



University of Alberta Students' Union

BYLAW COMMITTEE

Wednesday September 23, 2015

5.00pm

SUB 6-06

AGENDA (BC 2015-09)

- 2015-09/1 **INTRODUCTION**
- 2015-09/1a **Call to Order**
- 2015-09/1b **Approval of Agenda**
- 2015-09/1c **Approval of Minutes**
- 2015-09/1d **Chair's Business**
- 2015-09/2 **QUESTION/DISCUSSION PERIOD**
- 2015-09/2a Proposal for Revision of Bylaw Amendment Procedure
- Please see BC 15-09.01
- 2015-09/3 **COMMITTEE BUSINESS**
- 2015-09/3a 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.
- Please see BC 15-09.02
- Please see BC 15-09.03
- 2015-09/3b Standing Orders - Working Copy
- Please see BC 15-09.04
- 2015-09/4 **INFORMATION ITEMS**
- 2015-09/5 **ADJOURNMENT**
- 2015-09/5a **Next Meeting:** Thursday October 7, 2015 @ 6.00pm in SUB 6-06.

To the Members of Bylaw Committee:

The process that Students' Council currently follows to amend its bylaws is inefficient, confusing, and does not allow for proper scrutiny. The purpose of this memo is to outline my concerns with the current process and to describe a vision for a revised amendment process that will be both more transparent and efficient for both the students we serve as well as for Councillors.

The "First Principles" procedure that we currently follow is not conducive to amending existing bylaws. It forces Bylaw Committee or any individual Councillor seeking to amend bylaw to phrase their proposed changes to bylaw in a way that is not exactly how they seek to change the legislation. For instance, if a Councillor wants to make a minor substantive change to a clause in bylaw, they are not allowed to bring to Council the proposed change, they have to phrase it as "First Principles." As has taken place at several meetings this year, the initiating Councillor or members of Bylaw Committee then have to describe what they intend to do to the bylaw once they receive the approval of Council at First Principles. It would make much more sense if Councillors were allowed to present to Council their **actual** proposed changes rather than beat around the bush and continually re-promise that "the first principles are vague for a reason."

Additionally, not only is the current legislative process difficult to understand for observers (see the Gateway's liveblog of the last Council meeting – pay attention to how the reporter discusses the motions regarding bylaw amendments), it impedes transparency and the ability for Council as a whole to scrutinize legislative amendments. If the only basis for Council to reject a bill at Second Principles is that it doesn't conform to the First Principles, and Bylaw/initiating Councillors are required to phrase amendments in a way that makes them vague enough to qualify as First Principles, then this could lead to situations in which Bylaw Committee/initiating Councillors could then abuse the leeway Council grants (by approving the First Principles, trusting BC/initiating Councillor to follow through on their **stated** goal) in order to make sweeping changes to bylaw. It is in the best interest of Council to allow those who seek to amend bylaw to be able to present the intended changes in a clear way, rather than as vague First Principles.

First principles are useful in the sense that they allow for a legislative body to debate the policy merits of a proposed legislative initiative. For this reason, I suggest that the First Principles process be retained for new pieces of legislation. As these bylaws would be undrafted, it is worthwhile for Council to be able to discuss the policies underpinning these new bylaws before they come in a more finalized form. What does not make sense is retaining "First Principles" for amendments to bylaw. We are not a provincial or federal legislature, but it is worth noting that governments and MLAs are permitted to present amendment acts that show **clearly** and **precisely** the changes that are going to be effected.

I think the intent of First Principles should remain. By this, I mean that the first reading of a "Bill" at Council should focus on the policy merits of the amendments.

Rejection by Council at this stage should imply that Council disagrees with the policy aims of the legislative initiative. However, Council should be able to make their decision based on the **actual** changes proposed by Bylaw, not a weird exchange that takes place at Council where Bylaw has to explain their intent and Council has to take them at their word and wait for Second Principles.

I don't think this is a concern to be dealt with at the Governance Structure Review Task Force. We were elected to effect change, and deferring this issue to the GSRTF will only prolong the amount of time that we have to deal with a legislative amending process that, quite frankly, is a massive waste of both Bylaw Committee and Council's time. If there is interest among members of Bylaw Committee, I will seek to bring an exploratory motion to Council to gauge the appetite for reforming this procedure right away.

We are wasting inordinate amounts of time in Council trying to communicate what we **intend** to accomplish. Instead, let's develop a procedure that will allow us to be clear and precise from the very beginning of the bylaw amendment process.

Ben Thronson
Arts Councillor

Line 313: **BC 15-09.02**

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

a summary of the complaint;

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.

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#Notwithstanding Section 47(4). the C.R.O. is empowered to take adequate time to investigate and rule upon every complaint pertaining to 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;

Line 240: **BC 15-09.03**

the evidence for these facts.

Where a complaint is received within twelve (12) working hours of the alleged contravention, and where the original complaint form is provided to the C.R.O., the C.R.O. shall rule on that complaint.

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.

Line 243:

the evidence for these facts.

Where a complaint is received within twelve (12) working hours of the alleged contravention, and where the original complaint form is provided to the C.R.O., the C.R.O. shall rule on that complaint.

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#Notwithstanding Section 38(4). the C.R.O. is empowered to take adequate time to investigate and rule upon every complaint pertaining to contravention of this bylaw or any other bylaw, rule, or regulation related to the election.

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.

BYLAW COMMITTEE

(Last Approved - __DATE__)

1) MANDATE

2) MEETINGS

1. Quorum of the Bylaw Committee shall be ____ voting members.
2. Once at the beginning of the year to:
 - a. Elect a Chair;
 - b. Approve Standing Orders
3. To make decisions regarding:
 - a. The removal and/or replacement of a Chair;
 - b. Changes to Standing Orders
4. Whenever called for by any member with seventy-two hours notice or agreement by all members of the committee as a whole
5. For the first meeting of the Committee in May, September and January, set out a meeting schedule for the following months.
6. Start-Up Meeting Logistics
 - a. The Administrative Assistant will arrange a start-up meeting of Bylaw Committee after the start-up meeting of Students' Council and prior to the installation ceremony at the first meeting of Students' Council.
7. Start-Up Meeting Order of Business
 - a. The Order of Business for the start-up meeting of the incoming Bylaw Committee will be:
 - i. Election of a Chair (see appendix 1)
 - ii. Approval of Annual Meeting Schedule, and
 - iii. Approval of Standing Orders.
8. Last Meeting Additional Orders of Business
 - a. The Order of Business for the last meeting of the year will have the following orders of the day added to the Chair's Business:
 - i. Review and Revision of Standing Orders.
9. Additional Meetings
 - a. Within the limitations of *Bylaw 100 s. 15(2)*, additional meetings of Bylaw Committee may be called by the:
 - i. Chair, or
 - ii. Bylaw Committee
10. Cancelled Meetings
 - a. Meetings of the Bylaw Committee may be cancelled by the Chair or Bylaw Committee.

3) MEMBERSHIP

1. Should a vacancy on the Bylaw Committee occur, then the Committee shall recommend the nomination of additional member(s) to Students' Council at its next meeting.
2. Should the Chair of the Bylaw Committee leave the voting membership of the Committee, the position of Chair shall be considered vacant and a new chair shall be elected at the next meeting.

4) ATTENDANCE

1. The Chair will take attendance orally twice each meeting, once during the Chair's Business and once immediately prior to adjournment.

5) CHAIR'S RESPONSIBILITIES & DUTIES

1. Presiding over debate at meetings of the Bylaw Committee,
2. Submitting the "Report to Students' Council" to the Administrative assistant, after each Bylaw Committee Meeting and prior to the deadline for Submissions to the next Students' Council meeting as set out in the *Students' Council Standing Order 4(4)*.
3. Assigning tasks to draftspersons in accordance with these Standing Orders,
4. Working with the Speaker and Administrative Assistant to ensure the logistical needs of Bylaw Committee are met,
5. Recommending to Students' Council the removal of any member who in the opinion of the Chair is not fulfilling their responsibilities to the Bylaw Committee, and
6. Designating an alternative chair for any meeting of the Bylaw Committee he/she is unable to attend.

6) MEMBER RESPONSIBILITIES & DUTIES

1. All members of the Bylaw Committee are responsible for:
 - a. Carrying out the drafting tasks assigned to them by the Bylaw Committee or Chair,
 - b. Ensuring the mandate of the Bylaw Committee is being fulfilled,
 - c. Recommending to Bylaw Committee the removal of any chair who in the opinion of the members of the Bylaw committee is not fulfilling their responsibilities as Chair to the Bylaw Committee,
 - d. Recommending to Students' Council the removal of any member who in the opinion of the Bylaw Committee is not fulfilling their responsibilities to the Bylaw Committee,
 - e. Assigning tasks to draftspersons in accordance with these Standing Orders

7) NON-VOTING MEMBERS

1. The following individuals are, in accordance with *Bylaw 100 s. 12(7)*, non-voting members of Bylaw Committee:
 - a. All members of Students' Council,
 - b. The Administrative Assistant,
 - c. Individuals appointed by the Bylaw Committee or Chair as draftspersons
2. Privileges of Non-Voting Members
 - a. May submit Orders of the Day to be considered by Bylaw Committee, and
 - b. Enjoy the same speaking privileges as any other member of the committee.

8) PROXIES / GEUSTS

1. Any person may become a Guest of Bylaw Committee upon being recognised as such by the Chair.
2. The Chair may grant speaking privileges to Guests of Bylaw Committee as deemed appropriate by the Chair.
3. To appoint a proxy to the Bylaw Committee, the member thereof must provide a notice to that effect to the Chair of the Committee:
 - a. stating the name and e-mail address of the eligible member of Students' Council who will serve as proxy,
 - b. indicating the duration of the appointment, and

- c. that is signed by the appointing member of the Committee or e-mailed to the Chair of the Committee no later than two hours prior to the Committee meeting.

9) ADMINISTRATIVE ASSISTANT DUTIES

1. The Administrative Assistant of the Students' Council will:
 - a. Book meeting rooms for meetings of the Committee.
 - b. Book Minute Takers for each meeting of the Committee.
 - c. Structure Agenda's for each meeting based on the Orders of the Day submitted by members of the Committee and any referrals from Students' Council.
 - d. Notify the Committee of Meetings through the Agenda.
 - e. Distribute the Agenda and Minutes to members of the Committee in accordance with *Standing Order 12(6)*.
 - f. Ensure paper copies of the Agenda are printed for the Chair to bring to each meeting.

10) RECORDS

1. If a Minute Taker is not present at the meeting, the Chair will assign the task of recording minutes to a member of the Committee.
2. Bylaw Committee "Report to Students' Council"
 - a. Bylaw Committee proceedings (traditionally minutes) will be recorded in a document styled "Report to Students' Council".
3. Report to be Circulated Prior to Submission
 - a. The "Report to Students' Council" will be circulated to members of the committee via email for feedback regarding accuracy prior to submission to the Speaker.
4. Approval of "Report to Students' Council"
 - a. The "Report to Students' Council" is considered approved as submitted by the Chair to the Speaker for Students' Council and ultimately as received by Students' Council.
5. Members may identify errors
 - a. Whenever in the opinion of Bylaw Committee an error is made in the "Report to Students' Council" submitted by the Chair to the Speaker for Students' Council, such error will be noted in the next "Report to Students' Council".
6. Content of "Report to Students' Council"
 - a. The Report to Students' Council will consist of:
 - i. A document styled "Summary of Proceedings" which will be a brief written summary of the Bylaw Committee's activities at the relevant meeting,
 - ii. A document containing a list of all motions voted on by the committee that the committee intends to be a force and effect in accordance with *Bylaw 100 s. 16(3)*, and
 - iii. An appendix of all documents voted upon by the Bylaw Committee for the purpose of providing an audit trail and accurate record of actions taken.
7. Publication of "Report to Students' Council"

- a. The “Report to Students’ Council” shall be published electronically on the Students’ Union Website, and in the next Students’ Council Order Paper.

11) RULES OF ORDER

1. Robert’s Rules of Order
 - a. *Robert’s Rules of Order* will be observed at all meetings of Bylaw Committee except where they are inconsistent with the Bylaw or Standing Orders of Bylaw Committee.
2. Chair to decide where Rules are Silent
 - a. Where the Bylaws, Standing Orders and Robert’s Rules of Order fail to provide direction with respect to procedure, the Chair will decide.
3. Relaxed Robert’s Rules of Order
 - a. Notwithstanding *Standing Order 11(1)*, the Chair may relax the rules prescribed in *Robert’s Rules of Order*.
4. Strict Compliance Requested
 - a. Notwithstanding *Standing Order 11(3)*, any member of the Bylaw Committee may require the Chair to strictly employ any part or all of *Robert’s Rules of Order* by rising on a point of order to that effect.

12) ORDERS OF THE DAY

1. Right of Submission by Committee Members
 - a. Any voting member of Bylaw Committee may submit Orders of the Day to be considered by Bylaw Committee.
2. Order of Business
 - a. Chair’s Business
 - b. Question/Discussion Period
 - c. Committee Business

i. Drafting Referendum & Plebiscite Questions	Bylaw 100 s. 17(2)(b)
ii. Drafting Bylaws for Second Reading	Bylaw 100 s. 17(2)(a)
iii. Draft Bills for First Reading	Bylaw 100 s. 17(2)(c)
iv. Editorial Amendment of Bylaws	Bylaw 100 s. 17(2)(d)
v. Other matters referred to Bylaw Committee by Students’ Council	Bylaw 100 s. 17(2)(8)
vi. Miscellaneous Recommendations to Students’ Council	Bylaw 100 s. 17(2)(7)
 - d. Information Items
3. Order of Orders of the Day
 - a. Orders of the Day shall appear on the Order Paper in the order submitted or as otherwise designated by the Chair.
4. Deadline for Submission
 - a. Orders of the Day must be submitted to both the Chair and Students’ Council Administrative Assistant by noon two business days prior to a Bylaw Committee meeting.
5. Late Additions
 - a. Notwithstanding *Standing Orders 12(4)*, Orders may be added to the Order Paper, at the discretion of Bylaw Committee at the meeting, if the items of business cannot be postponed to a future meeting of Bylaw Committee for resolution without risking detrimental consequences to or negative procedural difficulties for the Students’ Union.
6. Deadline for Publishing

- a. The agenda package will be published in the following manner:
 - i. Paper copies will be created and made available in the Students' Union Executive/Administrative Offices, and
 - ii. An electronic version will be placed on the Students' Union web page.
 - iii. The Agenda package will be published no later than 4.30p.m. on the business day prior to a bylaw Committee meeting.
7. Deadline Exceptions
 - a. For meetings called under the authority of *Standing Order 2(9)*, there will be no submission or publishing deadline.
8. Special Orders
 - a. A motion to make a specific Order of the Day a Special Order is a privileged motion.
9. Chair Made Special Orders
 - a. The Order of Business notwithstanding, the Chair may designate any Order of the Day a Special Order.
10. Council Made Special Orders
 - a. The Order of Business notwithstanding, Bylaw Committee may designate any Order of the Day a Special Order.
11. Chair's Business
 - a. During Chair's Business, the Chair will address all day-to day regulatory concerns of Bylaw Committee, including but not limited to:
 - i. Attendance
 - ii. Approval of the "Report to Students' Council" required in accordance with Bylaw 100 s. (16)(1)(d),
 - iii. Resignations/recommendations to Council to nominate new members
 - iv. Any process by which a member is recommended for removal from Bylaw Committee
 - v. Reports
 - vi. Announcements, and
 - vii. Motions making Orders of the Day Special Orders

13) STANDING ORDERS

1. The Standing Orders of the Bylaw Committee may be amended by a simple majority vote of the Committee, with such changes being reported to Students' Council.
2. The Standing Orders of the Bylaw Committee do not expire, but shall be reintroduced at the Committee's first meeting.

14) PROCESS FOR DRAFTING REFERENDUM & PLEVUSCUTE QUESTIONS

1. Chair to Assign Draftsperson
 - a. For each bill that passes first reading in Students' Council, the Chair will assign a draftsperson to draft the question to appear on the ballot.
2. Draftsperson to Submit for Next Bylaw Committee Meeting
 - a. The draftsperson is to have a draft question prepared for the Bylaw Committee Order Paper for the first meeting of the Bylaw Committee immediately following First Reading passage of the bill in Students' Council.

3. Invitation of Primary Proponents
 - a. The chair will invite to the meeting at which the question is to be drafted the primary proponents of the question.

15) PROCESS OF DRAFTING BILLS FOR FIRST READING

1. Determination of Bylaws with Committee Mandate Upon Which to Recommend Substantive
 - a. The committee will determine prior to July which bylaws fall within its mandate under *Bylaw 100 s. 17(5)(c)* (i.e. those bylaws that the Bylaw Committee is mandated to make substantive recommendations on to Students' Council).
2. Committee to Assign Draftsperson
 - a. Where deemed appropriate, for each bylaw identified under *Standing Order 15(1)*, the committee will assign a draftsperson to bring forward a bill for the Bylaw Committee's consideration and potentially subsequent recommendation to Students' Council.
3. Consultation & Feedback
 - a. In preparing a draft bill, the draftsperson will consult with and solicit feedback from relevant or affected parties.
4. Draft Format to Parallel Students' Council's First Reading Requirements
 - a. When ready, the draftsperson will submit the bill for the Bylaw Committee Order Paper in the same format specified in the Students' Council Standing Orders for Bylaws on First Reading.
5. Recommendation of Bill to Council
 - a. If approved, the bill is recommended to Students' Council for First Reading.

16) PROCESS OF DRAFTING BILLS FOR SECOND READING

1. Chair to Assign Draftsperson
 - a. For each bill that passes first reading in Students' Council, the Chair will assign a draftsperson to draft amendments to the bylaws.
2. Draftsperson to Submit for Next Bylaw Committee Meeting
 - a. The draftsperson is to have the draft legislation prepared for the Bylaw Committee Order Paper for the first meeting of the bylaw committee immediately following First Reading passage of the bill in Students' Council.
3. Consideration of Recommendation "That Council Reconsider First Reading"
 - a. Prior to consideration of the draft legislation, the committee will consider under *Students' Council Standing Order 15(3)(a)(iv)* whether or not to recommend to Students' Council that it reconsider whether the bill should be read a first time.
4. Formulation of Principles to Accompany Recommendation "That Council Reconsider First Reading"
 - a. Where it is decided to recommend to Students' Council that Council reconsider whether the bill should be read a first time, the committee will provide suggested principles for Council to consider.
5. Review of Draft Legislation for Compliance with First Reading Principles & Editorial Amendments
 - a. Where it is decided simply to recommend draft legislation in accordance with the principles passed on first reading, the committee will:

- i. Ensure that each principle is reflected in the draft legislation,
- ii. Ensure that the draft legislation does not exceed the principles approved in first reading, and
- iii. Review the entire bylaw for any editorial changes that is appropriate to make.

17) PROCESS FOR DRAFTING EDITORIAL AMENDMENTS TO BYLAW

1. Process for Drafting Editorial Amendments to Bylaw
 - a. The Bylaw Committee will conduct an annual review of each bylaw for editorial updates that do not alter the substantive meaning of the bylaws.
2. Committee to Assign Draftsperson
 - a. Prior to July, the Bylaw Committee will assign a draftsperson(s) to review each bylaw and assign a date by which the review is to be completed.
3. Consultation & Feedback
 - a. In reviewing a bylaw, the draftsperson will consult with and solicit feedback from sources that would be familiar with or affected by the bylaw under review.
4. Draft Format to Parallel Students' Council's Second Reading Requirements
 - a. When ready, the draftsperson will submit the proposed legislation for the Bylaw Committee Order paper in the same format specified in the Council Standing Orders for Bylaws on Second Reading.

18) CONFIDENTIALITY

1. All members shall ensure the security and confidentiality of sensitive information that comes into their possession by virtue of their membership on the Bylaw Committee.

19) MISCELLANEOUS

1. Public Meetings
 - a. Meetings of Bylaw Committee are open to the public, unless Bylaw Committee moves *in camera*.

APPENDIX 1: PROCEDURE FOR ELECTING A CHAIR**Start up meeting of Bylaw Committee**

2(3) The Chair of Students' Council will serve as interim chair for the duration of the start up meeting of Bylaw Committee, and preside over the election of a Chair of Bylaw Committee as per this Appendix

Nominations

2(3)(a)(i) Any voting member of Bylaw Committee may nominate themselves for the role of Chair

Speeches

2(3)(a)(ii) Each candidate may give a brief speech not to exceed two minutes.

Questions

2(3)(a)(iii) The presiding officer will allow questions to be put to the candidates from the members of Bylaw Committee.

Secret Ballot

2(3)(a)(iv) The vote will be by secret ballot

Recess

2(3)(a)(v) Bylaw Committee will recess while the presiding officer counts the vote.

Announcement

2(3)(a)(vi) The presiding officer will announce the results of the election to Bylaw Committee.

NOTE

2(3)(a)(vii) Should the position of chair become vacant, election of a new chair will take place at the next meeting of Bylaw Committee as a special order of business to be dispensed with immediately in accordance with this appendix with the exception that a voting member of Bylaw Committee who is not running for election or re-election to the position of chair will preside over elections procedure until the election of a new chair. This member will be the outgoing Chair unless the outgoing Chair is running for re-election or no longer a voting member of Bylaw Committee, in which case the presiding member will be determined by vote cast by all members of Bylaw Committee not running for election or re-election to the position of chair. In the case that all voting members of Bylaw Committee are running for election or re-election to the position of Chair, the speaker of Students' Council will serve as presiding officer

Tuesday Sep 09, 2015

5.46 pm

SUB 6-06

ATTENDANCE

NAME	PROXY	PRESENT
Justis Allard (Chair)		Y
Cody Bondarchuk		Y
Annie Duan		Y
Ben Angus		Y
Brandon Christensen		Y
Thomas Patrick		Y
Bo Zhang		N

MINUTES (BC 2015-08)**2015-08/1 INTRODUCTION****2015-
08/1a Call to Order**

Meeting called to order by ALLARD at 5.46 p.m.

**2015-
08/1b Approval of Agenda**

ALLARD / ANGUS MOVED TO approve the agenda

6/0/0
CARRIED

**2015-
08/1c Approval of Minutes**

BONDARCHUK

Suggested an amendment that his last name must not have the second "c"

ALLARD / BONDARCHUK MOVED TO approve the minutes as amended
4/0/2 (2 abstentions by ALLARD and PATRICK)

CARRIED

2015-08/1d Chair's Business

ALLARD

Asked if meeting time is good for everyone

(Everybody discussed but no other time was decided)

2015-08/2 QUESTION/DISCUSSION PERIOD

2015-08/3 COMMITTEE BUSINESS

ALLARD

Mentioned about second reading of bill 6 through 10

Asked if everyone has a chance to look through

Said that for sake of time he wants to limit the discussion to 10 min

Mentioned that if outgoing CRO is going and the seat is vacant?

CHRISTENSEN

If the chair of committee is the CRO then technically they can only vote if there is a tie

If CRO is unable to fill, they will be conflicts

ANGUS

Suggests to replace "outgoing" to "incumbent"

Motion:

ANGUS / CHRISTENSEN motioned to replace "outgoing" with "incumbent"

6 / 0 / 0 CARRIED

ALLARD

Asks if there is any other debate

PATRICK

If there is conflict of interest between student and CRO, then First Principles, being very explicit, would prevail

BONDARCHUK

Said that he doesn't think that there is a conflict of interest

To that end a lot of things could be in conflict when it comes to bylaws

ALLARD

Is there a way they can find an alternative?

CHRISTENSEN

Said he thinks it is valid if incumbent CRO could be running for an additional term

ALLARD

So, it can be kept as in first principle

ANGUS

Might be a situation that may happen and the bylaw committee makes a call

BONDARCHUK

How can you suspend a standing order? In this case if this happens, can bylaw be ignored?

ANGUS

How bylaw could have foreseen for situations where you violate it?

ALLARD

They should have an obvious conflict of interest in past
In this case it is clear, in that either the chair can be found and / or a more knowledgeable person for the role can be found

Motion:

ALLARD / DUAN motioned to pass Bill 6, bylaw 2100

6 / 0 / 0 CARRIED

ALLARD

Initiated discussion on the next agenda item

ANGUS

Mentioned about the word "preferred" in bc-15-08-02

Motion

CHRISTENSEN / ALLARD motioned to change the "preferred" in bc-15-08-02

6 / 0 / 0 CARRIED

DUAN

If people run then they will find out

ALLARD

When you leave it to the discussion on the CRO it is on the cases by case basis

BONDARCHUK

If someone wants to change something they can motion to split a bill

ALLARD

It can be split and an amendment can be made to one

Motion:

ALLARD / PATRICK motioned to amend bylaw bill#7 in bylaw 2200 and bylaw 2300

6 / 0 / 0 CARRIED

ALLARD

Should there be a notice period before cancellation?

BONDARCHUK

When we cancelled daily meeting last period everyone knew

But you won't know in advance. It is better is to leave it up to them

ALLARD

There are checks and consequences too

ANGUS

Default for candidates is 10 min

BONDARCHUK

If we are holding additional meetings that is fine

PATRICK

Is not it proper to communicate in advance if the meeting is cancelled

Doesn't change the meaning

It does say to notify

ALLARD

It is like interpretation

(Agreed that a scheduled meeting would make it clear)

ANGUS

(Agreed)

ALLARD

In the event of interpretation, bylaw is followed

Motion:

CHRISTENSEN / BONDARCHUK motioned to approve 3c

6 / 0 / 0 CARRIED

CHRISTENSEN

There are always vacancies and therefore there are by-elections

If for example Tom calls in advances then his position will be filled

30 days because the nomination package takes three weeks and there has to be additional 9 days

For example, by-elections are for October 30th and then vacancies on August

20th, then what are you going to do?

BONDARCHUK

Good because it is start of school and people know if it is good time to go on or resign

DUAN

Nomination package has to out three weeks before election date -

CHRISTENSEN

So it has to 21 days and the CRO needs more time

This campaign starts 9 days prior

So exactly 30 days

ALLARD

Someone can dropout on the 30th day also

ANGUS

Said that 30 days is what they should stick with

Elections occur in consequently 2 weekdays days

ALLARD

Agrees with Cody that there will be people dropping out

DUAN

It is until first week and so it can be little shorter

BONDARCHUK

October is good

DUAN

Questioned if a nomination package is out

BONDARCHUK

Said that if they resign they resign

CHRISTENSEN

Proposes to change it

ALLARD

Agrees with that

CHRISTENSEN (reads loud)

DUAN

Said that they still can't include any positions

ANGUS

Questioned if it reflected the first principles

Motion:

DUAN / BONDARCHUK motioned to amend Line 115 (BC 15-08.05) as Notwithstanding Section 16(1). If position become vacant between August 15 and 24 hours prior to the release of the nomination package of the by-election, those positions shall also be included in the by-election

6/0/0 CARRIED

Motion:

ALLARD / DUAN motioned to strike plebiscite or referendum in line 245,

6/0/0 CARRIED

CHRISTENSEN

Talks about the 12 hours that it is necessary and says that it is regardless of the 12 hour rule (section 47 -4)

PATRICK

Said that he doesn't know the exact role of the complaint
CRO can rule things regardless of there is a compliant or not

BONDARCHUK

Same issue but different ruling

AANGUS

Said that he regards time is essence and that he thinks that it is a time issue
Don't let this hold you back until it has passed 12 hours
If it passed 12 hours the CRO should keep ruling

ALLARD

CRO should investigate afterwards but a ruling must still be made

ANGUS

Acknowledges receipt and implies judgement call (to me)

DUAN

Said she thinks it is like circumstances when they can

PATRICK

CRO has the right to investigate

CHRISTENSEN

Section 48 but this is section 46

ANGUS

Agree they don't have to make a judgement call

ALLARD

Rulings are public

They have to complete the no estimations but have to make a ruling
Public can see that and can sway the election before further investigation and
something else comes out

ANGUS

CRO won't rule anything prematurely
CRO will finish whatever needs to be finished and will break the 12 hour rule
but it has no benefit

ALLARD

But the CRO will break bylaw
I get it but can we legislate that CRO is doing a bad job
They are not doing their job

PATRICK

They can rule 12 hours and how about the 12 hours hours needs then the
ruling can be made at a later time

ANGUS

You can't legislate for a bad CRO
Asked if they can theoretically go where the complaints are received.
Said that if they operate with a good CRO then it will be a nice guideline but it
will not restrict because it will not be a substantial complaint

ALLARD

Said he understands that they interpret bylaw
If we have a bad CRO we can't do anything
Said that they can probably get the same penalties for not breaking bylaws
but like interpreting
It is like legislating against a CRO that doesn't do its job

PATRICK

Some are complex complaints
There will be expectations
But in general ruling must be done in 12 hours

CHRISTENSEN

In most cases CRO can break bylaw and nothing will happen

ALLARD

Said that he likes this because they will have the authority to investigate
If it is not 12 hours then they take like 3 days

CHRISTENSEN

It is like section 47-4 didn't exist

ANGUS

In spite of the fact that we must have a clause in 12 hours they can rule again

ALLARD

They can rule but should rule in 12 hours

ANGUS

It says despite of this clause the CRO can rule
It totally negates the first clause

BONDACHUK

Agreed that it is clear enough from what I saw last year
For time limits, I don't see it happening

ALLARD

Making it explicit then is the way to go
You can't ignore section 47-4 to investigate

ANGUS

47-4 is tied to complaint that makes 12 hours necessary
Complaint should be clarified
Though it is necessary to have a 12 hour period but then adding time doesn't
make it clearer

ALLARD

Agreed and said that 8 days is not adequate but more than adequate

ANGUS

It nulls and voids the power that it exists

CHRISTENSEN

(Reads out)

I think we should be specific to be complaint
The issue should be in context of complaint made

ANGUS

Disagreed
Said that suspect may be anything

PATRICK

It confirms the scope of adequate

CHRISTENSEN

Mentioned that contravention is not complaint

ALLARD

Said he is confused about the bylaws

PATRICK

This might be one of the sections
It is not specific to disqualifications

ANGUS

Makes sense because it is like all the penalties

BONDARCHUK

Rebecca and / or Deborah must be updated to update the wiki

Motion:

PATRICK / ANGUS motioned to use the word "Notwithstanding section 47(4) the CRO is empowered to take adequate time to investigate and rule upon every complaint pertaining to contravention of this bylaw" in Line 313

6/0/0 CARRIED

Motion:

ANGUS / BONDARCHUK motioned to use the exact same wording to line 245

6/0/0 CARRIED

BONDARCHUK

Whether you have one question do ten the process remains the same

As it added additional students to it

I mean the worst that I can see is that there are two referendum questions and we don't bring them up, as there will be plebiscites

ALARD

Agreed but stated that it would be the proper way because there are certain words where plural sounds similar to singular

BONDARCHUK

Said he thinks referenda is correct

Proposes adding plebiscite (within brackets)

BONDARCHUK

Referendum is correct

Referenda is multiple of referendum

Motion:

ALLARD / CHRISTENSEN motion to make plebiscite plural

6/0/0 CARRIED

(ANGUS leaves the meeting room)

BONDARCHUK

Plebiscite and referendum are part of the election

Let's leave it for now because as it stands it not wrong but could be grammatically different

Motion:

ALARD / PATRICK motioned to accept line 313 (first two paragraphs) as amended

5/0/0 CARRIED

(Discussion about polling station, started and went on)

PATRICK

On a side note, he said he found a spelling mistake

ALLARD and BONDARCHUK
Mentioned about an editorial mistake

ALLARD
Because technically that is changing
Separate things and so that later

(Discussion related to 2015-08/3f went on)

BONDARCHUK
Good polling is made online and is made explicit

ALLARD
Said that they do not use physical polling station
Polling stations are provided by bylaw and the goal is to eliminate them
Shall we say eliminate polling station or reference polling station

BONDARCHUK
Example DFUs are opt-out-able only online
Last year polling were used and 18 people used them
Extra principle would to craft something
Can talk more about ballots

ALLARD
Said that they can tell that “we eliminate polling by saying we are creating something to eliminate polling stations”

BONDARCHUK
Said that they should say physical polling stations
If it is not physical but it is on phone then that's not what they want

PATRICK
Polling station do exist in the real world
They have real polling station, but that's online and should go to council

BONDARCHUK
Said he thinks they should regulate that voting should only be done online
When you have, somebody like a CRO, and voting online, we can't have paper and pen ballots then it can destroy elections
But can we completely eliminate it ?

ALLARD

It has definition but you are changing the method
You also don't want two different methods to cast votes and it complicates
Said he is okay with it

BONDARCHHUK
If it is a polling station then it is okay

ALLARD
Said that so they should just get rid of physical polling stations
Keeping with first principles to eliminate polling stations

CHRISTENSEN
Bylaw committee should be amended to reevaluate the polling process

Motion:
CHRISTENSEN / DUAN motioned to add a third line to section 2015-08/3f, which is "Bylaw shall be amended to reevaluate the election voting process"
6/0/0 CARRIED

Motion
ALLARD / BONDARCHUK motioned to strike the word "physical from number 2 point"
6/0/0 CARRIED

Motion:
ALLARD / DUAN motioned to amend the whole 2015-8/3f as amended
6/0/0 CARRIED

(Committee discussed section 2015-08/3g)

CHRISTENSEN
Is using second principle and information item, against university policy

ALLARD
University policy does apply
So it must implemented in bylaw

BONDARCHUK
People will have issues
Sid he agrees with not providing devices
In certain circumstances they work, like real world
You have implicit obligation for the person
Said he thinks that candidates should not be supplied devices

ALLARD
If you try to block a few computer during elections or something like that

CHRISTENSEN

Said he won't pursue addition policies in #4

BONDARCHUK

Said he would include first principle with something around electronic devices

ALLARD

We are not talking about integrity of the candidates but the election
You should not stand there and offer an iPad

CHRISTENSEN

You cannot go there and tell that use iPad or phone and so on

ALLARD

Having complete set aside for polling purposes is not like a polling station

BONDARCHUK

Said they should mention like where we are going with it so that people don't get cheated
Said they can include that in the introduction too

BONDARCHUK

Said they can say regulation shall be created during the election voting days

Motion:

BONDARCHUK / CHRISTENSEN motioned to add a line between lines 4 and 5 in 4a, that should read "regulation shall be created for use of electronic devices during the election voting days"

5/0/0 CARRIED

Motion:

ALLARD / PATRICK motioned to approve 2015-08/3g as amended
5/0/0 CARRIED

2015-08/4 INFORMATION ITEMS

1. Bill 6, bylaw 2100 was passed
2. Motion was made for amending bylaw bill#7 in bylaw 2200 and bylaw 2300
3. 2015-08/3c was approved
4. Amended 2015-08/3f and 2015-08/3g were approved
5. Several other amendments were made as listed in the Summary of Motions

2015-08/5 ADJOURNMENT

Motion to adjourn:

ALLARD / BONDARCHUK motioned to adjourn the meeting

5/0/0 CARRIED

2015-08/5a **Next Meeting:** September 23rd (2015) at 5.30pm in SUB 6-06

Meeting adjourned at 7.50 p.m.

SUMMARY OF MOTIONS

MOTION	VOTES
ALLARD / ANGUS motioned to approve the agenda	6/0/0 – CARRIED
ALLARD / ANGUS motioned to approve the minutes as amended	4/0/2 – CARRIED (2 abstentions)
ANGUS / CHRISTENSEN motioned to replace "outgoing" to "incumbent"	6/0/0 – CARRIED
ALLARD / DUAN motioned to pass Bill 6, bylaw 2100	6/0/0 – CARRIED
CHRISTENSEN / ALLARD motioned to change the "preferred" in BC-15-08-02	6/0/0 – CARRIED
ALLARD / PATRICK motioned to amend bylaw bill#7 in bylaw 2200 and bylaw 2300	6/0/0 – CARRIED
CHRISTENSEN / BONDARSHUK motioned to approve 2015-08/3c	6/0/0 – CARRIED
DUAN / BONDARCHUK motioned to amend line 115 (BC 15-08.05) as Notwithstanding Section 16(1). If position become vacant between August 15 and 24 hours prior to the release of the nomination package of the by-election, those positions shall also be included in the by-election	6/0/0 – CARRIED
ALLARD / ANGUS motioned to strike plebiscite or referendum in line 245	6/0/0 – CARRIED
PATRICK / ANGUS motioned to use the word "Notwithstanding section 47(4) the CRO is empowered to take adequate time to investigate and rule upon every complaint pertaining to contravention of this bylaw" in line 313	6/0/0 – CARRIED
ANGUS / BONDARCHUK motioned to use the exact same wording to line 245	6/0/0 – CARRIED
ALLARD /CHRISTENSEN motioned to make plebiscite plural	6/0/0 – CARRIED

ALLARD / PATRICK motioned to accept line 313 (first two paragraphs) as amended	5/0/0 – CARRIED
CHRISTENSEN / DUAN motioned to add a third line to section 2015-08/3f, which is "Bylaw shall be amended to re-evaluate the election voting process"	5/0/0 – CARRIED
ALLARD / BONDARCHUK moved to strike the word "physical" from number 2 point"	5/0/0 – CARRIED
ALLARD / DUAN motioned to approve the whole 2015-08/3f as amended	5/0/0 – CARRIED
BONDARCHUK / CHRISTENSEN motioned to add a line between lines 4 and 5 in 4 a, that should read "regulation shall be created for use of electronic devices during the election voting days"	5/0/0 – CARRIED
ALLARD / PATRICK motioned to approve 2015-08/3g as amended	5/0/0 – CARRIED
ALLARD / BONDARCHUK motioned to adjourn the meeting	5/0/0 – CARRIED