations for the standing committee of the World Science Fiction Society for three-year terms commencing at the end of the Business Meeting were received. The following persons were nominated, and each was present and accepted in person:

- Ben Yalow
- Jim Gilpatrick
- Bruce Farr
- Bruce Pelz
- Kent Bloom

Nominations were closed by the Presiding Officer. Ballots will be distributed at 10 a.m. on Saturday, 24 August, during the Business Meeting. Voting will be by preferential ballot. Results will be announced at the close of the Business Meeting on Sunday, 25 August.

The meeting was adjourned to 9 a.m. Saturday, 24th August, when the meeting will be a Main Business Meeting.

Main Business Meeting - 24 August 1985

The meeting was called to order at 9:03 a.m. by the Presiding Officer. Jack Herman, Presiding; Kent Bloom, secretary; Don Eastlake, parliamentarian. The Presiding Officer made several general announcements: Ray Ferguson represents WSFS at the 1987 Site Selection Ballot counting. Ben Yalow will chair the Site Selection and Rotation Committee for the next year. Colin Fine will replace Malcolm Edwards on that committee. The Presiding Officer also recommends Roger Weddell be added to that committee by the new chairman. There will be a five minute recess at 10 a.m. to ballot for the Standing Committee.

The Report of the Standing Committee was presented by Don Eastlake (copy attached). It was moved (Andrew Taubman/William Affleck-Asch-Lowe) to receive the report. Frederik Pohl spoke regarding infringement of WSFS trademarks on behalf of "World SF". The following motion was received: 'RESOLVED: that it is the sense of the meeting that the name of "World SF, The International Association of Science Fiction Professionals" does not infringe on any proper trademark of World SFS, and that the committee be instructed to cease and desist from interference with World SF.' (Fred Pohl/Elizabeth Ann Hull). The maker

corrected "World SFS" to "WSFS". After much discussion, the last phrase was dropped by the maker. A 10 minute time limit was proposed and carried. A motion to amend to grant a license to use "World SF" [was made]. The motion failed. After more discussion, the Presiding Officer put the question on: 'RESOLVED: That it is the sense of the business meeting that the name of "World SF, The International Association of Science Fiction Professionals" does not infringe on any proper trademark of WSFS.' The resolution carried.

- Item 18. Standing Committee Financial Reporting Amendment.

"MOVED, to Amend the WSFS Constitution by adding the following to Article IV:

"The Standing Committee shall submit to the Business Meeting at each Worldcon a Financial report of its activities since the previous Worldcon, including a statement of income and expense.'" (Don Eastlake for the Standing Committee)

The motion was moved on behalf of the Standing Committee by Don Eastlake. Don Eastlake moved to strike "Financial". Without objection, it was so ordered. A 4 minute time limit was moved (Gail Kaufman/William Affleck-Asch-Lowe). 4 minutes carried.

- Item 19. Tax Exemption Amendment.

"MOVED, to Amend the WSFS Constitution by adding the following to Article I:

'No part of the Society's net earnings shall be paid to its members, officers, or other private persons except in furtherance of the Society's purposes. The Society shall not attempt to influence legislation or any political campaign for public office. Should the Society dissolve, its assets shall be distributed by the Standing Committee or the appropriate court having jurisdiction, exclusively for charitable purposes. In this section, references to the Society include the Standing Committee and all other agencies of the Society but not convention bidding or operating committees.'" (Don Eastlake for the Standing Committee)

The motion was moved on behalf of the Standing Committee by Don Eastlake. 6 minutes was moved (Colin Fine/William Affleck-Asch-Lowe). 6 minutes carried. It was moved to delete "by the Standing Committee or the appropriate court having jurisdiction," (Jim Kilpatrick/William Affleck-Asch-Lowe). Debate on the amendment was postponed to debate on the main motion.

Don Eastlake and Amy Thomson were appointed tellers for the Standing Committee election. Ballots were distributed, and the meeting recessed at 10:10 a.m.

The meeting was recalled to order at 10:14 a.m. The order of business proceeded to business passed on from L.A.con II for ratification.

- Item 1 (Program Book, p. 61). Ben Yalow spoke in favor. The question was put and carried, and the Item is RATIFIED.
- Item 2 (Program Book, p. 61). The question was called and passed. The question was put and carried, and the item is RATIFIED.
- Item 3 (Program Book, p. 61). Bruce Farr spoke against. William Affleck-Asch-Lowe spoke for. It was moved to strike "in the following year" (Don Eastlake/Gail Kaufman). Gail Kaufman spoke in favor of the amendment. Colin Fine pointed out an inconsistency. Bruce Pelz suggested adding "following the Worldcon" after "if there is one". This was accepted by Eastlake/Kaufman. Jill Eastlake spoke against the amendment. Bruce Pelz spoke in favor. The question was called and passed. The amendment carried. Bill Vaughan spoke against the item. The question was put and carried 16 to 11. The Item is RATIFIED AS AMENDED.
- Item 4 (Program Book, p. 61). Kent Bloom spoke against. Bruce Pelz spoke in favor. Don Eastlake spoke (against/against/in favor). The question was put and failed 12 to 17. The Item is NOT RATIFIED.
- Item 5 (Program Book, p. 61). Bill Wright spoke (against?). Ben Yalow spoke in favor. Colin Fine spoke in favor. The Presiding Officer asked for objections and, receiving none, declared the Item carried nem con. The Item is RATIFIED.
- Item 8. It was moved (Jim Kilpatrick/Jill Eastlake) to insert "up to a maximum of \$750 US or the equivalent in local currency" at the end of the item. It was moved to change the amount to \$1000, which was accepted as friendly. The amendment was put and failed to receive a majority. Kent Bloom spoke against. Don Eastlake spoke in favor. Jim Gilpatrick spoke against. The question was called (Carey Linehan/Bruce Pelz) and passed. The question was put and failed, 13 to 22. The item is NOT RATIFIED.

The meeting was adjourned to 9 a.m. on Sunday, 25 August.

Main Business Meeting - 25 August, 1985

The meeting was called to order at 9:00 a.m. by the Presiding Officer. Jack Herman, Presiding; Kent Bloom, secretary; Don Eastlake, parliamentarian. The Site Selection results for the 1987 Worldcon were announced. "Britain in '87" was selected. Selection for a 1987 Interim Continental Convention will be from noon to 6 p.m. today in Ballroom B, with a voting fee of \$15 U.S. or \$23 Australian. Ken Ozanne moved to add Medlow Bath (Anchor Bay) to the list of sites, but was ruled dilatory by the Presiding Officer.

Malcolm Edwards (bid chairman) was recognized on behalf of "Britain in 87". The name of the convention will be Conspiracy 87. The convention will be held from 27 August through 2 September, 1987.

Colin Fine will represent Conspiracy 87 on the Standing Committee.

The report of the tellers for the Standing Committee election was received. Ben Yalow, Kent Bloom and Jim Gilpatrick were elected.

The order of business passed on to New Business.

- Item 10, Bid Funding Amendment. No speakers were heard, and the motion was carried. The Item is PASSED ON to ConFederation for ratification.
- Item 13, Children's Hugo Awards. The maker moved to change "Children's Novella" to "Publication For Children". There being no objection, it was so ordered. Jenner O'Rourke spoke in favor. Lindsay Thompson spoke in favor. Mike Glycer spoke against. Fran Skene spoke in favor. Bruce Pelz spoke against. A motion was made to substitute a resolution that "It is the sense of the business meeting that a Con committee (ConFederation or Conspiracy) should strongly consider as their Special Hugo a Children's Hugo". Colin Fine spoke against. Carey Lenehan spoke in favor. Malcolm Edwards spoke against. Time expired. The question was put on the resolution and the resolution carried 27 to 20.
- Item 14, Redundant Notice Elimination. Greg Thokar spoke in favor. The question was put and carried. The Item is PASSED ON for ratification at ConFederation.
- Item 16, Standing Committee Regional Membership. Jim Gilpatrick spoke in favor. Ben Yalow spoke against. Bruce Pelz spoke in favor. Lee Smoire spoke against. William Affleck-Asch-Lowe spoke in favor. Warren Dew spoke against. Greg Thokar spoke against. Colin Fine spoke in favor. Gail Kaufman moved to require a member from each country in which a service mark is registered. The Presiding Officer ruled that this was out of order. The question was called and passed. The question was put and carried. The Item is PASSED ON to ConFederation for ratification.

Ballots from the Standing Committee election were ordered destroyed.

- Item 17, Standing Committee Name Change. Jim Gilpatrick spoke in favor. Don Eastlake spoke against. Scott Dennis spoke in favor. Bill Wright spoke against. Ben Yalow spoke in favor. "Trademark" was changed to "Mark" by friendly amendment. Simon Duncan spoke against. The question was called (Jim Gilpatrick/William Affleck-Asch-Lowe) and passed. The motion carried overwhelmingly. The Item is PASSED ON to ConFederation for ratification.

A two minute recess was declared by the Presiding Officer at 10:00 a.m.

The meeting was recalled to order at 10:03. The Presiding Officer announced that the Standing Committee has received a request for a list of Hugo winners. It was directed that the list be sent, provided that the use of service marks is noted.

- Item 18, Standing Committee Reporting. Don Eastlake spoke in favor. Bill Vaughan spoke. It was moved to change the form of the Item from a constitutional amendment to a resolution of the business meeting (Bill Vaughan/Bruce Farr). The amendment failed, 14 to 17. The question was put and carried. The Item is PASSED ON to ConFederation for ratification.
- Item 19, Tax Exemption. Don Eastlake moved to change the first occurrence of "Standing Committee" to "current Worldcon Committee". Without objection, it was

so ordered. Don Eastlake spoke in favor. Mike Glycer spoke in favor. The Presiding Officer asked for objections to the motion as amended. There being none, it was declared carried. The Item is PASSED ON to ConFederation for ratification.

A resolution was offered as follows: "The Standing Committee is requested to (i) compile and maintain a list of resolutions adopted by the Business Meeting which are still in effect, (ii) send copies of this list to each Worldcon, and (iii) make copies available to members of the Society on request." (Don Eastlake/Greg Thokar). Don Eastlake spoke in favor. Jim Gilpatrick spoke against. It was moved that a committee convened by George Flynn be requested to perform this function (Bruce Pelz/Jim Gilpatrick). Dave Butterfield spoke against. The question was put on the amendment and the amendment carried, 25 to 17. It was moved to restrict the scope of the list to Aussiecon II and subsequent cons (Scott Dennis). The amendment failed for lack of a second. The question was put and carried as amended.

It was announced that a meeting of the Standing Committee will be held at 1 p.m. Monday, 26th August in the Zeta Room of the Southern Cross.

It was announced that the NASFIC site selection results will be announced at 11 p.m. today (25th August) in Room 1500 by Roy Ferguson, WSFS representative.

Bruce Farr was recognized and presented a NASFIC bid for Phoenix. The floor was opened for presentations from 1988 and 1989 Worldcon bids. Rich Zelich presented a bid for St. Louis in 1988. Lanny Waitsman presented a bid for the S.S. Norway/Bermuda Triangle in 1988. David Taylor accepted questions on behalf of Cincinnati in 1988 (none offered).

Greg Thokar spoke for Boston in 1989.

A motion was made to adjourn sine die. Without objection, it was so ordered at 10:53 a.m.

Appendix A - Business Presented

- Item 1. See Convention Handbook (Program Book), p. 61.
- Item 2. See Convention Handbook (Program Book), p. 61.
- Item 3. See Convention Handbook (Program Book), p. 61.
- Item 4. See Convention Handbook (Program Book), p. 61.
- Item 5. See Convention Handbook (Program Book), p. 61.
- Item 6. See Convention Handbook (Program Book), p. 61.
- Item 7. Report of the WSFS Standing Committee.
- Item 8. Report of the Special Committee on Site Selection and Rotation.
- Item 9. See Convention Handbook (Program Book), p. 62.
- Item 10. Bid Funding Amendment. "Amend, by adding the following to Article I, Section 7: 'The net income from running a Worldcon and earnings derived from such income shall not be used to bid for a different Worldcon except that equal grants may be given to all of the bidders who have filed by the deadline for a particular year.'"
- Item 11. Financial Reform Amendment. Moved, "to delete Article I, Section 7 and replace it with the following three sections.
VII. All surplus funds remaining after accounts are settled for the current Worldcon

should be used for the benefit of Science Fiction and WSFS as a whole. Each Worldcon Committee shall have the option of designating up to twenty-five (25) percent of said surplus funds to be used to benefit Science Fiction in the local area where the Worldcon was held.

VIII. All surplus funds (except for funds designated to benefit Science Fiction in the local area) shall be controlled and administrated by the Standing Committee. Such surplus funds shall be transferred to the Standing Committee no later than six months after the close of the current convention.

IX. The Standing Committee shall appoint an independent accountant for each Worldcon at least 3 years before that Worldcon. The Worldcon Committee shall provide said accountant with full access to all financial records, and shall publish preliminary financial statements prepared by said accountant no later than ninety (90) days before the current Worldcon and with[in] ninety (90) days after the current Worldcon. The Worldcon committee shall publish a final financial statement prepared by said accountant no later than one (1) year after the close of the current Worldcon. The Worldcon committee shall be responsible for the coverage of reasonable expenses incurred for the services of said accountant." (Skip Morris/Irwin Hirsh)

- Item 12. Standing Committee Membership Amendment. Moved "To amend Article IV, Section 5 by:
Changing the number of members appointed to the Standing Committee by the Worldcon Committees to two (2) each.
Changing the number of elected members of the Standing Committee to two (2) each year."
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- Item 15. Amendment Procedures Amendment. "MOVED. To amend the WSFS Constitution by striking Article IV, Section 1 and inserting the following in its place: 'Any amendment to the WSFS Constitution must be adopted by majority vote at a Business Meeting and ratified by majority vote at the Business Meeting of the following Worldcon, except as follows: (A) one or more Worldcon Business Meetings may occur between the initial adoption and the ratification if each postpones ratification to the following Business Meeting; and (B) the version of the amendment up for ratification may be divided into severable and independent sections which may be considered separately or amended such that it is a change of lesser quantity or degree than that initially adopted provided there is no change in its nature and quality. Should any Business Meeting neither postpone nor ratify a constitutional amendment up for ratification or should the Business Meeting amend it in a way inconsistent with

the restrictions above, the constitutional amendment process is thereby voided but may be restarted by a new adoption by majority vote.'" (Don Eastlake/Rick Katze)

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- Item 19. Tax Exemption Amendment. "MOVED, to Amend the WSFS Constitution by adding the following to Article I:
'No part of the Society's net earnings shall be paid to its members, officers, or other private persons except in furtherance of the Society's purposes. The Society shall not attempt to influence legislation or any political campaign for public office. Should the Society dissolve, its assets shall be distributed by the Standing Committee or the appropriate court having jurisdiction, exclusively for charitable purposes. In this section, references to the Society include the Standing Committee and all other agencies of the Society but not convention bidding or operating committees.'" (Don Eastlake for the Standing Committee)

Appendix B - Site Selection For 1987 Worldcon

ATCON MAIL TOTAL

	286	241	527
Britain	262	145	407
Phoenix	14	88	102
None	3	-	3
No Pref	6	6	12
Other	1	1	2

Invalid - 1 1

(S) Roy Ferguson

Appendix C - Tellers Report, Standing Committee Elections

A total of 44 ballots were collected. The preferential tabulations are as follows:

First Election Round 1 Round 2 Round
3

Ben Yalow	13	14	20 Elected
Jim Gilpatrick	8	9	-
Bruce Farr	4	-	-
Bruce Pelz	7	9	-
Kent Bloom	10	10	19
Total	42	42	39
Majority	22	22	20
Blank/Exhausted	2	2	
Grand Total	44	44	44

Second Election	Round 1	Round 2	Round 3
Jim Gilpatrick	9	11	-
Bruce Farr	7	-	-
Bruce Pelz	8	12	18
Kent Bloom	18	19	23 Elected.
Total	42	42	41
Majority	22	22	21
Blank/Exhausted	2	2	3

Grand Total	44	44	44
Third Election		Round 1	Round 2
Jim Gilpatrick	15	23	Elected.
Bruce Farr	14	19	
Bruce Pelz	12	-	
Total 42	42		
Majority	22	22	
Blank/Exhausted	2	2	
Grand Total	44	44	

(S) Donald E. Eastlake
Donald E. Eastlake, III
Reporting Teller

Report of the WSFS Standing Committee to the Aussiecon Two Business Meeting

The WSFS Standing Committee is created by Article IV, Section 5, of the WSFS Constitution with the duty of registering and protecting the marks used by and under the authority of WSFS. This report was prepared by Donald Eastlake who continues to be, by vote of the Committee, its Chairman and sole Officer. One meeting of the Committee was held between the L.A.con II Business Meeting and the Aussiecon Two Business Meeting, at L.A.con.

A. Registration of Marks

In the United States of America, the marks "The Hugo Award", "World Science Fiction Society", "WSFS", "World Science Fiction Convention" and "Worldcon" were registered over a year ago. After further struggle, it now appears registration of the mark "Science Fiction Achievement Award" may be impractical in the USA. Although this mark has been used exclusively by WSFS for over thirty years and developed a secondary meaning as the official name of The Hugo Award, registration has been repeatedly refused on the grounds that the mark is too descriptive and generic. This refusal is at variance with the US law on the subject but to force registration might require a costly court battle. As directed by the L.A.con II Business Meeting, work is progressing on registration of the mark NASFIC but this has been delayed, partly due to lack of financial resources on the part of the Committee.

The Committee is investigating registration in other countries and has directed official inquiries thus far to Canada, the United Kingdom, and Australia. Anyone with information on service mark or company name registration in these or any other countries is requested to forward the information to the Standing Committee.

B. Use of Marks

A draft Service Mark Usage guide has been prepared and is expected to be distributed as amended and approved at the Standing Committee meeting at Aussiecon.

At the request of the Committee, Doubleday and Company, Inc., included a service mark notice on the copyright page of their book, "The Hugo Winners, Volume 4"

The Committee is aware of two possible infringers on our marks and is pursuing this matter. Anyone who observes any improper or questionable use of the Society's marks is requested to inform that Standing Committee by writing to its PO box as listed above immediately. If possible, please enclose a copy of the material in which the mark was misused.

C. Finances of the Committee

At L.A.con II, the financial state of the Committee was minus \$188.23 (US). As of 14 August 1985, it is minus \$266.21. Income and expenses for this period are summarised below:

Income was \$655, consisting of \$155 from Noreascon II, \$250 from ConFederation, and \$250 from Aussiecon II.

Expense was \$732.98, consisting of \$575 in legal expenses, \$103.45 for letterhead stationary and a return address rubber stamp, \$28.53 in postage and \$26 for post office box rent. This \$575 was primarily in connection with Science Fiction Achievement Award. Much of it was for work already completed or in progress at the time of L.A.con. \$275 of it was for new efforts between L.A.con II and Aussiecon Two.

An amendment to the WSFS Constitution is up for ratification at the Aussiecon Two Business meeting that would provide funding of 5% of the default voting fee per site selection voter to the Standing Committee. Although this amendment, even if ratified, would not be binding on them, Britain in '87 and Phoenix in '87 have agreed that if either wins the 1987 Worldcon, they will provide this funding to the Committee. In addition, Phoenix has agreed to provide this funding out of NASFiC voting fees, if any, and has further agreed to guarantee at least a \$500 contribution to the Committee if voting is light.

D. Business for the Aussiecon Two Business Meeting.

The Standing Committee recommends adoption of the following two amendments to the WSFS Constitution:

D.1 Short Title:

Standing Committee Financial Reporting Amendment

MOVED, to Amend the WSFS Constitution by adding the following to Article IV-

"The Standing Committee shall submit to the Business Meeting at each Worldcon a financial report of its activities since the previous Worldcon, including a. statement of income and expense."

Explanation:

This amendment would require annual financial reports from the Standing Committee similar to the ones it has provided in the past.

D.2 Short Title.

Tax Exemption Amendment

MOVED, to Amend the WSFS Constitution, by adding the following to Article I:

"No part of the Society's net earnings shall be paid to its members, officers, or other private persons except in furtherance of the Society's purposes. The Society shall not attempt to influence legislation or any political campaign for public office. Should the Society dissolve, its assets shall be distributed by the Standing Committee or the appropriate court having jurisdiction, exclusively for charitable purposes. In this section, references to the Society include the Standing Committee and all other agencies of the Society but not convention bidding or operating committees."

Explanation:

In order for the WSFS Standing Committee or other WSFS agencies that operate in the USA to be exempt from having to file tax returns and pay taxes to the United States of America under the part of the Internal Revenue Code relating to literary organizations, it must be both "organized" and "operated" for exempt purposes.. Although WSFS is presently operated for exempt purposes, the "organizational" test requires that there be language in the Constitution which (1) prohibits distributing any net income to members of the Society except that the Society can make payments for services rendered or in furtherance of its purposes. (2) assures that any assets of the Society are dedicated to exempt purposes by providing that they be so used if the Society dissolves, and (3) prohibits any interference with the elective or legislative process as a substantial part of the Society's activities. This amendment is the simplest wording that will meet the requirements in the USA. It is likely that this material would also be helpful in other countries.

As long as the usual annual revenue of WSFS is under \$5000 US, and it meets the tests, it can operate as a tax-exempt organization without any requirement to file with the government for recognition. Since this revenue would be mostly monies received by the Standing Committee (Worldcon committees do not count since they are separate), there seems to be little chance of exceeding this limit in the foreseeable

future. (Should typical annual revenue exceed \$5000, it would be necessary to apply to the government for recognition of exemption. Should typical annual revenue exceed \$25,000, it would be necessary to also file annual tax returns.) If this amendment, or one very similar, is not adopted then the Standing Committee or similar WSFS Committees operating in the USA will have to choose between having to file tax forms each year and pay taxes if their income for the year happens to exceed expenses or operating in violation of US law.

Note that Worldcon (and NASFiC) bidding and convention committees are separate and can be either non-profit or for-profit organizations under the current Constitution. It is possible that adding this material to the WSFS Constitution would make it easier for a Worldcon committee to get its own tax exemption.

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