



# Bylaw Committee Meeting MINUTES

2012 - 2013 # 1

Date: May 16, 2012

Time: 6:12pm

In Attendance:

Smith, Choudhry, Samur, Kochikuzhyil, Babich, Khinda

Excused Absence:

None

Others in Attendance:

None

**1. CALL TO ORDER:**

The meeting was called to order by *Kevin* at 6:12 pm.

**2. APPROVAL OF AGENDA**

*Smith* amended agenda to include *meeting with governance officer, meeting with ERC, replenishment of executive (proposal), and council attendance requirements.*

*Smith* moved that the *May 16, 2012* agenda be approved as *amended*.  
Seconded by *Choudhry*.

Vote on Motion #6 *In Favor* / #0 *Not In Favor* / #0 *Absent*  
**CARRIED.**

**3. APPROVAL OF MINUTES**

*Smith* amended minutes to include *Discussion of Replenishment process involving a committee to facilitate the Executive replacement or not.*

*Smith* moved that the *May 16, 2012* minutes be approved as *tabled*.

The motion was seconded by *Khinda*.

Vote on Motion #6 *In Favor* / #0 *Not In Favor* / #0 *Absent*  
**CARRIED.**

**4. ANNOUNCEMENTS**

**Met with the governance office**  
**Meeting with the ERC**

**5. REVIEW OF ACTION ITEMS**

**6. OLD BUSINESS      Replenishment of Executive**

**The attached proposal documents the Replenishment procedure to discuss the following process where vacant spot is filled where CRO will make applications from the general public- under bylaw 2300.**

**If member is vacant the first meeting then will applications will be made available and advertised the next day.**

**Valid nominations will need 50 signatures and closed 7 days prior to the next meeting.**

**Then candidates will then be interviewed by the Student Council.**

**Individual who has been impeached are not allowed to run for the position for next 12 months.**

## **9. NEW BUSINESS**

*Khinda moved that the specification (timeline) for replenishment of Executive is if occurring within May-First Student Council Meeting then an interim will take the vacant position; within September then Executive will be determined by the election; within after September-April then Executive will be appointed.*

*The motion was seconded by Smith.*

*Replenishment of Executive position in the case of impeachment of vacant position.*

*Reason: Need to be prepared and quick to respond to the situation because replenishment process takes 2 weeks: first for the impeachment of the executive and second to choose the candidates.*

*Issues:*

*Other Executives may take sides where under solidarity circumstances may result in the evacuations of all positions.*

*Reapplication for the vacant position by the executives may result in leaves of absences.*

*Stall tactics such as tabling until next meetings to prolong the decision.*

*Need to balance between democracy vs. efficiency.*

**Vote on Motion # 6 In Favor / #0 Not In Favor / #0 Absent  
CARRIED.**

*Smith moved that to insert a clause into the bylaw that would specify the number of candidates (recommendation of 10+) in order to form a trigger committee in the event of an impeachment of an executive.*

*The motion was seconded by Choudhry.*

*No specification of valid candidates for the vacant executive position may result in the depletion of democracy if the election committee decides to only recommend one candidate*

*Issue:*

*Legitimacy of the Candidates since if they were to be appointed then there is no need for campaigning which may result in joke/ in appropriate applications.*

*Difficulty in the selection process during exam period for the election committee.*

*Even though the committee makes recommendations, the SU ultimately can override their recommendations and ask for all the applicants so if it was made available then the purpose of the election committee would be lost.*

*Without having a set minimum in the formation of the trigger committee, the selection process may take a long time taking into account the presentations by the candidates, SU debate and deliberations.*

*May give the first candidates speaking an upper advantage because the SU may hear their points first and lose interest in later presentations when those points are repeated.*

*Potential candidates may not be met, so selection process is based on application and CV's.*

*Vote on Motion #4 In Favor / #2 Not In Favor / #0 Absent  
CARRIED.*

*Smith moved that having the discussion/debate of candidacy in camera but everything else ex camera.*

*The motion was seconded by Babich.*

*In camera would be more democratic but disadvantageous because everything could potentially be published such as biases.*

*Advice (good intentions) could be regarded as criticisms (negatively regarded) creating conflict.*

*Vote on Motion #2 In Favor / #4 Not In Favor / #0 Absent  
DEFEATED.*

*Samur moved that no specifications be made regarding to having the selection process and debate in or ex camera so it would leave options for the situation.*

*The motion was seconded by Smith.*

*In camera would be more democratic but disadvantageous because everything could potentially be published such as biases.*

*Advice (good intentions) could be regarded as criticisms (negatively regarded) creating conflict.*

*Perhaps bring to council to see what should be done.*

*Vote on Motion #6 In Favor / #0 Not In Favor / #0 Absent  
CARRIED.*

**10. DISCUSSION  
AND INFORMATION  
ITEMS**

**Elimination of the election committee**

**Reason: Procedure takes too long in appointing, take in and review candidates for the committee.**

**Purpose: Act as a filter to find the most suitable candidates for the vacant position to increase in efficiency.**

**Preferential ballot/voting.**

**The reason for the first part of the Replenishment Procedure draft “If the vacancy has taken place before the first Students’ Council meeting in September, the CRO shall make applications for the empty position available to the general public on the morning following the Students’ Council meeting in which the vacancy has occurred. The by-election and campaign shall fall in accordance with Bylaw 2300,” is to respect and take into account the democratic process because the SU’s decision may not reflect the student voice.**

**The reason for the last line of the Replenishment Procedure draft “No individual who has been impeached in the last 12 months shall be allowed to run for the vacant position,” is to prevent the individual from suing SU for the deformation of character.**

**11. REPORTS**

*a) Replenishment Procedure (Bylaw)  
Attachment.*

**12. CLOSED  
SESSION**

*NIL*

**13. NEXT MEETING** *May 30, 2012 at 5:30 pm at SUB 606.*

**14. ADJOURNMENT**

*Smith moved that the meeting be adjourned.  
The motion was seconded by Khinda.*

*Vote on Motion #6 In Favor / #0 Not In Favor / #0 Absent  
CARRIED.*

*Meeting adjourned at 7:28pm.*