

**BYLAW
COMMITTEE**

**Tuesday, June 20, 2017
6:30 PM
SUB 0-55**

ATTENDANCE

NAME	PROXY	PRESENT	SUBMISSION OF WRITTEN FEEDBACK (IF ABSENT)
Brandon Christensen (Chair)		Y	N/A
Sandy Brophy		Y	N/A
Navneet Gidda	Kara Farris	Y	N/A
Delane Howie		N	N
Nicole Jones		Y	N/A
Robyn Paches		Y	N/A
Alannah Piasecki		Y	N/A

MINUTES (BC 2017-03)

2017-03/1 INTRODUCTION

2017-03/1a Call to Order

Meeting called to order at 18:40 (6:40 PM) by CHRISTENSEN.

2017-03/1b Approval of Agenda

JONES/PIASECKI MOVE to approve the agenda.

6/0/0
CARRIED

2017-03/1c Approval of Minutes

BROPHY/CHRISTENSEN MOVE to approve the minutes.

5/0/1

CARRIED

2017-03/1d Chair's Business

2017-03/1d Attendance

Attendance was taken. Proxies in attendance were noted above. Chief Returning Officer (CRO) Nadia Halabi was present.

2017-03/2 QUESTION/DISCUSSION PERIOD

2017-03/2a Report from the Chief Returning Officer (Nadia Halabi)

HALABI:

By attending this meeting, I hope to be super familiar with bylaws, and see how you guys felt about certain bylaws.

CHRISTENSEN:

When the previous CRO did the transition, were there any particular things that he wanted changed?

HALABI:

Regarding universal materials, there's no cap on it in the actual bylaws. However, there is a cap on campaign materials. I believe you shouldn't be able to spend more than \$100 on universal materials. That is separate from your actual budget. Why would you not have a maximum?

BROPHY:

I was working on this before, but I acknowledge that I have lost this battle. The whole point was to keep things fair without putting caps. I have decided to lay it by the wayside.

PACHES:

The thing is, while it's not in the bylaw, it is in the elections package. So, why not bring it to bylaw as well?

CHRISTENSEN:

Back in the day, it was just the things provided by the elections office. You didn't include it in your budget. There was tape, paint, etc. You couldn't go and buy stuff.

PACHES:

The premise around it was that you only go and buy stuff at the last moment. You had to prioritize stuff which was already provided. If what you needed was not in the office, you get into the universal materials budget.

HALABI:

The universal materials are for everyone to use. So, you shouldn't really be supposed to go out and buy anything. If something like banner paper didn't come in, then you'd be allowed to go and buy your own.

PACHES:

Last year, people bought their own banner paper from the get-go. You should use what is provided.

CHRISTENSEN:

The bylaw wasn't followed last year as it was supposed to.

BROPHY:

There was some confusion, and what was in bylaw didn't necessarily get translated well into the order package.

HALABI:

I'd not like to see something in the campaign package that is not in the bylaw.

BROPHY:

My original intent was to change the campaign package in accordance with the bylaw. However, if nobody likes that, we can change the bylaw according to the campaign package.

CHRISTENSEN:

We'll get back to universal materials later as it's in our agenda package.

HALABI:

The previous CRO said he'd like to allow candidates to use social media a week before the campaign period starts.

PACHES:

That's on the agenda as well. How about Deputy Returning Officers (DROs)?

HALABI:

I was suggested to keep 2 DROs. I probably will.

CHRISTENSEN:

I think the elections went so much better last year than in the recent past.

PACHES:

What's your opinion on forum attendance?

HALABI:

If they don't show up, it's going to hurt their campaign.

2017-03/2b Executive election pre-campaigning - Where do we go from here?

CHRISTENSEN:

What are our thoughts on the pre-campaign period?

BROPHY:

I think it's a complete fiction. Everyone knows who is campaigning. While I agree that it's a good idea to have a clear date for putting up banners and stuff to avoid campus clutter, it's different with regards to things such as facebook pages. I really see no reason for people to shut everything down for 1 week. They would have already been talking up their ideas for months.

PACHES:

I have personal experience in conducting campaigns in both climates. In the first instance, there was a clear cut-off date. Last year, the CRO allowed us to do borderline stuff. For example, I was allowed to say that I'm a candidate for a particular position. This created a lot of ambiguity

and confusion to the candidates. I'd prefer the previous set-up which was black and white and thus easy to understand. In this age, physical clutter is becoming less of a problem. However, people get exhausted with digital clutter. It's a bigger issue than physical clutter. You're going to get boosted Facebook posts for nearly 4 weeks. We have 2 weeks of executive elections, 2 weeks of council elections, and maybe a faculty association (FA) election as well. By the time you get to the last set of elections, the vote is drained. He/she will not care. If we extend the social media campaign for 1 week for the executive elections, there will be more digital clutter, and it will have consequences on the turnout for the council elections. There is also a bigger budget for the executive elections. Therefore, that extra week is going to be major. To recap, the clear cut-off makes it easy for candidates to run, and reduces the digital clutter which will increase the turnout at council elections

HALABI:

I agree with the whole black and white thing. However, I think the previous CRO was clear on the instructions. He said candidates could only tell that they were running. The ambiguity came in when the candidates wondered whether they could tell what they were planning to do once elected. Anyway, I like the way it was before when there was a clear-cut date. The next year's elections are going to be set-up similar to the years before. As such, the week beforehand is reading week. I just don't see people going over platforms during reading week. The ones who will read them are the ones who will read them anyway once campaign starts the following week. I just don't think it will help. It will be too much in people's faces.

BROPHY:

The ambiguity came because you were only allowed to say certain things on social media. You can still increase the clarity by having clear cut-dates for the digital materials. You're overestimating the digital fatigue people will have. Boosted posts still cost money, and because of budgetary constraints, the total amount of boosting would remain the same. If there are more boosted posts early on, there will be less later. I see the risk as negligible. The artificial blackout period just feels wrong when people have been talking about it for weeks or even months! I don't think the risk is big enough to justify the weird artificial blackout period.

JONES:

I agree with Councilor Brophy.

PIASECKI:

I think increasing the campaign period would increase voter apathy. So, I'm for a clear-cut date where everything starts on a particular date.

FARRIS:

I can see both sides. Coming from Education, we had executive, council, and FA elections all at the same time. They were all boosting their posts on platforms. We didn't get a really high turnout probably due to this very reason. However, I also understand the issue with the weird blackout period.

PACHES:

For the purpose of the debate, we should remove the whole discussion about clarity. I don't think there's a tangible measure to clarity; many people will have their own opinions. So, I'm going to drop that from my argument. I want to focus on the issue of voter apathy. What is the goal of having a democratic elections process? The goal is to have elected individuals to represent students. Shouldn't our goal be to take in as much input as possible from students through their votes so that the elected officials best represent the voices of students? If we are going to do anything that would increase voter apathy, we should seriously consider why. A good portion of the budget goes towards digital advertisements. In my own budget, it took up 50-60%. Somebody may argue to increase budgets correspondingly if we increase the campaign periods. Do we want to go down that path? I personally don't. \$550 is more than enough for an election campaign. I'll add another point. Elections, especially executive elections are really taxing to the people involved. The blackout period may be weird, but it's the safe week before elections which guarantees a period of time for focusing on the campaign ahead. Therefore, this week will help reduce the stress levels of the candidates and their campaigners.

HALABI:

I'd prefer a black and white scenario for this week. I may allow people to publish their bios on the Students' Union (SU) website, but that is as far as I would go. Even that may be a bit iffy because some people throw in their platform points.

BROPHY:

I feel it's silly that people have to stop talking about something that is important to them. I find it problematic that someone who does talk about it can get into trouble. I agree that there may be some fatigue. But it's not big enough to warrant this artificial blackout week. While you have shown that problems do exist, you haven't justified that they are big enough to limit daily social media interactions.

HALABI:

The blackout period is not completely a bad thing. It gives some time for candidates to look into other people's points. Candidates may thus actually like the blackout period.

PACHES:

We're not policing your ability to have conversations. I can have a conversation with my friend about my campaign. The restriction is only regarding your ability to share things publicly. I don't think asking an individual to withhold public postings is impeding day to day social media interactions. It's completely fine to ask someone to not promote himself/herself on a public forum when you can make the conscious decision not to do that. It doesn't hold someone back from a casual conversation. You can still go to your Facebook group of close friends. Having that week beforehand to get ready is very positive for one's mental health. I have seen many candidates fold and giving up due to pressure. I'd hate to put an extra week of pressure on them.

BROPHY:

A lot of social media interactions are those casual conversations. But, that casual conversation is public, and it may get caught up. It's the written form of what we do every day in person. I'd err more on allowing people to talk about campaigns on social media. But, I do definitely see the points you are making. I'm okay if I'm the sole person who ends up arguing the other way.

HALABI:

If people are running, they would know pretty early on. Opening it up a week earlier is not going to stop those conversations. Some people would decide to run as early as October, and would have email conversations.

BROPHY:

That's my point. You'd have been casually chatting for months, and suddenly you have this blackout period. I'd hate to see people get fined.

CHRISTENSEN:

That's one point I agree with Councilor Brophy. I don't like rules which are there to trip people up and cause them to be disqualified. For example, if your Facebook group goes public for a couple of minutes, you can get fined. It has happened in the past, and depends on the CRO's interpretation. My goal would be a compromise with decreased penalties or by changing the ways penalties are prescribed. Coming to

the point of apathy, there's apathy the way it is. I have always been in favor of amalgamating elections, but that hasn't been a popular view. If we agree that there's apathy, why aren't we looking at that conversation.

PACHES:

We all admit there's apathy. I don't think it's healthy for our organization to throw out the idea of voter apathy. I'd love to see the elections amalgamated as well. Unfortunately, we're not there right now. In the interim, we should look at other ways of combating voter apathy. Every year, there's at least one Facebook page that gets posted early. It has happened to me too. I don't know of anyone who has gotten disqualified after accidentally putting up their Facebook page during the precampaign period before putting it down. I fully agree with reviewing how the penalties are prescribed so that people aren't hard done. If people pull the page down after realizing it's a mistake, and explain it to the CRO, they will almost never get punished. There has never been anybody getting disqualified for casual conversations. I also don't think it's fundamentally restrictive to ask someone to think before they post a Facebook comment for a week. It's not about policing people's social media at all. It's your due diligence. In addition, I have the following point. We already have a budget, and we'll be using a portion of that if we increase the campaigning period by a week. How can we use student dollars to fund something like this when the students won't have the accessibility because they're not on campus during that week? I don't think that is a wise use of student dollars. Many people have their own bubble, and that's all you see on social media. Therefore, even with an increased campaign period, you will only access a portion of students, and even then, these students will not have the proper accessibility.

HALABI:

I can't go up to any random person who is talking about their election unless I have their nomination package. They will not be candidates until then. There's a big difference when they are actually candidates. I'm also not going to disqualify somebody based on a mistake.

CHRISTENSEN:

It can't come down to that. Future CROs may interpret things differently.

PIASECKI:

Are there consequences if you are found out after you were elected that you have violated precampaign laws?

PACHES:

Yes. The CRO will analyze it and assign a certain fine depending on how much precampaign happened. If that fine takes you above your budget, you will get disqualified. You can go to the DIE Board to appeal it.

CHRISTENSEN:

I wonder what will happen if it was discovered about a month later. Once the results are submitted and finalized, can you be retroactively disqualified?

HALABI:

I believe it can be taken to the DIE Board.

CHRISTENSEN:

While the CRO has authority during the elections period, there is no wording about it for the time period afterwards from my reading. Well the Students' Council has the ability to impeach someone if they were found to have seriously violated election rules. I guess that should be the course of action for now.

So, should we keep the status quo? Is there anything in particular that people would like to see changed?

PACHES:

I think the point about using social media to solicit volunteers can be tightened up. I don't like how it was done last year when you could just say you were running. It should be either all or nothing. Everyone should know what's happening.

CHRISTENSEN:

Right now, the campaign period starting right after reading week is just a custom.

HALABI:

I'm going to follow the custom.

CHRISTENSEN:

That's fine. However, it doesn't say anywhere that the campaign should start on the first Monday following reading week. I like the way it is now. I'd rather not change the budget as well. I'd never propose funding extra for this. If you spend your money early, and don't have enough money when it matters, it's the candidate's loss.

HALABI:

I have another question not regarding this. Why do plebiscites have a \$1000 budget? That doesn't make any sense. It's very excessive.

Is there also something about physical voting booths?

CHRISTENSEN:

It may be mentioned in the nomination package.

PACHES:

It's dangerous to take out the idea about voting booths.

CHRISTENSEN:

As of now, there's no mention of physical voting booths at all in bylaw. The nomination package sometimes does not get rigorously updated.

PACHES:

I'll try to find some history behind the \$1000 budget for plebiscites. There has to be some reason.

CHRISTENSEN:

I have always assumed it was because the issues are important.

PACHES:

In addition, it takes more effort to get your message across to a wider audience because you're not in a specific position. Plebiscites can also have more of an impact to the average student.

2017-03/2c Universal Materials

BROPHY:

I have decided that I give up on this. The idea was to free people up to get different creative materials as long as everyone else had access to them. However, other people weren't really on board with the whole idea. So, I'm not really going to bother. You can use \$300 of paint as long as you buy everyone else \$300 worth of paint. That was the premise.

CHRISTENSEN:

How should we go forward with this? I'd like to have it as follows. There are some materials provided by the elections office. These materials will be replenished as needed. For everything else, you have to go and buy it. There would not be separate budgets. You can spend whatever you want out of your \$550. The system put together last year was very complicated. Things like tape and banner paper can be provided.

PACHES:

Where is that money coming from?

CHRISTENSEN:

It's from the elections office's budget. They can choose what to provide.

HALABI:

What if someone wants a lilac purple that we don't have?

CHRISTENSEN:

Then they'll have to go and buy it. The elections office can make up their mind on what to provide based on what they have. It can be tape or glue. If they don't have the tape you like, you can buy your own. It'll come from your own budget.

HALABI:

It's crazy to buy things like that from your own budget!

PIASECKI:

If that's what they want, they can go ahead. It's their loss.

CHRISTENSEN:

Right now, it's so complicated. People can hoard stuff without sharing. It's much easier when each candidate has to buy their own stuff if the elections office doesn't have them. There shouldn't be 2 budgets.

HALABI:

I agree with that. The universal materials budget is a bit confusing. I'll ask candidates to look in the office for things they like. I'll also say that I will go out to buy stuff on a certain day and ask for requests to be submitted a few days beforehand if they don't find what they're looking for. Paint will be a bit iffy though.

CHRISTENSEN:

Don't provide it. It should not be a universal material. They should buy their own.

FARRIS:

I agree. The color of paint someone uses is very niche.

HALABI:

It can get used up later. There is some paint sitting up there right now. What if that paint matches a candidate's campaign colors while another candidate has to buy their own because it doesn't match their color?

CHRISTENSEN:

It's up to you. You can choose to keep it and provide what there is or not at all. I don't think it's acceptable for you to go out and buy paint for people.

PACHES:

I personally didn't find the 2 budgets too confusing. You just had to report it separately. You can run a fine campaign with way less than \$550.

CHRISTENSEN:

We should decide on this. I'm for one budget where the candidate has to buy stuff the CRO's office doesn't provide.

BROPHY:

If people are using a significant chunk of your budget for these materials, I'd say that we should keep it simple and have the elections office provide them.

PIASECKI:

I don't think upping individual budgets is the way to go.

BROPHY:

If we're worried about people not getting the paint they need, the budgets should be combined. Having an extra chunk of the budget for universal materials is convoluted.

JONES:

How much is paint?

HALABI:

A big can is around \$60.

PACHES:

I got a little can of paint for much less. If you are asking whether this would impede a candidate's ability to print posters and run a campaign, the answer is no.

HALABI:

I'm for removing the 2 separate budgets. I will buy most of the necessary stuff. If a candidate wants more, they can use their own budget.

PIASECKI:

I like the idea of removing the separate \$100 budget. The CRO can list the things he/she is providing, and the candidates can tell the CRO if

they want something not on the list. If the candidate doesn't do that, it comes out of his/her own budget.

CHRISTENSEN:

Where's the section on labor?

BROPHY:

I remember combining 2 sections. There were some clarifications with regards to people donating time. That was the crux of my changes. There were issues regarding the price of students with any specialized skill helping with your campaign. I like that part of my changes about fair market values.

CHRISTENSEN:

We'll write the principles for redoing this section during the next meeting.

BROPHY:

A lot of the stuff in campaign rules come from tradition instead of bylaw.

CHRISTENSEN:

We should work with the responsible person. It's possible they copy the same application package every year.

2017-03/3

COMMITTEE BUSINESS

2017-03/3a

Bill #2 - Joke Candidates - *First Reading*

CHRISTENSEN/FARRIS MOVE to approve the first reading of Bill #2 - Joke Candidates, on the recommendation of Bylaw Committee, based on the following first principles.

First Principles

1. A joke candidates is defined as any candidate who chooses not to use their given name or a reasonable derivative of their given name when appearing on the ballot.
2. In the context of Bylaw 2400, it is unclear what happens if a joke candidate were to achieve more votes than a candidate in a race.
3. Bylaw 2400 shall be amended to clarify that, if a joke candidate does receive more votes than any other candidate, the joke candidate shall be dropped from the ballot and counting shall continue, with the joke candidates' ballots being redistributed in accordance with normal conventions for SU elections.

4. In the context of Bylaw 2200 and 2300, a joke candidate may become a real candidate within 48 hours of being designated a joke candidate.
5. Bylaw does not currently stipulate when a person is designated a candidate.
6. Bylaw 2200 and Bylaw 2300 shall be amended to state that a person becomes a candidate at the nomination deadline.
7. Bylaw 2200 and Bylaw 2300 shall be amended to state a joke candidate may become a real candidate within 48 hours of the nomination deadline.

SUMMARY OF DISCUSSION:

BROPHY:

For point 2, I haven't really heard any debate about it. People have realized what would happen if such a situation occurred.

PACHES:

It is unclear what happens. You should change the wording on point 2 as such.

CHRISTENSEN:

The term "unclear" is good.

PACHES:

For point 3, why not say that the joke candidate's ballots would get redistributed?

PIASECKI:

You can say that the joke candidate's ballots would be redistributed in concordance with the convention.

CHRISTENSEN:

I'm trying to say what I think the bylaw already says about the last point. However, it isn't explicitly defined in bylaw when the CRO explicitly designates you as a candidate. If you submit your nomination package a week early, are you a candidate at that point? Is it after the nomination deadline? It doesn't say anywhere.

PACHES:
Is 48 hours there already?

CHRISTENSEN:
Yes. It just doesn't define when you are designated as a joke candidate. I'm making it clearer by stipulating that you are designated at the nomination deadline. It's going to be tough to explain as the change is minute.

PACHES:
Why not say that bylaw doesn't stipulate when a person is declared as a joke candidate.

CHRISTENSEN:
That's a good idea. We'll also say that everyone will be designated a candidate at the nomination deadline, so that it applies to other candidates as well. That'll make everything clearer.

PACHES:
I would swap the order of the last 2 points.

MOTION:
CHRISTENSEN/FARRIS MOVE to approve the first reading of Bill #2 - Joke Candidates, on the recommendation of Bylaw Committee, based on the following first principles.

6/0/0
CARRIED

2017-03/4 **INFORMATION ITEMS**

2017-03/4a CHRISTENSEN:
At the next meeting, we'll assign bylaws for people to review. We divide the bylaws according to people's interests. Read through them, find spelling and grammar errors, and flag pretty much anything that looks iffy. For the next meeting, go through the list of bylaws, and find ones you are interested in.

2017-03/5 **ADJOURNMENT**

2017-03/5a **Next Meeting:** Tuesday, July 4, 2017 @ 6:30 PM in SUB 0-55.

2017-03/5b **BROPHY/JONES MOVE** to adjourn at 7:55 PM.

6/0/0
CARRIED

Meeting adjourned at 19:55 (7:55 PM).

SUMMARY OF MOTIONS

MOTION	VOTES
JONES/PIASECKI MOVE to approve the agenda.	6/0/0 CARRIED
BROPHY/CHRISTENSEN MOVE to approve the minutes.	6/0/0 CARRIED
CHRISTENSEN/FARRIS MOVE to approve the first reading of Bill #2 - Joke Candidates, on the recommendation of Bylaw Committee, based on the following first principles.	6/0/0 CARRIED
BROPHY/JONES MOVE to adjourn at 7:55 PM.	6/0/0 CARRIED