

Report of SOBLOC for YP100, 2021 AGM

Amendments to By-Laws

Article 1

1. Change Chief Electoral Officer/CEO to Chief Returning Officer.
 - a. Note: Make subsequent changes throughout the By-Laws.

Article 5

2. Change clause 6 to read: “**Subject to Clause 1a**, membership may be granted or revoked from an individual by unanimous vote of the Board.”

Article 7

3. Remove clause 5(di) which read “one of these shall be the Director of Finance”
4. Add a hyphen in to all instances of the words Past-Chairperson and Vice-Chairperson
5. Change clause 8(c) to read: “**ensure that** an accurate record of the proceedings of all meetings **is taken**”
6. Add clause 5(f), that reads: “be conversant with the rules of parliamentary procedure employed by YPM Inc and the Standing Orders”
7. Remove clause 7(d)
8. Remove clause 9(f)
9. Change clause 7(b) to read: “present a year in review of YPM Inc. to the Membership in the form of an Annual Report, **no later than the AGM**”
10. Change clause 11 to read:

Members of the board shall abstain from the following during the course of their term to avoid conflict of interest or partisanship:

- a. **Seeking or accepting partisan political office.**
- b. **Seeking or accepting a position with a political party as its President, Vice-President, Leader, Deputy-Leader, Financial Officer, Treasurer, or as a paid employee.**

- c. Performing other actions or positions determined by the Board to cause a conflict of interest or partisanship or the appearance thereof.
- d. Notwithstanding subclauses (a) through (c), members of the Board who hold such positions or offices prior to their election to the Board shall be permitted to complete their current term in that position.

Justification: To clearly outline which other positions of political office could pose a conflict of interest.

11. Change clause 12 to read: “If all positions of the Board become vacant due to resignation, impeachment or death, a pre-appointed guardian shall temporarily take control of YPM Inc. until they can call for a by-election meeting as outlined in Article (17).”

12. Add clause 12(a): “Subject to clause 12, the Board shall appoint and notify a guardian annually by unanimous consent”

Article 8

13. Change clause 2 to read: “Notwithstanding Clause (1), the Board may appoint Former Members of YPM Inc. to the Cabinet if they meet the requirements stated in Article (5), Clause (1a) **by unanimous consent.**”

14. Change clause 4 to read: “Members appointed to the Cabinet shall serve until 31 January of the year following their appointment, **subject to extension at the discretion of the Board.**”

Justification: This year, the Executive introduced extended Cabinet as an opportunity for Cabinet members to continue working on new projects and tasks in preparation for the next year’s Session. This clause was added as a provision if this takes place in future years.

Article 10

15. Change clause 3(a) to read: “must be a prominent alumnus or member of the YPM community, and/or”

Justification: The Lieutenant Governor should not be limited to former members of the YPM community, but should also for the inclusion of prominent Canadians.

Article 11

16. Change clause 3(a) to read “must be at least 20 years old, ~~and~~”

Article 13

17. Change clause 1 to read:

The Board shall be required to call at least two meetings of the membership of YPM Inc. in a given year, **being:**

- a. The Annual General Meeting (AGM), and
- b. The Election Meeting

Justification: Switching to alphabetical order and to indicate order of importance

18. Add clause 2(b) that reads: “Such meetings shall follow the same procedure as outlined for an AGM in Article (14), clauses 2, (3) and (4).”

19. Add a new clause 4 that reads:

The following shall constitute a quorum at meetings of the membership:

- a. Twelve (12) Members at a General Meeting.
- b. Twenty (20) Members at an Election Meeting or By-Election Meeting.

Justification: Based on a quorum motion that was passed at the YPM99 SOBLOC, this change was made accordingly.

20. Add clause 11 that reads:

In extenuating circumstances and/or where appropriate as determined by the Board:

- a. meetings of the membership may be held via electronic means, and
- b. members shall be permitted to attend in-person meetings via electronic means.

Article 15

21. Change clause 2(a) to read:

- a. The election of the Board shall proceed in the following order:
 - i. Chairperson
 - ii. Past-Chairperson
 - iii. Director of Finance

- iv. Vice-Chairperson
 - v. Director of Procedures
- b. The order of the election can be changed by the support of two-thirds of the Members present.

22. Change article 3(b) to read “the right of all Members to proxy their vote to another Member, as per Article 13 clause 8;”

23. Add a new clause (3iv) that reads: “Confirmation of Quorum”

24. Change article 4 to read: “Clause (3dvii) to (3dxiii) shall be repeated on the agenda for each position to be elected to the Board.

25. Change clause 3(dxv) to read: “Motion to adjourn”

26. Change clause 6 to read:

The Speaker of the Senate shall act as the Secretary.

- a. In the event that the Speaker of the Senate is unable to act as Secretary, the position shall be filled by a Member or Former Member of YPM Inc. as elected by the Membership.
- b. The Secretary may not vote.

Justification: Clarification on confusing wording.

27. Change clause 7(a) to read: “Notwithstanding Clause (7), visitors must remain apart from the Membership and may be asked to leave at the discretion of the CRO.”

28. Add clause 8(ai) to read: “Notwithstanding subclause (a), The Past Chairperson shall be eligible for re-election only in the event that no other member of YPM Inc. is eligible or nominated to run for the position of Past Chairperson.”

29. Change clause 12(ci) to read: “The candidates, movers, nominators, and seconders are prohibited from asking any questions during the question and answer period for that position.”

30. Change article 14(bi) to read: “If a simple majority of the ballots are marked “NO”, the position shall remain vacant, and the elections for that position shall be postponed to a later date, as per Article 17.”

31. Change clause 16 to read:

At the discretion of each individual candidate, a candidate’s nominator may scrutinize the counting of the votes but is not permitted to touch the ballots or

interfere with the counting process. The CRO shall inform the candidates of this right before the voting period begins and ask them whether they would like to exercise this right.

32. Change any numerical references to be written out in words rather than numbers.

33. Change clause 17c to read: "If no candidate receives sufficient ballots marked with their name with first preferences to attain a simple majority of 50 percent plus one, a second round of counting shall occur."

34. Change clause 18 to read:

The CRO shall announce the winning candidate, but not the final ballot count, to the candidates, and subsequently to the general membership.

- a. The final ballot count shall be recorded separately and kept for a period of six (6) months following the adjournment of the election meeting, during which the ballot count can be revealed to the candidate upon request.
- b. The list of candidates and the winning candidate shall be noted in the minutes of the Election Meeting

35. Change clause 20(a) to read: "Following a first violation of clause (20), the CRO shall give the violating candidate one warning."

36. Add clause 23 that reads: "The CEO shall direct members to refrain from talking or otherwise communicating with each other during the election meeting, particularly electronically. The CEO shall be given the discretion and authority to appropriately reprimand members for violating this direction."

37. Add clause 24 that reads:

In extraordinary circumstances, as determined by the Board, the Election meeting and/or voting are permitted to take place via electronic means, during which the following changes to standard election procedure shall apply:

- a. Notwithstanding Clause (3), Members shall also receive notice of any changes to election procedure as a result of the electronic meeting and/or voting, the names of the electronic services to be used during the meeting, and information on how to use those services.
- b. Notwithstanding Clauses (3d[insert sub-sub-clause]) and (13), at the discretion of the Board and/or the CEO and depending on the method of electronic voting to be used, Voting for all positions may take place concurrently on a single ballot after the nomination for all positions, which shall be reflected as such in the agenda distributed to members.

- c. Notwithstanding Clause (12[insert subclause]), in lieu of paper notes, the CEO shall direct members to submit questions via a pre-determined electronic method which shall be both text-based and allow the CEO to identify the member asking the question.
- d. Notwithstanding Clauses (14), (15), and (17), the Board and/or a designate shall select and set up an Electronic Voting System (EVS) for the election according to the following guidelines:
 - i. Members shall be prevented from voting more than once per position by means of password protection and/or other security features,
 - ii. Ballots shall be recorded securely and without any means to identify the voter by their ballot,
 - iii. The EVS shall count ballots automatically and produce a certified and auditable report of the results,
 - iv. The EVS shall give voters an explicit option to abstain from each question,
 - v. In a single-candidate election, voters shall be given the option to vote either “Yes” or “No,”
 - vi. In a multi-candidate election, voters shall be given a means to rank each candidate in order of preference and the EVS shall offer a means to tabulate the votes using an instant-runoff ballot analogous to that process outlined in Clause (17),
 - vii. In a multi-candidate election, the EVS shall present the candidates to the member in a randomised order,
 - viii. The EVS shall not publicly publish any election results but shall store them securely where they may be accessed or distributed to authorised individuals
 - ix. The EVS shall be reasonably simple to set up during the election meeting and the CEO shall be familiar with the process of doing so.
- e. In accordance with Clause (16), Nominators acting as scrutineers shall be shown the certified election report and auditable results by the CEO.
- f. Notwithstanding Clauses (17d) and (19), Certified results produced by the EVS shall be assumed to be correct and no re-counts shall be permitted.

Justification: Given that YPM100's election was held electronically, we have added these provisions if an election needs to take place online in the future.

Article 16

38. Add a new clause 2(ai) that reads: “be unanimously supported by all Directors not including the Director who the Board is recommending be impeached”

Article 17

39. Change clause 1(a) to read: “a by-election shall be held to fill the position if the vacancy arose prior to 15 August; or”

40. Change clause 2 to read:

By-election proceedings must occur in the following order:

- a. The Board shall pass a by-election motion, which shall
 - i. state the title of the position on the Board which has become vacant and the reasons behind the vacancy;
 - ii. set a date and time for a By-Election Meeting, which shall be no less than two weeks and no more than four weeks from the date of the arising of the vacancy; and
 - iii. set a location for the meeting which is convenient to the Membership

41. Change clause 3 to read: “Should there be more than one position that has become vacant, then subclauses (2bii4) through (2bii10) shall be repeated on the agenda

42. Change clause 4(c) to read: “A member of the Board seeking election may not act as meeting Chair”

- a. Note: Make subsequent changes to capitalize the word “chair” throughout the By-Laws

43. Change clause 8 to read:

Current Directors on the Board may be nominated for a vacancy on the Board, subject to Article 15(9).

- a. If a current Director on the Board wins the by-election for a vacant position, an immediate by-election shall be called to fill their former position.

Article 19

44. Change clause 1 to read:

Motions to amend the Governing Documents **may** only be moved and debated at the AGM.

- a. **Notwithstanding Clause (1), amendments to the Governing Documents may not be moved or debated at Election or By-Election Meetings.**

45. Change clause 7(ai) to read: "Articles (1) through (6) **and (15)** and (17) of the By-Laws, or"

46. Change clause 7(d) to read: "Orders-in-Council shall be considered as motions to amend at the AGM. For Orders-in-Council to be ratified, two-thirds of the membership must approve **them**."

47. Add clause 8 that reads:

The Board or its designate shall be permitted to, as appropriate, make any of the following changes to the governing documents in the name of regular upkeep, which shall not require notification to or approval of the membership:

- a. **Correction of errors in spelling, grammar, formatting, or typography**
- b. **The replacement of any gender-exclusive language and terms with gender-neutral alternatives.**

Article 20

48. Change clause 1 to read:

A motion to strike an Ad Hoc Committee **can** be entertained at **any general meeting, except Election or By-Election meetings, if it includes the following information:**

- a. a committee name;
- b. a mandate; and
- c. the names of its members and its Chair, all of whom must be Members or Senators of YPM Inc.

49. Change clause 2 to read: "The term of an Ad Hoc Committee shall begin at the closing of the **meeting** at which it was struck, and end **exactly one year later**."

50. Add a new clause 3 that reads: "**An Ad Hoc Committee can be struck by a majority vote of the Board, given the information listed in sub-clauses (1a) through (1c), which will end exactly one year later.**"

51. Change clause 4 to read: "Notwithstanding impeachment per Article (16) or revocation of membership as per Article (5), if a member of an Ad Hoc Committee ceases to be a Member of YPM Inc., they shall remain a member of the committee."

Amendments to Standing Orders

Section III: The Speaker and the Deputy Speaker

52. Change clause 06 to read:

The Speaker and Mace are to be properly respected by all Members. Members shall stand when the Mace enters or leaves the House, address the Chair by the appropriate gender designation in accordance with the Speaker's wishes, such as Honourable (Deputy) Speaker, Mister (Deputy) Speaker, or Madam (Deputy) Speaker, and obey the directions of the Chair.

(1) A sitting shall not commence until a Speaker has taken the Chair and the Mace has been placed on the table facing the Premier.

(2) When the sitting is adjourned, Members shall keep their seats until the Speaker has left the Chair and the Mace has been removed from the Chamber.

(3) When the Speaker rises, every Member shall be seated, even if they have been called upon to speak, and no Member shall remain standing, move about the Chamber, or make any noise or disturbance.

(4) In the event that Pages are not in their seats when the Speaker rises, they will be required to remain standing until the Speaker has resumed the Chair.

Section IV: Meetings and Time Allocation

53. Remove clause 16

Justification: Allow for more flexibility given that in past 2 sessions at least one PMB has moved to committees and would be allotted more debate time in the Third Reading

Section VI: Rules of Debate

54. Change clause 27(2) to read: "If a violation of the rules of the House occurs, the offending Member shall be instructed to desist from the offending behaviour, **withdraw their remarks, and apologize to the House.**"

Section X: Motions

55. Change clause 67(1) to read: "Any such motion must specify the duration of the **Question Period.**"

Section XI: Proceedings

56. Change clause 74 to read: “When a division has been called on any business then before the House, the Speaker shall instruct the Whips to call in the Members, and conduct a recorded vote once all the Members are reported to be present and accounted for.”

57. Change clause 75 to read:

The Speaker shall conduct the standing vote by instructing those in favour of the motion to rise, remain standing in their places and count them with the assistance of the Clerk. The same procedure shall then be carried out for those against the motion, **those abstaining**, and the Speaker will decide the vote on the basis of the numerical majority of yea and nay votes. This ruling shall not be subject to appeal or further challenge.

Amendments to Code of Conduct

Clause 1

58. Add a new clause 1 that reads:

All members of YPM Inc. and participants of events hosted by YPM Inc. are expected to:

- a. Be respectful of all other people, their property and their privacy.
- b. Promote a safe & inclusive environment in all their interactions.
- c. Take responsibility for their actions and the impacts thereof.
- d. Encourage all voices and a diversity of perspectives to be heard, and partake in active listening.

Justification: Previously, the Code of Conduct used mostly negative language (i.e. "Members shall not") and we felt it necessary to set the tone for how members should conduct themselves, per YPM's values.

Clause 2

59. Remove clause 2(a)

Clause 3

60. Change clause 3 to read:

A Member shall be removed from an event hosted by YPM Inc. and may have their membership revoked if they have been found by the Board to have committed any of the following behaviours:

- a. Acts of violence;
- b. Sexual harassment or sexual violence;
- c. Bullying, harassment, or discrimination, for reasons including but not limited to race, ethnicity, nationality, gender, gender expression, sex, sexual orientation, ability, financial status, religion, or ideological beliefs; ~~or~~
- d. Slander or libel; or
- e. Theft or vandalism of personal or YPM property

Clause 5

61. Change clause 5(d) to read: "If a member is unable to participate in any of these areas, they may be permitted to refrain from participation in consultation with the Board."

62. Add a new clause 7

Members are encouraged to report any violations of the code of conduct to members of the Board or equity officers as appointed by the Board.

- a. Any of the following procedures may be adopted, at the discretion of the Board if a violation occurs, including but not limited to;
 - i. An incident report being taken
 - ii. A mediated conversation between parties
 - iii. An apology from one or both parties
 - iv. Limiting the offenders' future participation with YPM Inc.
 - v. Separating the parties for the remainder of the event
 - vi. Removal from the event
 - vii. Revocation of membership

Justification: This clause was added to clearly outline what steps may be taken if the Code of Conduct is violated.