UNIVERSITY OF MICHIGAN

CENTRAL STUDENT GOVERNMENT

ASSEMBLY RESOLUTION 9-005

A PROCEDURAL RESOLUTION TO CREATE A "CONVENING BUSINESS" AGENDA ITEM, AND TO RELOCATE AND UPDATE THE ELECTIONS, CONFIRMATIONS, AND RECALLS PROCESSES

WHEREAS, The agenda for the first meeting and the course of business at the start of subsequent meetings are currently unclear; **AND**

WHEREAS, Language in the Compiled Code[1] interprets the Constitutional provision that the Chief Justice presides over the first meeting of an Assembly until they elect a Speaker[2]; **BUT**

WHEREAS, This interpretation does not clearly explain that it is an interpretation and include context to more clearly explain the requirements of the Chief Justice and the process used during that meeting; **AND**

WHEREAS, The current Elections, Confirmations, and Recalls item of business does not comply with the Compiled Code, as it implies that ties are settled and a Speaker elected in the middle of a meeting; **AND**

WHEREAS, These actions must be taken at the start of the first meeting, and settling ties and seating new representatives should be addressed at the start of each meeting, as needed, to allow those seated to participate in subsequent business; **AND**

WHEREAS, The sections explaining the processes on elections, confirmations, and recalls are more appropriately situated in Floor Proceedings; **AND**

WHEREAS, Elections with three or more candidates conducted by Secret Ballot Vote can currently result in the random elimination of a candidate; **AND**

WHEREAS, Elections with three or more candidates conducted by Secret Ballot Vote can use ranked-choice instant runoff voting to ensure that no randomness is necessary; **AND**

WHEREAS, Use of the word "shall" in the Compiled Code creates unnecessary ambiguity; **THEREFORE BE IT**

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[1] Compiled Code, Article II Section A(3)(d)
[2] Constitution, Article IV Section 4

RESOLVED,	That Article II Section A(3)(d) of the Compiled Code be amended according to Appendix A; **AND BE IT FURTHER**
RESOLVED,	That the two Agenda orders in Operating Procedures[3] Chapter V Section B(3) be amended to add "Convening Business" after "Opening Roll Call"; **AND BE IT FURTHER**
RESOLVED,	That a new section 3 be added to the Operating Procedures Chapter V Section C containing the text of Appendix B, renumbering the current sections accordingly; **AND BE IT FURTHER**
RESOLVED,	That the current Operating Procedures Chapter V Section C(7)(a) be amended to add ", except those which are considered in Convening Business" at the end of the first sentence, and to remove "any tied Representative elections, then" from the second sentence, and to replace the final two sentences with, "Recalls are considered."; **AND BE IT FURTHER**
RESOLVED,	That Chapter V Section C(7)(b), (c), and (d) of the Operating Procedures be amended according to Appendix C and moved to a new section, "**H. Election, Confirmation, and Recall Procedures.**", in Chapter IV, and relettering Chapters IV and V(7) accordingly; **AND BE IT FINALLY**
RESOLVED,	That Operating Procedures Chapter IV Section G(4)(d) be amended to add a subsection (i) with the text of Appendix D.

Authors

Austin Glass, Rackham

Attest

Whit Froehlich, Medicine
Speaker of the Assembly
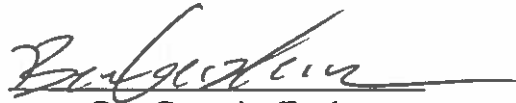
Yes: 35　　　　　No: 0　　　　　Abstain: 0　　　　　Date: 16 April 2019

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[3] All references to "Operating Procedures" refer to the version in document "operating_procedures_apr_2019.pdf"

Presidential Approval

Ben Gerstein, Ford
President

Appendix A

   c. ~~Convening~~ **First Assembly Meeting**~~s. Pursuant to the Constitution, w~~When an ~~new~~ Assembly convenes for the first time in a Legislative Session, the Assembly ~~shall be~~is called to order by the Chief Justice of the Central Student Judiciary~~Government~~. Upon establishment of a quorum by roll call, ~~regardless of the order of business,~~ the Assembly ~~shall~~ first resolves any ties in CSG elections ~~for Assembly representatives~~ and then elects its Speaker.

Appendix B

3. **Convening Business.** In this item, the President and Vice President are sworn in when necessary, and the Assembly settles unresolved ties in CSG elections through an Assembly election, considers confirmation of any Presidential appointees to open Sitting Member positions, and elects the Speaker if there is an unfilled vacancy. Convening Business is only included in the agenda when it contains business.

Appendix C

   a. **Elections.** Elections ~~conducted within the Assembly~~ use the following procedure.

      i. The Chair states the position being elected and declares the nominations process open. Any Member may nominate themself, if eligible, or another eligible Member. All nominations must receive a second and be accepted by the Member nominated. A Member who is unable to attend the meeting in which an election takes place may submit a provisional acceptance of their nomination with any Member, which serves to complete a made and seconded nomination.

      ii. The Chair declares nominations closed once there are no further nominations.

      iii. Candidates may speak to the Assembly in the order in which they were nominated. Absent candidates may submit a statement to be read by a willing Member. Each candidate or statement~~two~~ has a time limit of three~~two~~ minutes, which cannot be extended.

      iv. Members may ask no more than six total questions of the candidates. Each candidate has one minute to respond to each question. Questions may be directed at any number of the candidates; however, each candidate has the opportunity to respond to each question regardless of whether it was directed at them. A question is answered first by any candidate(s) to whom they are directed, and then by the other candidates; the others answer in the order of nomination, and reverse order for each subsequent question.

      v. If there is only one candidate in an election, no vote is conducted, and the candidate assumes the position. Otherwise, the Assembly votes by using a Secret Ballot~~, requiring a simple majority for election. If no candidate receives a majority, the candidate receiving fewer votes than each other candidate is eliminated, and the Assembly votes again using a Secret Ballot. If multiple candidates each have fewer than all other candidates, one is selected by lots for removal. Removal and votes by Secret Ballot continue until one candidate receives a majority, or until three ballots have been cast with the same candidates, after which lots are drawn to determine a winner~~.

   b. **Confirmations.** Confirmations use the following procedure. A Member may move to consider multiple nominees to the same position as a single proceeding, by a simple

majority vote.

    i. The Chair states the name of the nominee and their intended position and recognizes the nominator to explain the nomination, with a time limit of five minutes.

    ii. ~~If the nomination is by the President,~~ tIf the nomination was referred to the Executive Nominations Committee, the Chair recognizes the chair of the ~~Executive Nominations~~ Committee or their designee(s), who may give the Committee's report(s) on the nomination, with a time limit of five minutes for each.

    iii. The Assembly may ask up to eight questions of a nominee. The nominee, if not a Member, has the parliamentary right to speak to respond to questions. Each question and response has a time limit of three minutes.

    iv. The Assembly may consider confirmation of a nominee whose nomination was referred to the Executive Nominations Committee only if a report was made by the ~~Executive Nominations~~ Committee or if the Assembly discharges the nomination from the Committee by a two-thirds majority vote.

    v. Nominations are confirmed by a simple majority vote, using a Roll Call ~~Hand~~ Vote. Nominees must leave the room while the vote is conducted.

  c. **Recalls.** Recall from a CSG or Assembly position uses the following procedure.

    i. The Member initiating a recall may explain their reason(s) for doing so, with a time limit of five minutes.

    ii. The individual subject to a recall may speak on their own behalf, with a time limit of five minutes.

    iii. The Assembly votes for removal of a Member recalled due to excessive absences by a Hand Vote, requiring a simple majority; or for removal of a recalled officer or executive official by a Roll Call Vote, requiring a two-thirds majority.

Appendix D

  i. **Many-candidate Elections.** In an election conducted using Secret Ballot where there are three or more eligible candidates, one ballot can contain a ranked list of preferred candidates, listing each candidate only once. Tellers tally votes in one or more rounds. In each round, tellers first count the total number of non-exhausted ballots and the number with top preference for each candidate. If any candidate receives a majority of non-exhausted ballots, they are declared the winner. If not, tellers assign each ballot whose top preference was for the lowest vote-getter(s) to their next-highest-ranked choice, exhausting the ballot if no choice remains. They then begin the next round.