



**BYLAW  
COMMITTEE**

**Wednesday, June 12, 2019**

**5:30 PM**

**SUB 6-06**

We would like to respectfully acknowledge that our University and our Students' Union are located on Treaty 6 Territory. We are grateful to be on Cree, Dene, Saulteaux, Métis, Blackfoot, and Nakota Sioux territory; specifically the ancestral space of the Papaschase Cree. These Nations are our family, friends, faculty, staff, students, and peers. As members of the University of Alberta Students' Union we honour the nation-to-nation treaty relationship. We aspire for our learning, research, teaching, and governance to acknowledge and work towards the decolonization of Indigenous knowledges and traditions.

**ATTENDANCE**

NAME	PROXY	PRESENT	SUBMISSION OF WRITTEN FEEDBACK (IF ABSENT)
David Draper (Chair)		Y	
Amlan Bose		Y	
Luke Statt		N	
Stephanie McKenzie		Y	
Adarsh Badesha		Y	
Ayman Adwan		N	
Talia Dixon		Y	

**MINUTES (BC 2019-04)**

**2019-04/1 INTRODUCTION**

**2019-04/1a Call to Order**

DRAPER: Called the meeting to order at 5:35pm.

**2019-04/1b Approval of Agenda**

**MCKENZIE/BADESHA MOVED** to approve the agenda.

CARRIED

**2019-04/1c Approval of Minutes**

**MCKENZIE/DRAPER MOVED** to approve the minutes of BC-2019-02-M.

CARRIED

**2019-04/1d Chair's Business**

**2019-04/2**      **QUESTION/DISCUSSION PERIOD**

**2019-04/2a**      ARRC Recommendations.

See BC-2019-04.02.

DRAPER: Advised that the Committee should strive to, ideally, address all concerns brought forth in ARRC's letter at the current meeting. Indicated that the discussion would begin with Bylaw 1500 [recommendations related to DIE Board].

MCKENZIE: Requested further clarification around Sunday's proposal to allow the Discipline, Interpretation, and Enforcement Board to make recommendations.

DRAPER: Responded that Sunday intends to allow DIE Board to provide opinions to pressing questions without first having a case or instance of the problem arising. Noted that Sunday intends to empower DIE Board to take preventative measures as well as disciplinary measures.

BADESHA: Requested an example of a case example where DIE Board would provide recommendations in a reference question.

DRAPER: Responded that Council may ask, for example, DIE Board whether a proposed course of action could be interpreted as violating a bylaw. Determined to add this recommendation by adding that "the Board can provide expert opinions the constitutionality or scope of legislation without the need for dispute being brought to the Board"

**2019-04/2b**      Update Election Bylaws

DRAPER: Expressed concern that Bylaw 2400 and 2200 define joke candidates are all people who do not run on their legal name or a reasonable derivative of that name. Proposed changing the bylaw to allow for candidates run on their preferred names.

MCKENIZE: Proposed that the bylaw should require reasonableness in any name changes.

MCKENIZE: Proposed including a provision to the effect of prohibiting candidates from using a preferred name that they do not consistently use in their everyday lives outside of the campaign.

DRAPER: Suggested, in order to achieve this, including a definition of a preferred name. Expressed concern that the Chief Returning Officer has unrestrained power to select the date of the election and time period for campaigning.

MCKENIZE: Responded that the CRO is, in fact, bound by set timelines for designating these dates.

DRAPER: Noted that Bylaw 2400 Section 7(4) states that, where the intention of a voter is clear, their ballot will be counted. Expressed concern that this provision is unclear. Suggested that this is a holdover provision from paper ballots where it was possible to make stray marks and other errors.

MCKENIZE: Inquired into whether it is possible to spoil an online ballot.

DRAPER: Responded that it may be possible to spoil a ballot by selecting multiple candidates for a single rank under the ranked ballot model.

BADESHA: Noted that the online system will not allow you to proceed with multiple selections. Inquired into whether the option to spoil ballots should be provided to students.

MCKENZIE: Suggested that students need not spoil their ballots as there are none of the above options in all votes.

DRAPER: Proposed replacing the tie-breaking provisions of Bylaw 2400 Section 8(9) with a model wherein the CRO casts their vote (kept in a sealed packet) before knowing whether a vote is tied. Considered, moreover, allowing the CRO to cast a ballot irrespective of whether they are a member of the Students' Union. Expressed concern that the alternative, should the CRO be unable to vote, would be to resolve ties via random selection.

MCKENIZE: Suggested that it would be inappropriate for a non-student to break ties in a Students' Union vote.

DRAPER: Proposed selecting one Deputy Returning Officer, who must be a student, at random to cast their ballot prior to the end of voting that will, if needed, break a tie. Expressed concern that the DRO would require an extra vote as members of the election staff are entitled to cast their ballots as students. Determined to clarify this item with the CRO. Determined to correct Bylaw 2400 Section 11(1)(e) includes a listing error that abruptly ceases. Expressed concern that Bylaw 2200 6(6) exempts Council from requiring a petition question before calling a referendum. Expressed concern at exempting Council from its own rules.

BADESHA: Suggested that there is no issue with this exemption as Council represents all students and, therefore, what Council wants as a majority is what students want as a majority.

DRAPER: Expressed concern that Bylaw 2200 11(3)(e) and 12(2) are unclear. Determined to separate the provisions in 11(3)(e) for clarity. Rephrased 12(2) for clarity. Determined to consider and vote on all the proposed recommendations at the next meeting. Expressed concern that the term "counter-balanced fines" are not defined in Bylaw 2200 27(2). Noted that Bylaw 2200 30(5) needs to be clarified that executives can endorse sides in a plebiscite or referendum.

BADESHA: Proposed mandating timelines for election reimbursements.

**2019-04/3**      **COMMITTEE BUSINESS**

**2019-04/4**      **INFORMATION ITEMS**

**2019-04/4a**      Bylaw Committee Minutes (BC-2019-02-M) - Wednesday, June 12, 2019.

See BC-2019-04.01.

**2019-04/4b**      ARRC Letter to Bylaw Committee.

See BC-2019-04.02.

**2019-04/5**      **ADJOURNMENT**

DRAPER: Adjourned the meeting at 6:39pm.

**2019-04/5a**      **Next Meeting:** Wednesday, July 10, 2019 @5:30PM in SUB 6-06.