## Elections Board Agenda

## ASsquare_logo.tifAssociated Students

5/6/19, 3:30 PM

Nati Conference Room

**CALL TO ORDER by John Paul Renteria at 3:36 PM**

**A. MEETING BUSINESS**

1. **Roll Call**

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| --- | --- | --- | --- |
| **Name** | **Note:**  absent (excused/not excused)  arrived late (time)  departed early (time)  proxy (full name) | **Name** | **Note:**  absent (excused/not excused)  arrived late (time)  departed early (time)  proxy (full name) |
| John Paul Renteria | **Present** | Kendra Sandoval  (Advisor) | **Absent** |
| Davis Quan | **Present** | Ruth Garcia Guevara  (Advisor) | **Present** |
| Andrew Yan | **Present** | Ashley Ng | **Present** |
| Hattie Grace | **Present** |  |  |
| Jennifer Pantoja | **Absent** |  |  |
| Rachel Wiesenthal-Coffey | **Present** |  |  |

**Also in attendance:**

**Sean Lieberman, AS Assistant Director for Technology**

**B. DISCUSSION ITEMS**

**B.1. SIRRC**

John Paul: This is the first item on the agenda. As you all know, there has been some trouble on determining if this fee is valid or not. Part of the Elections Board Constitution talks about new fees and it says if Senate puts a fee on the ballot then the student body needs to vote 60% in favor to pass the vote. But it was brought to our attention that AS Legal Code says something different from 2018-19, it says 2/3 instead of 60%.

John Paul: We did a lot of research and it turns out that in 2017, a Constitutional amendment was passed that changed this part of the Constitution from 60% to 2/3.

Andrew: Legal Code says that the Constitution overrides the standing policies (including Elections Code) when there is a contradiction.

John Paul: Do you have the original bill, Ruth?

Ruth: Sean just found the bill this weekend.

Sean: It was sent to the Senate on February 1st, 2017.

Ruth: I will send it to Elections.

Hattie: Why are sections crossed off?

Sean: Crossed off is removals, italicized is additions.

Hattie: What was this for?

Andrew: The people that wrote this in 2016 were trying to limit new student fees.

Ruth: In 2016, there was a Senator who wanted to change the part of the Constitution about how fees were passed. We kept on talking about reaffirmations and how they wanted to increase the threshold. He came to elections and we put it on the ballot. So with this language, what we failed to realize back then, is that there could be a contradiction in there.

Ruth: Just a little side note, UCOP had also been talking to us about the percentages of how we pass reaffirmations. They were saying that it was incorrect and this constitutional change rectifies it.

John Paul: Sean just sent the final language to us. It says that when a fee is put on the ballot by Senate, a 2/3 vote shall be necessary for the adoption of the fee. The question is, we need to think about whether that 2/3 vote applies to the electorate.

Andrew: The original writer of the bill was definitely going for a 2/3 electorate vote needed to pass new fees.

Rachel: I agree.

Hattie: Sean, what do you think?

Sean: Do you want to hear it?

Hattie: Definitely.

Sean: The language for that section is bad, but it’s definitely 2/3, so the initiative definitely not pass, no matter how you read it. It does need to be rewritten because the last sentence of the section is confusing, which says increases in fees. If it’s an increase of a fee you already have, it seems to imply that it’s an increase of 2/3 no matter what and you can’t get signatures. That’s what it appears to be saying. Is SIRRC a new fee?

Ashley: Yes.

Sean: It is a new fee, so then that part doesn’t apply anyways. It would have to be 50% + 1 if they got signatures, but they went through senate instead which is 2/3. They need 2/3 of the student body to vote to pass the fee.

Ruth: Is there anything that you two (John Paul and Davis) discussed that you would like to bring up in the meeting today?

John Paul: So Davis and I were looking through the whole AS Legal Code, it says if a vote is held in the Senate then a vote of 2/3 is necessary for the adoption of the fee. To be put on the ballot through Senate, they need to have a vote there.

Andrew: Why does that apply to the Elections Board, isn’t that the Senate?

Hattie: I think that the part of the bill we’re looking at applies to the electorate.

Andrew: It doesn’t make sense for it to say that the Senate has to vote 2/3 in favor amongst themselves to add a new student fee. There needs to be a student vote too, and according to that language, 2/3 of the student electorate needs to vote in favor for a new fee to pass.

Hattie: I think that no matter what, it’s going to take some explaining.

Sean: Keep in mind, if you interpret that section as saying the Senate has to vote 2/3, then what’s the part that says where the electorate has to vote and the percentage the electorate needs?

Andrew: That’s a good point.

Hattie: Yes.

Ruth: We sent this to UCOP and they didn’t look at this part. They only looked at the third section.

Sean: Yes, I remember.

**Motion to interpret the Constitution with the 2017 amendment as requiring 2/3 of the electorate’s vote for a new fee to pass when added to the ballot by Senate**

First/Second: Grace/Wiesenthal-Coffey

Vote: 4-0-0

Motion approved.

**Motion to declare that the SIRRC fee of 2019 did not pass the 2/3 requirement**

First/Second: Grace/Quan

Vote: 4-0-0

Motion approved.

**B.2. Complaints**

[Redacted]

**B.3. Election Results**

**Motion to approve the Spring 2019 Election Results**

First/Second: Quan/Yan

Vote: 4-0-0

Motion approved.

John Paul: Someone has to go to F&B, SIRRC and Senate.

Ruth: We need to let SIRRC know ASAP. Cindy is going to their meeting right now.

John Paul: I’m going to F&B right now. Their meeting is at 5.

**B.4. Town Hall**

John Paul: It’s next week, Monday, 3:30 PM.

**Meeting adjourned by John Paul Renteria at 4:20 PM.**