



## Senate Operations Review Committee

Meeting of January 29, 2009

### Notice of Motion

#### *Amendments to the Senate Rules of Procedures*

##### **Introduction**

A number of circumstances over the past few years prompted a review of the *Senate Rules of Procedures*, including Senator J. Welsh's concerns about nominating procedures which were raised at the May 21, 2008 Senate Meeting.

*Senate Rules of Procedures* specify that any amendments to the *Rules* require a Notice of Motion given at the previous meeting. SORC presents the proposed amendments for approval at the February 26, 2009 Senate Meeting

##### **Review of the Issues**

The proposed amendments to the *Senate Rules of Procedures* were discussed at the May 29, 2008, October 9, 2008, November 10, 2008 and January 13, 2009 meetings of SORC. The Chair and Secretary also meet with D. Kelly, Legal Counsel, on three separate occasions to discuss the proposed amendments.

##### **Analysis and Discussion**

The following points summarize the Committee's discussion:

- The *Rules of Procedures* have been expanded to include sections on voting rights, electronic voting, proxy voting and method of voting;
- Although SORC recognizes the need for electronic voting in some situations, it recommends that it be used only in exceptional circumstances and where time is of the essence. The proposed addition on electronic voting strives to facilitate debate, discussion and transparency;
- The proposed amendments to the *Rules* governing election to committees maintains a procedure for receiving nominations from the floor. The intention is to simplify the procedure while sustaining sufficient requirements to discourage partisanship;
- The *Rules of Procedures* pertaining to the "Committee of the Whole" have been amended to clarify the roles and functions of the Chair and Secretary and procedures for the Committee of the Whole. These amendments are based on "Bourinot's Rules of Order".

**Notice of Motion**

**The Senate Operations Review Committee recommends that the proposed amendments to the *Senate Rules of Procedures* be approved.** [Motion to be made at the February 26, 2009 Senate]

Respectfully submitted

J. Stairs, Chair, SORC

**COMMITTEE MEMBERS 2008-2009**

B. Barnett, Political Studies, B.A. (Hons.0'09

J. Brien, Pharmacology and Toxicology

L. Horton, Human Resources

F. Jahanbakhsh, Theological College

J. Stairs, Theological College (Chair)

J. Welsh, President, SGPS

## Proposed Amendments to Senate Rules of Procedures

Current	Proposed
<b>16. Record of Voting</b> When a vote is taken in the Senate, any member may require that the numbers, or that the member's own vote, be recorded in the minutes.	<b>III. Voting</b>  <b>16a. <del>Record of Voting Rights</del></b> <b>All Senators, including Ex Officio members, have full voting rights. Voting rights are limited to those Senators present at the time of the vote. Proxy votes are not permissible. In the case of a tie, the Chair has a casting vote.</b>  <b>16b. Record of Voting</b> When a vote is taken in the Senate, any <b>Senator</b> may require that the numbers, or that the <b>Senator's</b> own vote, be reported in the Minutes. <b>A vote on a Motion will be taken by a show of hands at the meeting.</b>  <b>16c. Electronic Voting</b> <b>In exceptional circumstances where time is of the essence and there is no reasonable possibility of convening a meeting, electronic voting is permissible. The use of electronic voting is to be determined by the Senate Agenda Committee or when this is not possible by the Chair of the Senate.</b>  <b>In circumstances where electronic voting is necessary, the wording of the Motion and any background material shall be circulated to the Senate prior to the date scheduled for the vote. Normally, a period of no less than two working days will be provided for Senators to electronically post comments and/or questions about the Motion, with this electronic discussion accessible to all Senators.</b>  <b>Immediately following this period, Senators will be asked to vote on the Motion and their votes must be recorded with the Secretary of the Senate on or before a specific date. Voting will be on the Motion as presented. The result of the electronic vote shall be transmitted to the Senate and the number of votes shall be reported in the Minutes. Senators may request that their own vote be reported in the Minutes.</b>

### III. COMMITTEE OF THE WHOLE

#### **18. Definition**

The Senate may at any time form itself into a committee of the whole body. The purpose of this procedure is to allow less formal discussion of a complex or controversial issue which, nevertheless, requires some action to be taken.

#### **19. Procedure**

A committee of the whole is ordinarily appointed by a motion “that the motion (designated by the substantive issue or the names of the movers) be considered in the committee of the whole with (name of person) in the chair”.

A motion made in committee of the whole need not be seconded, and the rule limiting the number of times a member may speak shall be withheld except that no member may speak more than once to any question until every other member choosing to speak shall have spoken.

Committee of the whole is terminated by passing a motion “that the committee of the whole now rise and report”. The person who acted as chair of the committee of the whole then reports to Senate, usually in the form of a motion “that Senate concur with the decisions made in the committee of the whole, namely: (list all details of motions approved in the committee of the whole)”. This motion is not debatable, may not be amended, and cannot be divided into separate parts.

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The Senate may at any time form itself into a committee of the whole body. The purpose of this procedure is to allow less formal discussion of a complex or controversial issue which, nevertheless, requires some action to be taken.

#### **19. Procedure**

A committee of the whole, **under a chair other than the regular chair**, is ordinarily appointed by a motion “that the motion (designated by the substantive issue or the names of the movers) be considered in the committee of the whole with (name of person) in the chair”. **The person who takes the chair may move motions, take part in discussions and vote (as in other committees).**

**For the committee of the whole the Secretary or the Associate Secretary acts as secretary for the committee and will keep a temporary memorandum of the proceedings until it reports. The committee’s proceedings are not entered into the Minutes of the Senate.**

A motion made in committee of the whole need not be seconded, and the rule limiting the number of times a member may speak shall be withheld except that no member may speak more than once to any question until every other member choosing to speak shall have spoken. **The only motions that can be moved are to adopt, to amend, and to rise and report. Motions taken by the committee are not considered final decisions of Senate, but have the status of recommendations.**

**After the matter referred to the committee of the whole has been considered to the satisfaction of Senate the committee of the whole is terminated by passing a motion “that the committee of the whole now rise and report”. The regular chair of Senate returns to the chair. The regular chair of Senate then asks** the person who acted as chair of the committee of the whole ~~then~~ **to** reports to Senate, usually in the form of a motion “that Senate concur with the **recommendations** ~~decisions~~ made in the committee of the whole, namely: (list all details of motions approved in the committee of the whole)”. This motion is not debatable, may not be amended, and cannot be divided into separate parts **because**

**the matter has already been fully discussed in the committee of the whole. The recommendations will be voted on *en bloc*.**

### **32. Elections to Standing Committees**

- (1) The Nominating Committee shall present to the regular April meeting a slate of nominations to all Standing Committees. Nominations, in addition to those presented by the Nominating Committee, may be received at the office of the Senate not later than two weeks prior to the April meeting. These additional nominations must be in writing, signed by at least five members of the Senate and must bear a signed statement from the nominee indicating willingness to serve, if elected. Biographies of nominees for all contested positions will be provided to Senators with the usual agenda material. This will include statements of why the candidate is considered to be suitable to serve on the committee for which he/she has been nominated, previous experience, etc. This material will be provided by the nominator or nominators and be prepared for the Senate agenda by the Secretary.

### **32. Elections to ~~Standing~~ Committees**

The Nominating Committee shall present ~~to the regular April meeting~~ to Senate a slate of nominations to all ~~Standing~~ Committees prior to the date scheduled for the vote. Nominations, in addition to those presented by the Nominating Committee, may be received **from the floor of the Senate on the day of the vote and must be accompanied by written evidence that the nominee is willing to serve along with the name of 3 members of Senate.** ~~at the office of the Senate not later than two weeks prior to the April meeting.~~

**If there are additional nominations from the floor, the Secretary of the Senate shall transmit to all Senators, within 14 days of the meeting, a ballot containing the biographical information or other comments (up to a limit of 75 words) of the nominees to be elected. In order to be valid, ballots shall be returned to the Secretary of the Senate on or before a specified date. The result of the vote shall be transmitted to the Senate.** ~~These additional nominations must be in writing, signed by at least five members of the Senate and must bear a signed statement from the nominee indicating willingness to serve, if elected. Biographies of nominees for all contested positions will be provided to Senators with the usual agenda material. This will include statements of why the candidate is considered to be suitable to serve on the committee for which he/she has been nominated, previous experience, etc. This material will be provided by the nominator or nominators and be prepared for the Senate agenda by the Secretary.~~

- (2) If additional nominations are received, the Secretary of the Senate will immediately prepare a ballot to be both distributed and marked at the same regular meeting of the Senate.

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- (3) If additional nominations are not received, the Senate will elect the slate presented by the Nominating Committee at the same meeting. Those elected according to above procedures at the April or May meetings will take office on September 1 following.
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- (4) When vacancies arise on Standing Committees outside of the regular period for election to Standing Committees, the Nominating Committee will be asked to nominate replacements as soon as possible. Action will be taken by the Senate at the same meeting at which the slate is presented, it being understood that provision will be made for further nominations from the floor of the Senate as long as nominees are present to indicate their willingness to take office if elected, or they have accepted the nomination in writing before hand. Such nominations must be supported by at least five senators. Voting will be done by means of a paper ballot.
- (4) ~~When vacancies arise on Standing Committees outside of the regular period for election to Standing Committees, the Nominating Committee will be asked to nominate replacements as soon as possible. Action will be taken by the Senate at the same meeting at which the slate is presented, it being understood that provision will be made for further nominations from the floor of the Senate as long as nominees are present to indicate their willingness to take office if elected, or they have accepted the nomination in writing before hand. Such nominations must be supported by at least five senators. Voting will be done by means of a paper ballot.~~

**In circumstances where electronic voting is necessary, the Nominating Committee shall present a slate of nominees to the Senate prior to the date scheduled for the vote. Nominations, in addition to those presented by the Nominating Committee, may be received electronically, or in writing, by a date specified by the Secretary of the Senate, and must be accompanied by written evidence that the nominee is willing to serve along with the name of 3 members of Senate. If there are additional nominations, the Secretary of the Senate shall transmit to all Senators electronically a ballot containing the biographical information or other comments (up to a limit of 75 words) of the nominee(s). In order to be valid, ballots shall be returned to the Secretary of the Senate on or before a specified date. The result of the vote shall be transmitted to the Senate.**