

PROPOSED ELECTORAL BYLAW CHANGES

Submitted by: Ben Fung, February 2014

Yellow highlight = Added clauses

Green highlight = Reworded/replaced clauses

Red highlight = Removal of clause

General Changes:

1. Changed “Agency” to “Service”
2. Changed “OVS” to electronic voting system.
3. Changed “DCEO” to “DEO”
4. Removed all mention of Poll Clerks
5. Updated all relevant ‘campus publication’ terminology
6. Merged several bylaws.

Retracted Suggestions:

- Allowing Elections SSMU to vote
- Majority Abstention situation

Thoughts:

- Rules regarding chalking
- Moratorium on failed motions

BY-LAW I-1 ELECTION AND REFERENDA REGULATIONS

Part I: Interpretation

Article 1 – Interpretation

1.1 In this by-law, the following terms shall be interpreted as defined below.

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1.1.8 “Campus publications” shall refer to any campus publication that is published more than four (4) times a year.

Comment [BF1]: Changed to include faculty association publications publishing quarterly.

Part II: General

Article 2 – Electoral Officers

2.2 The Deputy Electoral Officer (hereinafter “DEO”) shall assist the CEO in the fulfillment of the CEO’s duties as requested. In particular, the DEO shall be responsible for enforcing and policing the campaign regulations.

2.2.1 In the extended absence of the CEO, the DEO shall assume all the duties of

the CEO.

2.3 The two (2) Elections Coordinators (hereinafter “ECs”) shall be responsible for the preparation and coordination of the polls (including, but not limited to, hiring polling clerks, advertising polling locations and hours) and reviewing all nomination and petition forms submitted to Elections SSMU.

2.3.1 In the event of an extended absence by the DEO, the ECs shall assume the duties of the DEO.

2.3.2 The CEO or DEO may perform any duty that is specified herein for the ECs.

2.4 The Chief Electoral Officer, Deputy Electoral Officer, and Elections Coordinators will be selected by the Nominating Committee and ratified by Council.

2.5 The CEO, DEO and ECs shall be appointed by the Nominating Committee. The President, Vice President (University Affairs), and previous Chief Electoral Officer may provide recommendations and advice to the Nominating Committee.

2.6 The poll clerks shall be hired by the CEO in accordance with the Society’s hiring practices.

Comment [BF2]: Poll clerks were deemed unnecessary by the previous president (Redel) and Elections SSMU

2.6 The CEO, the Deputy Electoral Officer and the Elections Coordinator(s) shall be advised by the President. Should the President be a candidate for election, the General Manager shall serve as advisor.

2.7 In the event that the CEO and another officer or employee of the Office of the Chief Electoral Officer make inconsistent rulings or declarations, the ruling or declaration of the CEO shall prevail and be deemed final.

Article 3 – Creation of Independent and Impartial Electoral Service: Elections SSMU.

3.1 The CEO, together with the DEO, and ECs shall form an independent and impartial service of SSMU named “Elections SSMU.” This organization shall be the sole body to administer the Society’s elections and referenda and shall be synonymous with the “Office of the Chief Electoral Officer.”

3.1.1 The “officers” of Elections SSMU shall be limited to the CEO, DEO and ECs.

Comment [BF3]: Clarification.

3.1.2 The signing officers of Elections SSMU shall be the CEO and the DEO.

3.2 Elections for the following positions shall be conducted under the auspices of Elections SSMU:

.....

3.2.5 the members of The Board of Directors of SSMU.

3.3 Elections SSMU shall also conduct the online ratification of General Assembly motions, in collaboration with the Society's President. Polling for online ratification shall last for at least ten (10) days. Campaigning for the online ratification is not permitted. In addition, Elections SSMU shall administer such other elections or referenda as provided for in the SSMU Constitution and By-Laws or which may be assigned to Elections SSMU from time to time by Council. All elections and referenda administered by Elections SSMU shall be subject to the SSMU Constitution and By-Laws.

Comment [BF4]: Was not previously stated explicitly.

...

3.5 No officer of Elections SSMU may be:

3.5.1 A member of Council (including Speakers), the Executive, Judicial Board, Senate Caucus, or of any Committee of Council or working group;

3.5.2 A former member of Council or the Executive;

3.5.3 A faculty association councillor or executive;

3.5.4 An executive of any group that endorses candidates or holds a public position on referenda;

3.5.5 A SSMU staff member in any other capacity; or

3.5.6 A member of the editorial staff of any campus publications or media source.

3.6 Neither candidates, persons involved with a candidate's campaign, nor members of "Yes" or "No" committees may work for Elections SSMU. The determination of whether an individual is involved with a candidate's campaign or a referendum committee is to be made using the standard of the reasonable person.

3.8 Members of Council, the Speaker(s) of Council, paid employees of SSMU and members shall be barred from working for Elections McGill.

Comment [BF5]: Repetitive from 3.5

3.9 All employees of Elections SSMU shall sign an oath swearing to act impartially for the agency.

Comment [BF6]: Already covered in work contract.

3.7 At Council's request, the CEO shall report to Council on any matters pertaining to elections, referenda and their conduct. Council shall reserve the right to censure and/or remove any Elections SSMU officer with a three-quarters majority vote of the entire Council.

...

3.11 During an election or referendum, the CEO may define and enforce additional regulations, or changes to existing regulations, if it is necessary for the administration of elections and referenda or to uphold the spirit of a fair campaign. These changes can be overturned by Council with a simple-majority vote or by a Judicial Board ruling.

Comment [BF7]: From what I understand, this has been done from time to time informally to ensure a successful election. Better to formally state it.

Other universities that do this: Bishop, Ottawa, UBC Queen's with elections periods ONLY

Election regulations only

Modifications will only be in effect for the duration of the election or referenda. The CEO will notify candidates, referendum committees, and other relevant parties within 24 hours of the modification. No candidate or referendum committee may be sanctioned before notification of the modification.

Article 5 – Setting of Election Periods

5.4 The period shall consist of a nomination period that is at least ten (10) days, an extended nomination period (if necessary) of at least forty-eight (48) hours, a campaign period of at least ten (10) days, and a polling period of at least seven (7) consecutive days. The campaigning period and polling period may overlap.

Comment [BF8]: Elections periods weren't clearly and explicitly stated in one spot.

Part III: Elections and Referenda

Article 7 – Information Meeting

7.1 Elections SSMU shall organize and promote an information meeting for all candidates before the start of the election campaign period. The purpose of this meeting shall be to inform candidates about electoral regulations and of important times and dates.

7.2 This meeting is mandatory for all candidates and referendum committee chairs; any absences must be approved by the CEO. Unapproved absences are subject to sanctions by Elections SSMU. All candidates and referenda committee chairs absent from this meeting will be deemed to be in full knowledge of the information dispersed at this meeting.

Comment [BF9]: We're finding too many candidates who don't go and end up violating bylaws. Easier to make it mandatory

Article 8 – All-Candidates Debate

8.1 Elections SSMU shall organize and promote at least one debate for all candidates for executive officer, to be held at least twenty-four (24) hours before voting is scheduled to begin. The purpose of this meeting shall be to give students an opportunity to ask questions of the candidates and for candidates to make their views known to the McGill electorate.

Comment [BF10]: Previous wording "after voting"
Voters should be equally informed before voting, especially those who vote within the first 24hr.

Article 9 – Referendum Questions

9.1 The CEO shall either approve or reject each referendum petition within three (3) days of its receipt.

9.1.1 All student-initiated referendum questions shall be transmitted to the Society's Speaker and President to be circulated to Council within twenty-four (24) hours after the petition is approved.

Comment [BF11]: Clarified exactly who is responsible for circulation.

Article 10 – Referendum Committees

10.3 After the "Yes" or "No" committee is formed in accordance with these By-Laws, the chair of the committee may recruit additional committee members by submitting their names to Elections SSMU.

10.3.1 Additional committee members may only begin campaign activities upon receipt of written acknowledgement of their admission to the campaign committee by Elections SSMU.

10.3.2 All committee members are equally responsible for adhering to these By-Laws. The campaign committee can be subject to sanctions due to violations by any of its committee members.

Comment [BF12]: Encourages committee members to be serious about joining campaign committees.

Article 12 – Withdrawals

12.1 Withdrawals of candidates or referenda questions will be accepted by Elections SSMU until twenty- four (24) hours before the opening of the first poll.

12.2 If there are no candidates left for an executive position, the electoral period shall carry on, and, in keeping with Constitution article 25.4, Council may define an exceptional referendum period to fill the position.

Comment [BF13]: Explicitly stating “the normal powers Council has at its disposal”.

Article 13 – Plebiscites

13.1 Council shall approve annually by the end of nomination period (for referendum questions) a list of no more than ten (10) single-part questions on which students will be asked to voice their opinion at the bottom of the election ballot. The President shall be responsible for facilitating a consensus among councillors on what subjects to call the plebiscites.

Comment [BF14]: Previous wording: “by February 15th”
Previous bylaws restricted plebiscites to the Winter semester only.

13.2 Campaigning for plebiscite questions is prohibited.

Part IV: Campaigning

Article 14 – Campaigning

14.1 The CEO is responsible for distributing copies of relevant by-laws and University regulations to all candidates prior to campaign commencement. Failure to comply with the relevant articles in this bylaw could result in the invalidation of a candidacy or any sanctions deemed appropriate by Elections SSMU. All provisions in this article shall apply equally, where possible, to both candidates and referendum committees.

Comment [BF15]: Housekeeping.

...

14.4 No candidate, campaign team member, or referendum committee member may abuse positions they hold with any group to provide greater resources, exposure, or support to their campaign. Such abuses shall include subversion of, or exertion of undue influence on, any established systems for issuing endorsements, using privileged access to contact lists or social media platforms to campaign, and any other actions deemed inappropriate by the CEO.

14.4.3 During the campaign period, all candidates and members of referendum committees with an on-air position shall forgo their programming and broadcasting responsibilities. Likewise, all candidates and members of referendum committees who have editorial duties, including contributions, with

any campus publications shall refrain from fulfilling those duties during the campaign period. Any other contributions to campus publications (such as letters to editor or columns) by candidates are not permitted.

...

14.7 During the campaign period, candidates and referendum committees will be allowed to campaign using posters or handbills according to the following criteria:

Comment [BF16]: Housekeeping.

14.7.1 Each candidate running for an SSMU Executive position and each referendum committee shall be entitled to post no more than two hundred (200) eight and half by eleven inches (8.5"x11") posters, and each candidate running for the position of undergraduate Senator and FYC Executive position shall post no more than fifty (50) eight and half by eleven inches (8.5"x11") posters. No more than two (2) of these posters may be displayed within the Shatner University Centre, and one poster, no larger than eleven by fourteen inches (11" x 14") in a spot designated by the Campus Publications Manager in the Shatner Centre. Posters in other buildings must be approved by the respective building managers. Elections SSMU will not approve additional posters to replace those removed.

Comment [BF17]: Maximum poster size was different from what SSMU building regulations were.

14.7.2 The CEO shall implement a secured system to ensure that no candidate or referendum committee will exceed this limit. No other type or size of poster shall be allowed.

14.7.3 All campaign materials are to be produced on reused paper (i.e. one-side already used) or Forest Stewardship Council certified recycled paper.

14.8 All candidates' pen sketches shall be made available on the Elections SSMU and/or SSMU website at the start of campaign period, provided that they are submitted according to the deadline and requirements set by the CEO.

14.8.1 Elections SSMU shall provide up to four hyperlinks from the Elections SSMU website to each candidate or campaign committee's online campaigning platforms (e.g. website, Facebook group, Twitter account, campaign video, etc.).

14.9 The CEO shall issue clear regulations concerning the use of websites, social media, and all other means of online campaigning before the start of campaign period.

14.9.1 Any further clarification of online campaigning regulations deemed necessary by the CEO during campaign period will be made publicly available on the Elections SSMU website.

14.10 The following shall be limitations on candidates' rights to campaign.

14.10.1 No banners supporting a candidate, position, slate or referendum committee may be hung anywhere on University grounds. A banner is defined as any campaign material larger than four hundred and thirty two (432) square

inches.

14.10.2 Campaign literature (e.g. handbills, stickers, etc.) may be handed out only in person by a candidate or member of a candidate's campaign team/referendum committee to a member of the Students' Society, and only indoors on McGill campus unless told otherwise, in writing, by the CEO. ~~There shall be no campaigning on any property operated by SSMU other than the Shatner University Centre.~~

Comment [BF18]: This was an artifact from when Haven Books existed.

14.10.2.1 Any person distributing non-affixed campaign literature must produce their McGill Student ID Card and any other relevant documentation when asked to do so by an officer of Elections SSMU.

14.10.2.2 Failure to produce adequate identification will result in the uncompensated confiscation of campaign material in the person's possession as well as any other sanctions the CEO deems appropriate.

14.10.2.3 Any campaign literature can be no larger than one quarter of a piece of letter-sized paper (8.5" x 11").

Comment [BF19]: Discourage students from simply handing out a poster as a handbill.

...

14.10.5 Candidates may not send unsolicited electronic mail for the purpose of campaigning. This refers to any electronic mail that the receiver did not opt in or sign up to receive, and also includes list serves of which they were automatically included, such as faculty association list ~~servs.~~

Comment [BF20]: Includes clarification/specification of ALL listservs

14.10.8 Other than news coverage, no candidate or campaign committee shall have access, either directly or indirectly, to radio features or public service announcements. ~~Candidates and referendum committees are not permitted to approach campus publications or student media; the CEO shall send the candidates and referendum committees' to any campus publications and student media once they become available.~~

Comment [BF21]: Housekeeping.

14.10.9 Slate candidacy is not permitted. It refers to two or more candidates campaigning together with their names appearing together for the purpose of campaigning; this includes but is not limited to any written campaign material or classroom announcements.

Comment [BF22]: To be discussed.

14.13 No publication, with the exception of ~~the McGill Tribune, the Daily Publication Society, and any news publication operated by a faculty-level student association~~ campus publications or media, may express or imply any but a neutral attitude in an article, editorial, advertisement or letter towards any candidate or ~~position~~ in a Society election or referendum.

Comment [BF23]: Updating terminology. Also clarifying that journals and clubs should be able to take positions in referenda but not in elections.

Article 15 – Campaign Funding

15.1 Each candidate seeking an Executive position shall be permitted to spend a

maximum of \$150.00 on campaigning. Each candidate seeking a position on the executive board of FYC or the McGill University Senate shall be permitted to spend a maximum of \$50.00. Each referendum committee will be entitled to \$200.

15.1.1 Candidates and referendum committees must publish an updated spending report on their website during the campaign period.

Comment [BF24]: Encourage responsible spending and keeping up to date with expense reports.

15.2 All Executive, Senate, and FYC candidates who receive at least ten percent (10%) of the total vote, and all referendum committees, shall be entitled to reimbursement by the Society of the amount they have spent on campaign materials (less the amount of any financial sanctions imposed by the CEO).

15.2.1 Candidates who receive less than ten percent (10%) of the total vote may also be entitled to reimbursement so long as the candidate did actively, and earnestly, solicit votes throughout the campaign period as determined by the CEO.

Comment [BF25]: Some candidates will try earnestly but not do well (FYC 2013).

Many other groups do this including: Western, McMaster, Queen's

15.5 Candidates and referendum committees are to submit their campaign receipts and requests for reimbursement to the CEO within two (2) days of the announcement of the election results.

15.5.1 Elections SSMU shall review all receipts and shall prepare and make available a summary of all requests for reimbursement to all members of the Society within four (4) days of the announcement of results a summary of all requests for reimbursement.

Comment [BF26]: Previous wording: "candidates and committee chairs" Previous wording limited inquiries to candidates and committee chairs. This definition expands requirements.

15.5.2 No candidate or referendum committee shall be entitled to reimbursement of campaign expenses if original itemized receipts are not provided.

15.6 All members of the Society are entitled to request an inquiry into the campaign spending of candidate(s) or referendum committees within 3 days of the CEO's publication of candidate expenditures. In the case of an inquiry, the CEO shall evaluate the campaign spending of the candidate in question on the basis of the fair market value of his/her campaign materials.

Comment [BF27]: Previous wording: "Candidates and committee chairs". See above.

Article 16 – Sanctions for Campaign Violations.

16.4 All candidates and referendum committees shall be required to give a deposit of \$50 upon submission of their nomination. Elections SSMU shall return the deposit in full minus any fines from sanctions at the end of the polling period. The CEO may waive this requirement under exceptional circumstances.

Comment [BF28]: Common bylaw for other schools, ensures seriousness of sanctions. Some candidates may not have any reimbursements.

Schools: Guelph, Saskatchewan, U of T, Queens,

16.5 The CEO has the discretion to disqualify, withhold reimbursement or deposit from, or official censure a candidate or referendum committee in addition to declaring an election or referendum invalid for infraction of the electoral by-laws, depending on the severity of the offence.

16.5.1 The CEO may at his/her discretion provide other sanctions.

Article 17 – Endorsements

17.1 Any organization which is not external to the society shall be entitled to issue endorsements according to their established decision-making processes, subject to the specifications in this article, for all elections and referenda which are under the jurisdiction of Elections SSMU and in which all members of the Society are eligible to vote.

17.2 Candidates or “Yes” or “No” committees (“referendum committees”) wishing to be endorsed must:

17.2.1 Ensure that all candidates for the position in question or representatives from both referendum committees attend an in-person meeting of, and/or submit a written statement to, the relevant decision-making body in advance of an endorsement decision.

17.2.2 Not seek endorsement from, or attend the Council sessions of any Faculty Association to assist their campaign. This does not apply to “Yes” and “No” committees.

17.2.3 Disclose any affiliations to the organizations to all candidates for the position in question or the opposing referendum committee.

17.3 After meeting the candidates or referendum committees, an organization is not obliged to endorse. However, if they choose to do so, the organization must:

17.3.1 Disclose any affiliations of candidates or referendum committee members to their organization (e.g. membership; positions held; financial, material, or in-kind donations received; etc.) in any public notice regarding an endorsement decision.

17.3.2 Include the URL of the Elections SSMU website which includes information concerning all candidates and referendum questions in any public notice regarding an endorsement decision.

17.3.3 Limit endorsements to electronic communications, such as emails to the membership, or through any of the organization’s own social media channels.

17.4 The CEO, President, and Vice President (Clubs & Services) shall make every effort to ensure that all such potential organizations and all eligible voters are aware of these regulations in advance of campaigning period.

17.5 Failure to comply with these regulations may result in the CEO issuing sanctions to the candidates or referendum committees and/or, at the recommendation of the Interest

Comment [BF29]: Revised with suggestions from Allison Cooper (VP CS 2012-2013) and VP Fong. Currently already implemented in the form of guidelines.

Group Committee, removal of or disqualification from support from the Society.

17.6 Any of the above organizations wishing to issue endorsements which do not receive direct or indirect support from the Society will be strongly urged to act in the spirit of the above regulations.

17.7 SSMU Executive Officers shall remain neutral in a Society election or election run by Elections SSMU.

Part V: Polling, Scrutineering, Voting and Counting

Article 18 – Voting

18.1.1 Only the CEO and DEO shall have access to the administrative functions of the electronic voting system.

...

18.3 Poll stations may be used during the voting period if deemed necessary by the CEO.

Comment [BF30]: Previous Wording: “shall be open for at least five (5) hours during the voting period”.
Polling stations are obsolete and simply drain the Society’s money. We get maybe 1 vote every 2 hours, definitely not worth the money and time.

Article 19 – Format of the Ballot and Acclaimed Candidates

19.1 The position of each name on the elections ballots will be randomized for all ballots. Referenda options shall appear in the following order:

- a. “Yes”;
- b. “No”; and
- c. “Abstain”.

19.2 All candidates and referendum committees are entitled to submit a picture, pensketch, and up to two hyperlinks to appear on the ballot. These must be submitted by a deadline determined by the CEO; it is at the CEO’s discretion to accept or reject these after the deadline. Candidates and referendum committees are entitled to submit their pensketches in both English and French.

19.3 All ballots must include an additional option of “Abstain”.

19.4 If there is only one candidate for any position, the ballot will offer two options: “Yes” and “No”.

19.5.1 Elections SSMU must include a clear explanation in the pensketch to outline the consequences of voting for “No”, as outlined in article 19.6.

Comment [BF31]: Housekeeping.

19.5 If the candidate receives a plurality of “yes” votes, or an equal number of “yes” and “no” votes, the candidate shall be declared elected.

19.6 If the candidate receives a plurality of “no” votes,

19.6.1 The candidate shall not be declared elected.

19.6.2 The CEO shall be immediately declare a nomination period for 4 business days via a notice to all eligible voters via electronic mail. Regular nomination rules and procedures shall apply.

19.6.3 Any member of the Society, including any previously acclaimed candidates, shall be eligible to declare themselves a candidate during this nomination period.

19.6.4 Immediately following this nomination period, the CEO shall declare a campaign period of 5 days. Regular campaigning rules and procedures shall apply.

19.6.5 Immediately following this campaign period, polls shall be open for 2 business days. Regular polling rule and procedures shall apply.

19.6.6 If no candidate is declared elected by this procedure, Council shall fill the position using standard conventions at its disposal.

Part VI: Special Elections

Article 22 – Election of Councillors Representing the Society's Activities, Productions, Media, Services and Interest Groups

22.1 Three (3) councillors shall be elected annually, with two (2) representing the Society's clubs, and one (1) representing the Society's services. This election will be held via an electronic voting system and is to be held between the 15th and 31st of March, with polling lasting for at least five (5) business days. Public notice shall be given at least ten (10) days prior to first day of polling.

22.1.1 The above provision shall not apply to interim status groups or any Independent Student Groups (ISGs).

22.2 A clubs councillor elections ballot and a service councillor will be sent to all full status clubs and services, respectively, based on the executive contact sheet provided by the Vice President (Clubs and Services). Each club will be able to vote for two candidates.

22.2.1 The list of clubs and services that voted will be published along with the results.

22.2.2 The Society's clubs and services may not endorse or publicly support any candidate.

22.3 The quorum for the clubs councillor elections is ten percent (10%) of the Society's clubs, and the quorum for the services councillor is fifty percent (50%).

Comment [BF32]: Revised to include new positions of C & S Reps, as well as suggestions from Allison Cooper (VP CS 2012-2013) and VP Fong.

22.4 Students must declare their candidacy for Clubs or Service Representative to the Chief Electoral Officer by a time determined by Elections SSMU and the Vice President (Clubs and Services); detailed instruments will be sent out by Elections SSMU via listservs at least a month in advance.

Nomination procedure i.e. petition?

22.4.1 There will be no extended nomination period for these positions; if there are not enough candidates, the elections process will resume in September of the next academic year.

22.4.2 All candidates are entitled to submit a pensketch, a picture, or a video pensketch, which shall be submitted along with the declaration of candidacy.

22.4.3 Candidates may campaign during the polling period, subject to the same campaigning regulations as the Society's elections and referenda.

22.4.4 Candidates must not seek endorsements from any of the Society's clubs or services.

22.5 A councillor elected under this article may be removed from office by a special assembly called for that purpose if duly authorized delegates representing ten percent (10%) of the Society's clubs so request, in writing, to the Vice President (Clubs and Services). Public notice of such an assembly shall be given at least seven (7) days in advance. The same procedure is to be followed for the services representative, but the assembly is to be called by delegates representing at least fifty percent (50%) of the services.

22.6 If a councillor elected under this article resigns or is removed from office before January 31st, an election for a replacement shall be held within three weeks, not including holidays and exam periods, of the date of resignation or removal according to the above procedures.

Part VIII: Ancillary Fee By-Laws

Article 29 – General

29.1 The SSMU shall not authorize any increases and renewals in ancillary fees until such a time that students will have voted in favour or against by way of a referendum, except those outlined in these by-laws.

29.2 Referenda regarding Ancillary fee increases shall take place during the regularly scheduled referendum periods in the fall and winter. Despite the current legislation regarding fee referenda only taking place in the fall, ancillary fees shall be viewed as exceptional and can take place in both of these periods.

Article 31- Elections SSMU Ancillary Fees Referenda Committee

Comment [BF33]: Housekeeping.

31.1 There shall be an impartial and independent committee of SSMU, designated to disseminate impartial information about ancillary fees.

31.1.1 This committee shall be comprised of the following membership: The CEO, the President, Vice President (University Affairs), Vice President (Finance and Operations), the SSMU Secretary General, and any relevant student representatives from university fee setting committees.

Comment [BF34]: Given the nature of the committee, it was suggested that VP FOPS be included.

31.1.2 In the situation in which a yes or no committee is formed by SSMU Council, the President and Vice President (University Affairs) and any other committee members who are members of Council must either abstain from the Council campaign or step down from this committee.

33.1.3 All information shall be non-biased and entirely neutral, as will be determined by the CEO.

31.2 Information will only be distributed during the campaign period.

31.3 The Administration may submit information to the committee for distribution.

31.3.1 The Administration shall be allowed to send the content for one mass, informational email to students through the Elections SSMU listserv, of purely informational content to be agreed upon by this committee during campaign period.

31.4 The University may not distribute information directly to society members, except through standard governance channels (e.g. Senate or faculty committees).

31.5 All material must be approved by the CEO prior to its distribution.

Article 32- Breach of By-Law

32.1 Any SSMU executive who authorizes any ancillary fee increase and renewal without following these processes shall be considered in extreme derelict of duty and can therefore face impeachment proceedings as per section 34 of the SSMU constitution.

32.2 Any severe breach of these or the SSMU's regular electoral by-laws, as determined by the CEO, by a member of the "Yes" committee or McGill Professor, Employee, or Administrator of McGill University shall result in the immediate rejection of the concerned fee or fees.

32.3 Any severe breach of these or the SSMU's regular electoral by-laws by a member of the "Yes" or "No" committee shall result in the disqualification of the entire committee.

Comment [BF35]: Previous wording suggested ANY infraction would lead to invalidation.

Part IX: Student Group Fee Referenda

Article 36 – Independent Student Group and Third Party Fee Referrals

36.1 Independent Student Groups (ISGs) may levy fees through a referendum mandate. However, since ISGs are separate legal entities, and the SSMU can consequently not receive such fees on their behalf, they must also reach agreement with McGill University that such a fee will be implemented if the referendum is successful. This may require a separate Memorandum of Agreement between the ISG and the University.

36.1.1 In consultation with the Interest Group Committee, the Vice-President (Clubs and Services), President, and Vice-President (University Affairs) may advocate on behalf of the ISG to McGill University.

36.2 Any ISG's that choose to conduct referenda through Elections SSMU must abide by these by-laws. If these ISG's have their own electoral by-laws and choose to abide by them, they must conduct their own referendum independent of Elections SSMU, and be responsible for their results' legitimacy;

36.3 In exceptional circumstances, a Council-initiated referendum question may seek to create a fee for a third party organization which does not hold Independent Student Group status. Such a referendum question shall only be approved:

36.3.1 If a full and detailed presentation of the third party organization, detailing the benefits the organization can provide to the Society's members, is made to Council;

36.3.2 If the Interest Group Committee recommends approval;

36.3.3 If prior written confirmation that McGill University has agreed that such a fee will be implemented if passed by referendum;

36.3.4 If the CEO recommends approval; and

36.3.4 By a 2/3 majority vote of Council.

36.4 Council-initiated referendum questions shall not be approved for any third party organization with whom the Society's members do not have a substantial demonstrable connection.

Part X: SSMU Fees Referenda

Article 37 – General

37.1 Council may seek or renew fees for SSMU initiatives through referendum.

37.2 Referendum questions regarding fees for SSMU initiatives may only be Council-initiated.

Article 38 – Dedicated Funding from the SSMU Base Fee

38.1 A Council-initiated referendum question may allocate a certain amount from the

Comment [BF36]: Housekeeping, in response to DPS asking us to run their elections last year, then switched to running their own.

Comment [BF37]: Given the nature of such a fee, it's important for the CEO to be involved in the decision making process. Suggested by President Larson.

Comment [BF38]: This is a new section, almost a duplicate of Part IX – Student Group Fee Referenda. It refers specifically to the creation of fees that don't fall under ancillary fees (initiated and collected by McGill) and don't fall under student group fees (specifically for Services i.e. Midnight Kitchen Fee, MSERT Fee)

While we've been creating fees that don't fall under these categories (i.e. SSMU Equity Fund), it's better to formalize the process by integrating it into our bylaws.

Written by the CEO with advice from President Larson, VP Hofmeister, and ODSPLL.

SSMU base fee to a specific SSMU fee.

38.2 Referendum questions regarding dedicated funding for SSMU fees must include the amount of funding per semester or fiscal year as well as the first and final dates (by semester) of the dedicated funding.

Article 39 – Creation or Renewal of an Additional Fee for a Service

39.1 A Council-initiated referendum question may create a fee separate from the SSMU base fee to be allocated to a specific SSMU initiative.

39.2 Such fees are collected by McGill University on behalf of SSMU and then transferred to SSMU. Consequently, any such question should be written with the advice of the Vice-President (Finance and Operations) and the Chief Electoral Officer, who shall be responsible for liaising with the Office of the Deputy Provost (Student Life and Learning) and Student Accounts to gain confirmation in advance from McGill that they will implement the fee if the referendum question passes.

39.3 Referendum questions for his purpose should include the fee per student per semester, whether it applies to both full-time and part-time students, whether the fee is opt-outable, and the start and end dates of the fee.