Minutes of the Legislative Procedures Committee  
Monday, 26 October 2015, 12:30PM, The Nest, Room 3529

1. Call to Order & Approval of Agenda

Voting Members Present:
   Mr. Benjamin Israel, Chair
   Mr. Jude Crasta, Vice President External
   Mr. Mateusz Miadlikowski, Vice President Finance
   Ms. Angela Tien, Councillor
   Mr. Tommy Reid, Councillor
   Mr. Jeffrey Pea, Councillor
   Mr. Liam Orme, Student-at-Large

Non-Voting Members Present:
   Mr. Aaron Bailey, AMS President

Staff Members Present:
   Dr. Sheldon Goldfarb, AMS Archivist and Clerk of Council

Invited Guests:
   Mr. Daniel Lam, Councillor

Regrets:
   Ms. Samantha So, Vice-Chair
   Ms. Veronica Knott, Councillor
   Mr. Ibraheem Dakilah, Student-at-Large
   Ms. Sarah Bernamoff, Student-at-Large (Resigned)

These minutes were recorded by Mr. Israel and Ms. Tien.

Quorum was met and the meeting was called to order at 12:36 PM.

No amendments were proposed to the agenda.

A motion to adopt the agenda was moved by Mr. Miadlikowski and seconded by Mr. Reid. The motion was carried with unanimous consent.
2. **Approval of Minutes of Previous Meeting**

There were no suggested amendments to the minutes of the previous meeting.

A motion to approve these minutes was moved by Mr. Orme and seconded by Mr. Reid. The motion was **carried** with unanimous consent.

3. **Release of In Camera Committee Information**

The Committee approved of these draft changes to remedy the artefact in Code which allowed Council to compel a committee to release its in camera minutes, yet the committee would still be barred from discussing what occurred at said meeting.

A motion to direct Dr. Goldfarb to send this Code amendment to the Agenda Committee and the Administrative Assistant for inclusion on the agenda of the next possible Council Meeting on the recommendation of LPC was moved by Mr. Miadlikowski and seconded by Mr Reid. The motion was **carried** with unanimous consent.

4. **Threshold for Entering/Exiting Camera**

Currently, for Council to enter an *in camera* session, three Councillors are required to bring the motion, and a 2/3rds motion of Council must pass. This is a higher hurdle than prescribed by Robert’s Rules of Order, which allows for a simple majority motion to enter a “closed session”.

A peculiarity of our system is that, for a Councillor to attempt to have Council leave the *in camera* status, a motion must be moved to remain *in camera*. This motion requires 2/3rds to pass, and the mover must attempt to have Council fail the motion in order to leave *in camera* status.

Forcing someone to move a motion that they are opposed to is disingenuous and counter-intuitive, and the Committee discussed whether this should be removed. A possible solution would be to change the leaving *in camera* procedure to require a simple majority motion to leave camera. This would mean it is easier to remain *in camera* than to go *in camera*, as these would require a simple majority and a supermajority, respectively.

Alternatively, it was proposed that any three Councillors be able to request that Council move out of *in camera*, at which time Council would automatically do so unless three Councillors immediately move to remain *in camera*.

The Committee decided that changing the status quo in the middle of the terms of current Councillors would simply confuse them, which is the opposite of the objective for changing the
current system. As such, it makes more sense to defer discussion on this item until the end of the current term of Council.

A motion to postpone discussion of this item until the first meeting of this Committee in March 2016 was moved by Ms. Tien and seconded by Mr. Reid. The motion was carried with unanimous consent.

5. **Bylaw Changes**

The Committee noted that amending the Bylaws requires either a referendum or a special resolution at a General Meeting that has reached quorum. As it is exceedingly rare for a General Meeting to reach quorum, the only feasible way to change the Bylaws is thus by referendum.

A referendum to change the Bylaws happens either by simple resolution of Council, or by a petition in accordance with the Bylaws and Code. If Council wants a chance of reaching quorum on such a referendum, it should be run alongside the Executive elections.

Mr. Crasta advised that there was a current event which might affect prospective Bylaw changes. He hoped to share more information at the next meeting of the Committee.

Issues that will likely be addressed in our next Bylaws change include when a Member of the Society ceases to be a Member, and what happens upon this occurrence.

The Bylaws will also need to be changed to be brought in accordance with the new *Societies Act* which is likely to become fully in force in Fall 2016 or 2017.

The Committee discussed potential changes to the Referendum section of the Bylaws. It was proposed that questions be required to not suggest an answer, and reviewable as such by the Student Court. It was also proposed that the threshold to pass a referendum be raised from the current 8%.

Concern was expressed that raising the referendum threshold would result in it being impossible to pass any referendum. The counter-argument was that, unless an issue is sufficiently important to students to pass a significant threshold, a position on said issue should not be taken to represent the Society.

The Committee also discussed what information should be provided along with a referendum. Currently, some context and explanation is provided as a link with a referendum, but the amount of this could be codified.

Other issues that should be considered for an upcoming Bylaw change include VSEUS not being mentioned in the Bylaws, and updating antiquated Executive descriptions.
Dr. Goldfarb agreed to assemble a list of outstanding issues which should be considered for the next Bylaw change.

The Committee agreed to suspend discussion of this item until the next meeting of the Committee.

6. **AMS President as Voting Member of Committees**

Continuing discussion of previous meetings, it was noted that the President’s codified duties no longer include overseeing the other Executives. As such, it was argued that it is unfair for the other Executives to hold voting memberships on committees, while the President is restricted to non-voting membership.

In the Bylaws, the President is mandated as a non-voting member of all Committees of the Society. It was noted that the President was mandated as such in the Bylaws long before their official role included overseeing the other Executives.

A major part of the impetus to discuss this is that the new Oversight Code provisions require the President to sit on two Standing Committees, as a non-voting member.

The Committee also discussed the possibility of waiting until Governance Review to change this.

The Committee agreed to suspend further discussion of this item until the next meeting of the Committee.

7. **Adjournment**

As there was no further business to attend to, the meeting was **adjourned** at 1:46PM.