

**THE STUDENT SENATE OF
THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE**

59th Legislative Assembly, 1st Session

S.B. 59.1-3

**AN ACT TO REFORM THE APPOINTMENTS PROCESS, TO PROVIDE A MEANS
OF SCRUTINIZING THE APPOINTMENTS TO LESSER POSITIONS IN SGA, AND
FOR OTHER PURPOSES.**

Short Title:	Appointments Reform and Committee Act 2022
Primary Sponsor(s):	Clay Britt, <i>Upperclassmen Senator At-Large</i>
First Reading:	4/7/2022
Referred To:	Internal Affairs
Committee Report:	Favorable with Amendments
Second Reading:	4/14/2022
Passage:	4/14/2022
Enacted:	

Whereas, the appointments process is in need of revision.

Therefore, be it enacted by the Student Senate of the University of North Carolina at Charlotte, as follows:

SECTION 1. THE APPOINTMENTS COMMITTEE.

§3-3.1. Establishment of Committees.

(c) The Senate shall be comprised of ~~three~~ **two** Select Committees, to wit, the Legislative Leadership Committee, **Appointments Committee**, and the Cultural Unity Board.

SECTION 4. SELECT COMMITTEE.

§3-3.16. Appointments Committee.

- (a) The Appointments Committee is a select committee of the Senate. The Appointments Committee shall be composed of—
- (1) The Chair of the Committee, who shall be appointed by the Speaker.
 - (2) The Vice Chair of the Committee, who shall be appointed by the Speaker.
 - (3) No more than 9 Senators nor less than 3 Senators chosen by the Speaker, who shall be in addition to the Chair and the Vice Chair.
- (b) The Appointments Committee shall meet on Monday at 5:30pm whenever the Speaker Pro Tempore receives a nomination prior to ~~Saturday~~ **Friday** at 3:00pm to a ~~class division~~ **2** position as set out in these statutes or in Appendix **K. E**.
- (c) Whenever the Speaker Pro Tempore receives a nomination falling within the ambit of subsections (b) of this section, they shall give notice whereof to the Chair of the Appointments Committee who shall cause the Committee to meet and consider appointments falling within the authority as aforesaid.
- (d) The Committee may, by majority vote, adopt, in formal meeting or otherwise, an alternate meeting time agreeable to the members of the Committee.

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- (e) Being an officer of the Appointments Committee or a Subcommittee appointed thereby is not an office for the purposes of the dual officer prohibition, nor does it prohibit holding any other office in the Senate.

SECTION 2. THE APPOINTMENTS PROCEDURE.

§3-1.27. Confirmation of Designees External to the Senate in General.

The provisions of Appendix K E of this Chapter, which categorizes appointments into ~~class~~-division 1 appointments and ~~class~~ division 2 appointments, shall have effect as part of this Chapter. If a position established by the Student Government Statutes is not within the legislative branch and categorized otherwise by these statutes, the position shall be considered a ~~class~~ division 1 appointment.

§3-1.28. Confirmation of Designees External to the Senate of ~~Class~~ Division 1 Appointments.

- (a) Designees external to the Senate ~~nominated to division~~ ~~class-1~~ positions shall be confirmed to Office by Measure.
- (b) At the appropriate time during a General Assembly, the Presiding Officer shall recognize the appointing authority, who shall introduce the designee ~~nominated to a~~ ~~class~~ division one position to the Senate. All designees ~~nominated to a~~ ~~class~~ division one position shall be allowed to address the Senate for a period of time not to exceed five minutes, followed by a period for questions for the designee from the Senate not to exceed ten minutes. The period of questioning of a nominee may be extended to no more than fifteen minutes by the consent of two-thirds of the Senate present and voting. ~~Except in cases where multiple nominees are nominated as Elections Commissioners, Class Council members, or Student Justices in the same measure or where the nominee to the respective office is not present, the~~ The period of questioning shall not be closed except with unanimous consent before the expiration of two minutes since the opening of the period of questions.
- (c) The confirmation of designees ~~to~~ ~~class~~ division one positions will be in the form that the respective Measure be agreed to. Except where a different majority is provided in the Constitution of the Student Body or the Student Government Statutes, the confirmation of a designee external to the Senate shall require the approbation of a majority of the Senators present and voting.
- (d) The use of “~~division~~ ~~class~~ one position” in this section includes appointments to ~~class~~ division 2 positions which are treated as ~~class~~ division one positions under SGS §3-1.29(e) or (f) because of the filing of objections.

§3-1.29. Confirmation of Designees External to the Senate of ~~Class~~ Division 2 Appointments.

- (a) Whenever a nominee of a ~~class~~ division 2 position is nominated, the Appointments Committee (hereinafter, in this section, the “Committee”) shall consider the nominations of each and every nominee. ~~The appointing authority, or a designee, and the nominee, if possible, shall attend the meeting of the Committee.~~ At the meeting the Chair of the Committee shall recognize the appointing authority or their designee for a period of no more than 2 minutes per nominee to introduce them. The appointing authority or their designee may give information regarding the nominee and/or the appointment process in general that they adhered to. Following the speech of the appointing authority, the Chair of the Committee shall, if they are present, recognize the nominee or nominees. The nominee shall be presented to give a speech to the Committee which

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shall not exceed two minutes per nominee. The nominee shall then answer questions from the members of the Committee for a period of no more than five minutes, which may be extended to seven minutes by majority vote of the committee. Following the speeches of the appointing authority and the nominee, the Committee shall deliberate on whether to recommend the appointment of the nominee to the Senate. The recommendation of the Committee shall be made on the basis of majority vote.

(b) If the Appointments Committee has received 4 or more nominations falling within the ambit of section 3-3.16(b), the Appointments Committee may, on motion of any member, notice whereof being given at least twelve hours prior to the meeting, divide itself into two or more subcommittees consisting of at least three members, which are to meet concurrently. The motion for the appointment of the subcommittee is to be adopted by the Committee with the consent of a majority of the members of the Committee. A motion for appointing a subcommittee must specify the Chair and Vice Chair of each subcommittee and the composition of each subcommittee. Such a motion may be amended subsequent to its adoption by majority vote of the Committee. The Chair and Vice Chair of the Committee shall, save for those functions appertaining to the officers previously named which are administrative in nature and only apply to the full committee, exercise the functions of the Chair and Vice Chair of the Committee in respect of the subcommittee for which they are appointed. The provisions of this section referencing the Committee, when subcommittees are appointed, specifically subsections (a) or (b) of this section are to be read as references to the relevant subcommittee.

(c) If a subcommittee of the Committee votes not to recommend the appointment of a ~~class~~ **division 2** nominee to the Senate and two members of the Committee (at least one of whom was not a member of the relevant subcommittee) ask for a review by the whole committee, the nominee has the right to a review by the whole committee.

(d) If the Committee does not recommend an appointment to the Senate, the Committee shall give reasons to support their disposition, which shall be included in the notification to Senators pursuant to subsection (e) of this section. A dissenting view may also be included in the notification at the request of any two members of the Committee.

(e) Following any meeting of the Appointments Committee pursuant to this section, the Chair of the Appointments Committee shall send to every member of the Senate, **no later than 24 hours after the meeting of the Committee**, a summary of the disposition of the Committee in respect of each nominee for appointment. The notification shall list the nominees recommended to the Senate for confirmation and the nominees not recommended to the Senate for confirmation and the reasons for that recommendation. The Speaker Pro Tempore shall introduce a measure confirming all nominees to office who have not had objections filed against them by the time of the legislation submission deadline established by the Speaker Pro Tempore. The measure shall be approved by the ordinary legislative process for measures.

(f) In respect of a nominee which the Committee does not recommend for appointment, the Speaker Pro Tempore shall introduce a measure confirming them to office only if three or more Senators (at least one of whom is not part of the Appointments Committee) file objections to the Speaker Pro Tempore against their nonconfirmation **by the time of the deadline for the submission of legislation**. The measure shall then proceed as provided under section 3-1.28.

(g) Objections are received by the Speaker Pro Tempore under subsections (e) or (f) of this section, at the option of the objecting Senator, the objecting Senator, or Senators, or the Speaker Pro Tempore shall read the submitted objections at the beginning of debate on the Senate Measure.

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§3-1.30. Joint Appointing Authority.

Whenever the authority making a nomination to an office of Student Government is a collegiate body composed of two or more members, the joint appointing authority shall be represented in the procedures under SGS §§3-1.28, 3-1.29 by a person determined by them.

SECTION 3. DEFINITIONS.

§3-1.1. Definitions.

Within these Bylaws, the following definitions and conventions shall apply:

(af) “~~Division~~ ~~Class~~ one position” means a ~~division~~ ~~class~~-one office designated by Appendix K E, these statutes, or another competent authority.

(ag) “~~Division~~ ~~Class~~ two position” means a ~~division~~ ~~class~~-two office designated by Appendix K E, these statutes, or another competent authority.

SECTION 4. APPOINTMENTS CLASSIFICATION TABLE.

CHAPTER THREE

APPENDIX K. APPOINTMENTS CLASSIFICATIONS

CLASS DIVISION 1 APPOINTMENTS	(4) Academic Affairs
JUDICIAL BRANCH	(5) Athletic Affairs;
Chief Justice	(6) Diversity, Equity, and Inclusion;
Lieutenant Chief Justice	EXECUTIVE COMMITTEES
Student Justices	Heads of ad hoc executive committees who are not, at the time of their appointment, already holders of a group 1 position
NONBRANCH OFFICERS	
Student Body Webmaster	<i>[there should be a column break here (this note should not appear in the text of Chapter three)]</i>
Student Body Treasurer	
ASG Liaison	
EXECUTIVE BRANCH	CLASS DIVISION 2 APPOINTMENTS
Replacement Vice President	NONBRANCH MEMBERS
Replacement Class Presidents	Interns
CABINET	ELECTIONS COMMISSION
Chief of Staff	Elections Commissioners
Temporary executive officers	EXECUTIVE COMMITTEES
Attorney General	
Secretaries for—	
(1) Business Affairs;	
(2) Student Affairs;	
(3) Health and Wellness;	

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Heads of ad hoc executive committees who
are, at the time of their appointments,
holders of a division 1 position

SECTION 5. RENUMBERING OF THE BYLAWS.

The Bylaws of the Student Senate are renumbered to reflect the changes made by this Act. All statutory citations in other portions of the Bylaws are to be corrected to reflect the changes made by this Act. This Act comes into force on the day after it becomes effective according to the Constitution of the Student Body.

Mandates:

Dr. Kevin Bailey, *Vice-Chancellor for Student Affairs*
Christine Davis, *Associate Vice-Chancellor for Student Affairs and Dean of Students*
Karen Shaffer, *Assistant Vice-Chancellor for Student Affairs*
Jordan Foster, *Lieutenant Chief Justice*
Taityana Larson, *President of the Student Body*
Student Body Webmaster
Adam Burden, *Advisor to the Senate*
N/A, *Press Secretary*
Madison Dobrzanski, *Niner Times*
Daniel Acree, *Legislative Clerk*

I, Joy Yochem, hereby certify that this legislation was considered and adopted by the Student Senate of the University of North Carolina at Charlotte in accordance with the Constitution of the Student Body and the By-Laws of the Student Senate on this _ day of _, 2021.

Joy Yochem
Speaker Pro Tempore of the Student Senate

I, Tatiyana Larson, hereby signify my approval of this legislation as adopted by the Student Senate of the University of North Carolina at Charlotte, this _ day of _, 2021.

Tatiyana Larson
Student Body President