

**BYLAW
COMMITTEE**

Wednesday September 9, 2015

6.00pm

SUB 0-48

AGENDA (BC 2015-08)

2015-08/1 INTRODUCTION

2015-08/1a Call to Order

2015-08/1b Approval of Agenda

2015-08/1c Approval of Minutes

2015-08/1d Chair's Business

2015-08/2 QUESTION/DISCUSSION PERIOD

2015-08/3 COMMITTEE BUSINESS

Second Readings of Bills #6-#10:

2015-08/3a CHRISTENSEN MOVES to adopt the the second reading of Bill #6 and amend Bylaw 2100, based on the advice of the C.R.O. and recommendation of Bylaw Committee. **(Bills #6 - Bylaw 2100)**

Please see BC 15-08.01

2015-08/3b CHRISTENSEN MOVES to adopt the second reading of Bill #7 and amend Bylaw 2200, Section 23 and Bylaw 2300, Section 17 based on the advice of the C.R.O. and recommendation of Bylaw Committee. **(Bill #7 - Bylaw 2200 & Bylaw 2300)**

Please see BC 15-08.02

Please see BC 15-08.03

2015-08/3c CHRISTENSEN MOVES to adopt the second reading of Bill #8 and amend Bylaw 2200, Section 25 based on advice of the C.R.O., and recommendation of Bylaw Committee. **(Bill #8 - Bylaw 2200)**

Please see BC 15-08.04

2015-08/3d CHRISTENSEN MOVES to adopt the second reading of Bill #9 and amend Bylaw 2400, on the recommendation of Bylaw Committee, to maximize representation of vacant Students' Council and GFC seats. (**Bill #9 - Bylaw 2400**)

Please see BC 15-08.05

2015-08/3e CHRISTENSEN MOVES to adopt the second reading of Bill #10 and amend Bylaw 2200, Section 47 and Bylaw 2300, Section 38 based on the advice of the C.R.O and the recommendation of Bylaw Committee. (**Bill #10 - Bylaw 2200 & Bylaw 2300**)

Please see BC 15-08.06

Please see BC 15-08.07

First Reading for Polling Stations - Bill #11 and Bill #12:

2015-08/3f CHRISTENSEN MOVES to amend bylaw to eliminate the definition of polling stations within the context of SU elections based on the following first principles (**Bill #11**):

1. Presently, the definition of polling stations remains ambiguous and therefore makes interpretation of elections bylaws challenging.
2. Elections bylaws shall be amended to eliminate polling stations because of modern technological advancements and given that physical polling stations are no longer used.

2015-08/3g CHRISTENSEN MOVES to create legislation within elections bylaws to enhance the integrity of Students' Union elections in the context of electronic voting and modern technological advancements, based on the following first principles (**Bill #12**):

1. Students' Union elections shall be run in a fair, equitable and integral manner for all candidates and voters.
2. Every voter shall have the right to a secret ballot.
3. Candidates shall not interfere with the secret ballot process in any way.

4. Bylaw shall be amended to create regulations that increase the integrity of elections.
5. Where contravention of the above principles occurs, penalties shall be outlined in bylaw up to and including disqualification.

2015-08/4 **INFORMATION ITEMS**

2015-08/4a Additional Principles (**Bill #12**)

1. Candidates, or anyone associated with their campaign, shall not provide voters with any form of electronic device on the day of the campaign or for the purpose of voting.
2. Candidates, or anyone associated with their campaign, shall not solicit, touch, or otherwise handle a voter's electronic device on the day of the election or for the purpose of voting.
3. Candidates, or anyone associated with their campaign, shall not solicit, steal, borrow, use, or otherwise handle another student's' CCID or password for the purpose of voting.
4. Candidates, or anyone associated with their campaign, shall not intimidate, harass, or pressure voters to vote in any particular direction and shall conduct campaign activities in a manner that is expected of a "reasonable candidate."
5. Where contravention of the above principles occurs, penalties shall be outlined in bylaw up to and including disqualification.

2015-08/5 **ADJOURNMENT**

2015-08/5a **Next Meeting:** Thursday September 17th, 2015 @ 6.00pm in SUB 0-48.

Line 21: **BC 15-08.01**

The Chief Returning Officer shall be ratified by Students' Council after a recommendation is issued by a committee composed of:

the Chief Returning Officer, as chair, voting only in the event of a tie;

two (2) members of the D.I.E. Board

in the event that less than two (2) members of the D.I.E. Board are available to serve on the committee on at least seven (7) days' notice, the Council Administration Committee may appoint an individual who is not a member of Students' Council for each D.I.E. Board seat on the committee unable to be filled.

Line 21:

The Chief Returning Officer shall be ratified by Students' Council after a recommendation is issued by a committee composed of:

the Chief Returning Officer, as chair, voting only in the event of a tie;

+ **###If the outgoing C.R.O. seeks an additional term:**

+ **####The outgoing C.R.O. shall be subject to the same hiring procedures as other candidates; and**

+ **####The outgoing C.R.O. shall not sit on or chair the committee; and**

+ **####The D.R.O. shall not sit on or chair the committee; and**

+ **####The outgoing Speaker of Students' Council shall serve as chair, voting only in the event of a tie.**

two (2) members of the D.I.E. Board

in the event that less than two (2) members of the D.I.E. Board are available to serve on the committee on at least seven (7) days' notice, the Council Administration Committee may appoint an individual who is not a member of Students' Council for each D.I.E. Board seat on the committee unable to be filled.

Line 174:

BC 15-08.02

== C.R.O. Shall List Candidates ==

Within forty-eight (48) hours of nomination deadline, the C.R.O. shall post the preferred name of each candidate as it will appear on the ballot. The preferred name must be a reasonable derivative of the candidate's legal name.

Where **the** preferred name is **not** provided to the C.R.O., the C.R.O. shall use the candidate's legal name.

Line 174:

== C.R.O. Shall List Candidates ==

Within forty-eight (48) hours of nomination deadline, the C.R.O. shall post the preferred name of each candidate as it will appear on the ballot.

#The preferred name must be:

##a reasonable derivative of the candidate's legal name; **or**

##a preferred name. for which the candidate has provided satisfactory evidence to the C.R.O. showing it is a name they regularly use.

#Where **no derivative or** preferred name is provided to the C.R.O., the C.R.O. shall use the candidate's legal name.

Line 117:

BC 15-08.03

== C.R.O. Shall List Candidates ==

Within forty-eight (48) hours of nomination deadline, the C.R.O. shall post the preferred name of each candidate as it will appear on the ballot. The **preferred** name must be a reasonable derivative of the candidate's legal name.

Where **the** preferred name is **not** provided to the C.R.O., the C.R.O. shall use the candidate's legal name.

Line 117:

== C.R.O. Shall List Candidates ==

Within forty-eight (48) hours of nomination deadline, the C.R.O. shall post the preferred name of each candidate as it will appear on the ballot.

#The name must be;

##a reasonable derivative of the candidate's legal name; **or**

##a **preferred name. for which the candidate has provided satisfactory evidence to the C.R.O. showing it is a name they regularly use.**

#Where **no derivative or** preferred name is provided to the C.R.O., the C.R.O. shall use the candidate's legal name.

Line 183: **BC 15-08.04**

On every weekday during the Executive Committee and Board of Governors Representative campaign and Plebiscite/Referendum campaign, the C.R.O. shall hold a daily meeting, at which they shall review complaints, rulings, regulations, procedures, and announcements.

Each candidate and side manager shall either attend each daily meeting themselves or designate, in writing, a representative who will attend.

Where a candidate or side manager contravenes Section 25(2), they shall be fined ten dollars (\$10.00) for each meeting at which they are in contravention, and they shall not be assessed any further penalty.

Line 183:

On every weekday during the Executive Committee and Board of Governors Representative campaign and Plebiscite/Referendum campaign, the C.R.O. shall hold a daily meeting, at which they shall review complaints, rulings, regulations, procedures, and announcements.

Each candidate and side manager shall either attend each daily meeting themselves or designate, in writing, a representative who will attend.

+

#The C.R.O. may, at their discretion, cancel daily meetings and in these circumstances shall notify all candidates and side managers in advance of the meeting.

Where a candidate or side manager contravenes Section 25(2), they shall be fined ten dollars (\$10.00) for each meeting at which they are in contravention, and they shall not be assessed any further penalty.

Line 115: BC 15-08.05

== By-Election – General Faculties Council and Students' Council
==

Where vacancies exist in positions filled under this bylaw on August 15 of any year, the C.R.O. shall call a by-election to take place in September or October of that year for all those positions vacant on August 15.

Where the total voting membership of Students' Council falls below twenty-three, the C.R.O. shall call a by-election to occur

not more than one month past the date that the voting membership of Students' Council fell below twenty-three; or

Line 115:

== By-Election – General Faculties Council and Students' Council
==

Where vacancies exist in positions filled under this bylaw on August 15 of any year, the C.R.O. shall call a by-election to take place in September or October of that year for all those positions vacant on August 15.

+

Notwithstanding Section 16(1). if positions become vacant between August 15 and 30 days prior to the scheduled date of the by-election, those positions shall also be included in the by-election.

Where the total voting membership of Students' Council falls below twenty-three, the C.R.O. shall call a by-election to occur

not more than one month past the date that the voting membership of Students' Council fell below twenty-three; or

Line 313:

BC 15-08.06

The C.R.O. shall provide a copy of the complaint form, with the complainant's student identification number blacked out, to each respondent.

Where a complaint is received and is found to be complete as set out in Section 47(1), the C.R.O. shall rule on the complaint within twelve (12) working hours of receiving the complaint.

The C.R.O. shall post all of their rulings, including

Line 313:

The C.R.O. shall provide a copy of the complaint form, with the complainant's student identification number blacked out, to each respondent.

Where a complaint is received and is found to be complete as set out in Section 47(1), the C.R.O. shall rule on the complaint within twelve (12) working hours of receiving the complaint.

+

#Notwithstanding Section 47(4). the C.R.O. is empowered to investigate and rule upon every suspected or reported contravention of this bvlaw or any other bvlaw. rule. or regulation related to the election, plebiscite or referenda.

The C.R.O. shall post all of their rulings, including

Line 245: **BC 15-08.07**

The C.R.O. shall provide a copy of the complaint form, with the complainant's student identification number blacked out, to each respondent.

Where a complaint is received and is found to be complete as set out in Section 38(1), the C.R.O. shall rule on the complaint within twelve (12) working hours of receiving the complaint.

The C.R.O. shall post all of their rulings, including

a summary of the complaint;

Line 245:

The C.R.O. shall provide a copy of the complaint form, with the complainant's student identification number blacked out, to each respondent.

Where a complaint is received and is found to be complete as set out in Section 38(1), the C.R.O. shall rule on the complaint within twelve (12) working hours of receiving the complaint.

+

#Notwithstanding Section 38(4). the C.R.O. is empowered to investigate and rule upon every suspected or reported contravention of this bvlaw or any other bvlaw, rule, or regulation related to the election, plebiscite or referenda.

The C.R.O. shall post all of their rulings, including

a summary of the complaint;

Thursday August 20, 2015

6.00pm

SUB 0-48

AGENDA (BC 2015-07)

2015-07/1 INTRODUCTION

2015-07/1a **Call to Order**

Meeting was called to order at 6:02PM.

2015-07/1b **Approval of Agenda**

DUAN/THRONDSOON MOVE TO approve the agenda.

6/0/0 CARRIED.

2015-07/1c **Approval of Minutes**

ZHANG/DUAN MOVE TO change item 1(b) from the previous meeting minutes, to remove and replace NGUYEN with ZHANG.

2/4/0 AMENDMENT CARRIED.

3/3/0 MOTION CARRIED.

2015-07/1d **Chair's Business**

- A "Moodle Poll" will be sent out to all Councillors on the Bylaw Committee to determine the meeting schedule for the 2015/2016 Academic year.

2015-07/2 QUESTION/DISCUSSION PERIOD

2015-07/2a Standing Order Template

- ZHANG NOTES that Discover Governance has received and addressed Councillor concerns by editing the original Standing Order template to reflect the feedback.
- This template will appear as a motion in front of Students' Council in the future, following continued revision and editing.

Please see BC 15-07.01

2015-07/3 **COMMITTEE BUSINESS**

2015-07/3a Second Reading - Posters in Bylaw 2300

- THRONDSOON STATES that this second principle corrects the original administrative error made when writing/enacting this bylaw for the first time.
- Councillors, following debate, agree that 10 posters is a good number to set an upper limit at. They also noted that the CRO could be flexible with this number should negative feedback be received following/during the 2017/2017 Councillor Elections.

6/0/0 MOTION CARRIED.

Please see BC 15-07.02

2015-07/3b Second Reading - Disqualification in 2300

- These Second Principles consolidate the consequences available to the CRO into a single section.
- No additional concerns/points of debate were raised by the Committee, as it was deemed that this Second Reading captured the original intent of the Bylaw but in a concise manner.

6/0/0 MOTION CARRIED.

Please see BC 15-07.03

2015-07/3c Second Reading - Disqualification in Bylaw 2200

6/0/0 MOTION CARRIED.

Please see BC 15-07.04

2015-07/3d CHRISTENSEN/FLAMAN MOVE TO amend Bylaw 2100 based on the recommendations of the CRO in line the following first principles (Bill #6 - Bylaw 2100 Edits):

1. The C.R.O. selection committee shall be as unbiased and impartial as reasonably possible.
2. If the C.R.O. from the previous term seeks an additional term, they shall not be permitted to sit on or chair the hiring committee.
3. Since the D.R.O. is hired, in part, by the C.R.O. they shall not serve as interim chair of the selection committee to avoid perceived bias.
4. In these circumstances, chairpersonship of the C.R.O. selection

committee shall be a student, approved by CAC, who is familiar with SU elections but is not a councilor or SU staff member.

ZHANG/FLAMAN MOVE TO amend item 2015-07/3d (4) to read as follows:

- In these circumstances, chairpersonship of the C.R.O. selection committee shall be ***the outgoing speaker of Students' Council.***

6/0/0 AMENDMENT CARRIED.

6/0/0 MOTION CARRIED.

2015-07/3e DUAN/CHRISTENSEN MOVE TO amend Bylaw 2200 Section 23 and Bylaw 2300 Section 17 based on the recommendations of the CRO and in line with the following first principles (Bill #7 Bylaw 2200 Section 23 and Bylaw 2300 Section 17):

1. Some candidates run campaigns using their preferred name, rather than their legal name or a derivative thereof.
2. Measures shall be taken by the C.R.O. to confirm the preferred name is regularly used.
3. Bylaw shall be amended to address protocol for the C.R.O. regarding acceptance of preferred names for candidates.

- Committee members did not foresee any future candidate abusing this privilege, as it would reflect negatively on their campaign.

6/0/0 MOTION CARRIED.

2015-07/3f DUAN/CHRISTENSEN MOVE TO amend Bylaw 2200 Section 25 based on recommendations of the CRO and in line with the following first principles (Bill #8 – Bylaw 2200 Section 25):

1. Daily meetings are often, but not always, valuable for candidates and the C.R.O. during executive elections.
2. During the campaign, the C.R.O. may not have agenda items for a given day's meeting, therefore making that meeting unnecessary.
3. The C.R.O shall have freedom to cancel meetings, as they feel necessary.
4. The C.R.O. shall communicate changes to the meeting schedule in an effective and reasonable manner

BONDARCHUCK/THRONDSOON MOVE TO amend item 2015-07/3f to add:

- ***The CRO shall provide notice of cancellation in advance of the meeting.***

6/0/0 AMENDMENT CARRIED.

6/0/0 MOTION CARRIED.

2015-07/3g BONDARCHUCK/CHRISTENSEN MOVE TO amend bylaw to clarify the meaning of polling stations within the context of SU elections based on the following first principles (Bill #9 – Polling Stations):

1. Presently, the definition of polling stations remains ambiguous and therefore makes interpretation of elections bylaws challenging.
2. Elections bylaws shall be amended to clarify the definition of polling stations within the context of modern technological advancements and given that physical polling stations are no longer used.
 - The committee decided that it would strike the idea of “polling stations” altogether and that there would be whole meeting dedicated to redefining and shaping policy around the new definition.

ZHANG/BONDARCHUCK MOVE TO rescind amendment 2015-07/3g.

5/0/1 MOTION CARRIED.

2015-07/3h BONDARCHUCK/CHRISTENSEN MOVE TO amend Bylaw 2400 to maximize representation of vacant Students’ Council seats based on the following first principles (Bill #10 – Bylaw 2400):

1. Bylaw currently specifies the final date for vacancies to be included in the by-election nomination package.
2. The C.R.O. and bylaw committee believe this date is too early in the year to maximize student representation over the academic year.
3. Bylaw shall be amended to extend this date to ensure more potentially vacant seats are filled through the by-election process.

BONDARCHUCK/CHRISTENSEN MOVE TO amend item 2015-07/3h (3) to read as follows:

- Bylaw currently specifies the final date for **Student’s Council and General Faculty Council (GFC)** vacancies to be included in the by-election nomination package.

6/0/0 AMENDMENT CARRIED.

THRONDSOON/FLAMAN MOVE TO amend item 2015-07/3h (3) to read as follows:

- Bylaw shall be amended to ensure more potentially vacant seats are filled through the by-election process.

6/0/0 AMENDMENT CARRIED.

6/0/0 MOTION CARRIED.

2015-07/3i DUAN/CHRISTENSEN MOVE TO amend Bylaw 2200 Section 47 and Bylaw 2300 Section 38 based on the advice of the C.R.O and the following first principles

(Bylaw 11 – Bylaw 2200 Section 47 and Bylaw 2300 Section 38):

1. The complaints section of Bylaw currently has a loophole that limits the C.R.O.'s ability and mandate to investigate and rule on all contraventions of bylaws, rules and regulations when complaints are filed.
2. Bylaw shall be amended to include a statement that will resolve this loophole with regard to the complaints section.

BONDARCHUCK/CHRISTENSEN MOVE TO amend item 2015-07/3i (1) and 2015-07/3i (2) to read as follows:

1. The complaints section of Bylaw currently has a loophole that limits the C.R.O.'s ability and mandate to investigate and rule on all contraventions of bylaws, rules and regulations when complaints are filed, ***due to time constraints.***

6/0/0 AMENDMENT CARRIED.

2. Bylaw shall be amended to resolve this loophole with regard to the complaints section.

6/0/0 AMENDMENT CARRIED.

6/0/0 MOTION CARRIED.

2015-07/4 INFORMATION ITEMS

2015-07/5 ADJOURNMENT

2015-07/5a Next Meeting: Thursday September 17th, 2015 @ 6.00pm in SUB 0-48.

THRONDSON/FLAMAN MOVE to adjourn the meeting.

6/0/0 MOTION CARRIED.

Meeting adjourned at 7:29PM.

SUMMARY OF MOTIONS:

MOTION	OUTCOME/DECISION
DUAN/THRONDSOSON MOVE TO approve the agenda.	6/0/0 CARRIED.
ZHANG/DUAN MOVE TO change item 1(b) from the previous meeting minutes, to remove and replace NGUYEN with ZHANG.	2/4/0 CARRIED.
ZHANG/DUAN MOVE TO approve the previous meeting's minutes.	3/0/3 CARRIED.
Second Reading - Posters in Bylaw 2300	6/0/0 CARRIED.
Second Reading - Disqualification in 2300	6/0/0 CARRIED.
Second Reading - Disqualification in Bylaw 2200	6/0/0 CARRIED.
CHRISTENSEN/FLAMAN MOVE TO amend Bylaw 2100 based on the recommendations of the CRO in line the aforementioned first principles (Bill #6 - Bylaw 2100 Edits)	6/0/0 CARRIED.
ZHANG/FLAMAN MOVE TO amend item 2015-07/3d (4)	6/0/0 CARRIED.
DUAN/CHRISTENSEN MOVE TO amend Bylaw 2200 Section 23 and Bylaw 2300 Section 17 based on the recommendations of the CRO and in line with the aforementioned first principles (Bill #7 Bylaw 2200 Section 23 and Bylaw 2300 Section 17)	6/0/0 CARRIED.
DUAN/CHRISTENSEN MOVE TO amend Bylaw 2200 Section 25 based on recommendations of the CRO and in line with the aforementioned first principles (Bill #8 - Bylaw 2200 Section 25)	6/0/0 CARRIED.
BONDARCHUCK/THRONDSOSON MOVE TO add item 2015-07/3f (5)	6/0/0 CARRIED.
BONDARCHUCK/CHRISTENSEN MOVE TO amend bylaw to clarify the meaning of polling stations within the context of SU elections based on the following first principles (Bill #9 - Polling Stations)	0/5/1 FAILED.
ZHANG/BONDARCHUCK MOVE TO rescind amendment 2015-07/3g	5/0/1 CARRIED.
BONDARCHUCK/CHRISTENSEN MOVE TO amend Bylaw 2400 to maximize representation of vacant Students' Council seats based on the aforementioned first principles (Bill #10 - Bylaw 2400)	6/0/0 CARRIED.
BONDARCHUCK/CHRISTENSEN MOVE TO amend item 2015-07/3h (3)	6/0/0 CARRIED.
THRONDSOSON/FLAMAN MOVE TO amend item 2015-07/3h (3)	6/0/0 CARRIED.
DUAN/CHRISTENSEN MOVE TO amend Bylaw 2200 Section 47 and	6/0/0 CARRIED.

Bylaw 2300 Section 38 based on the advice of the C.R.O and the aforementioned first principles (Bylaw 11 – Bylaw 2200 Section 47 and Bylaw 2300 Section 38)	
BONDARCHUCK/CHRISTENSEN MOVE TO amend item 2015-07/3i (1)	6/0/0 CARRIED.
BONDARCHUCK/CHRISTENSEN MOVE TO amend item 2015-07/3i (2)	6/0/0 CARRIED.