

**Title II**  
**Legislative Affairs**

## Part 1

# Permanent Rules of the Student Congress

### Section 1. Rules Controlling the Student Congress

The following rules shall govern and control all actions and procedures of the Student Congress (also referred to as the "Congress" or "SC") and its committees.

### Section 2. Sessions

The Congress divides its business into annual sessions. Each session shall begin following the inauguration of the majority of a new Congress.

### Section 3. Meetings

Each session shall consist of a number of regular and special meetings.

## Article I. Membership

### Section 111. Members of Student Congress

Each member of the Student Congress shall be:

- A. A duly-registered, fee-paying, full time student at the University of North Carolina at Chapel Hill;
- B. A resident of the district that he or she is representing by the semester following the regular election (excluding summer sessions);
- C. Elected in full compliance with the General Election Laws;
- D. Free from sanction of a student court for violation of the Honor Code or Campus Code; and
- E. Qualified according to the General Election Laws.

### Section 112. Nature of Districts

The district of residence for an undergraduate student shall be a set of residence units containing the place of actual physical residence as distinguished from one of temporary sojourn. The district of residence for a graduate student shall be a set of graduate and professional academic departments containing the department in which he or she is enrolled.

### Section 113. Student Congress Districts

- A. Approval. New districts for electing member to the Student Congress shall be approved by the Student Congress by January 1, 1998 and reviewed every two years thereafter. Graduate Districts shall be approved by the Graduate and Professional Student Federation and the Congress.
- B. Process. With the assistance of the elections board the Rules and Judiciary Committee of the Congress shall undertake a study and review of election districts in the fall of 1997 and every two years thereafter. The Rules and Judiciary Committee shall conduct public hearings and recommend districts for the Congress.
- C. Update. It shall be the responsibility of the Elections Board to update the Office of the Registrar as to any new or altered elections districts.
- D. Districts.

#### Undergraduate Seats

District	Seats	Territory
1	3	<b>North Campus.</b> Undergraduates living in Alderman, Alexander, Aycock, Cobb, Connor, Everett, Graham, Grimes, Joyner, Kenan, Lewis, Mangum, Manly, McIver, Old East, Old West, Ruffin, Spencer, Stacey, and Winston.
2	1	<b>Middle Campus.</b> Undergraduates living in Avery, Parker, Teague, and Whitehead.
3	6	<b>South Campus.</b> Undergraduates living in Craige, Craige North, Ehringhaus, Ehringhaus South, Hardin, Hinton James, Horton, and Morrison.
4	2	<b>Granville Towers.</b> Undergraduates living in Granville Towers.
5	1	<b>Greek Housing.</b> Undergraduates living in houses under the supervision of the Office of Fraternity and Sorority Life.
6	10	<b>Off-campus.</b> Undergraduates not living on campus, in Granville Towers, or in Greek housing.
7	2	<b>Auxiliary Housing.</b> Undergraduates living in Baity Hill, Odum Village, and Ram Village.

#### Graduate Seats

District	Seats	Territory
8	5	<b>Arts and Sciences and Humanities.</b> Graduate and professional students in Continuing Studies and the Schools of Arts and Sciences and Education.
9	5	<b>Professional Schools.</b> Graduate and professional students in Off-campus Studies and the Schools of Business, Government, Information and Library Science, Journalism and Mass Communication, and Law.
10	6	<b>Medical Schools.</b> Graduate and professional students in the Schools of Dentistry, Medicine, Nursing, Pharmacy, Public Health, and Social Work.

- E. By the third regular Rules and Judiciary Committee meeting of the fall semester, the Rules and Judiciary Chair shall update a list containing, as exactly as can be determined, the enrollment in each graduate and professional school and the undergraduate occupancy of each dorm, Granville Towers, and Greek housing. The number of undergraduates living off-campus can be determined by subtracting the total undergraduate residents of the above from the total undergraduate population.

- F. Each seat in Congress shall represent, as nearly as possible, the same number of students, which shall be determined by dividing the total student population to be represented by Congress by the number of seats in Congress.

#### **Section 114. Arbitration**

The Congress shall be the arbiter of the elections, returns, and qualifications of its own members, subject to appeal of the student Supreme Court.

#### **Section 115. Conflict of Interest**

No member of the Congress shall serve as a senior member of the Student Body President's staff, nor shall he/she hold any position within the Student Supreme Court, the Undergraduate Honor Court, or the Office of the Undergraduate Student Attorney General. A "senior member" shall be defined as to include the Graduate and Professional Student Federation President, Carolina Athletic Association President, Resident Hall Association President, Vice-President of the Student Body, the Secretary of the Student Body, the Treasurer of the Student Body, the Executive Branch Chief of Staff, committee chairs, presidential aides, executive assistants, and any other person recommended by the Ethics Committee of SC and voted as such by a two-thirds (2/3) majority of the SC..

### **Article II. Officers**

#### **Section 121. Elected Officers**

The elected officers of the Congress shall be the Speaker, the Speaker Pro Tempore, and the chairpersons of committees established in this Title or by acts or resolutions of the Congress. These offices must be held by members of Congress. No two elected offices specified in this Title (excluding such offices as may be created by acts or resolutions of the Congress) shall be held by the same member of Congress, nor shall two members of Congress hold any single elected office specified in this Title.

#### **Section 122. Powers of the Speaker**

The Speaker of Congress shall:

- A. Call to order and preside over meetings of the Congress;
- B. Call special meetings of the Congress;
- C. Serve as a non-voting ex officio member of all congressional committees;
- D. Sign all acts and resolutions of the Congress and ensure their transmission to the Student Body President within three school days of passage;
- E. Sign resolutions of the Congress and ensure their promulgation to the appropriate parties;
- F. Make all appointments and nominations reserved to the Student Congress, subject to confirmation by a two-thirds vote of the Congress;
- G. Appoint all members of the Legislative Staff, subject to confirmation by a two-thirds vote of the Congress;
- H. Prepare the Congress' annual budget request in conjunction with the Organizational Treasurer and the standing committee chairs;
- I. Serve as the Congress' chief administrator and spokesperson on non-legislative matters; and,
- J. Ensure that all duties of the Congress and its officers are properly executed.

- K. Administer the oath of office to SC representatives who must be sworn in on a day other than inauguration.

### **Section 123. Powers of the Speaker Pro Tempore**

The Speaker Pro Tempore shall:

- A. Perform such duties as the Speaker may assign;
- B. Preside over the Congress in the absence or incapacity of the Speaker
- C. Orient all new members of Congress and maintain communication with the University community, including, but not limited to orientation of the Freshmen class and the entire Student Body to Student Congress.
- D. Serve as a non-voting ex officio member of all congressional committees.
- E. It shall become the duty of the Speaker pro tempore to coordinate any actions regarding the prompt delivery of written reports from appointees.
- F. Execute other such responsibilities as may be lawfully assigned to them for the current session.
- G. Organize the Full Congress Public Forum

### **Section 124. Powers of Committee Chairs**

All standing committee chairpersons shall:

- A. Call and preside over committee meetings;
- B. Report to Congress the general activities and proceedings of the committee, including the title and nature of bills introduced and not yet reported;
- C. Designate any bills eligible to be placed upon the Consent Calendar; and
- D. Execute such other responsibilities as may be lawfully assigned them.

### **Section 125. Legislative Staff**

The appointed officers of the Congress (referred to as Legislative Staff) may include the Principal Clerk, the Finance Committee Clerk, the Rules and Judiciary Committee Clerk, the Student Affairs Committee Clerk, the Producer, the Production Assistant(s), the Parliamentarian, the Sergeant-at-Arms, the Organizational Treasurer, the Equipment Control Officer, and the Technology Coordinator. The appointed officers of the Congress may not be members of the Congress. The Speaker shall appoint all members of the Legislative Staff, subject to confirmation by a two-thirds vote of the Congress.

### **Section 126. The Principal Clerk**

The Clerk shall:

- A. Keep the roll and minutes of the Congress;
- B. Conduct the correspondence of the Congress by the direction of the Speaker and other officers of the Congress;
- C. Perform such duties in the general administration of the Congress and the processing of legislation as the Speaker and the laws and resolutions of the Congress shall direct;
- D. Supervise and direct the committee clerks;

- E. Store and periodically update two (2) reserve copies of the Code of Permanent Laws of the Student Government of the University of North Carolina at Chapel Hill at the Robert B. House Undergraduate Library and the Student Congress Offices.
- F. Be paid at a rate pursuant to Title V, Article VII, Section 707.

### **Section 127. The Committee Clerks**

The Committee Clerks shall:

- A. Keep the roll and minutes of committee meetings;
- B. Assist committee chairs with his or her duties during committee meetings;
- C. Prepare and submit the committee report following each committee meeting;
- D. Assist the Principal Clerk with any duty he or she may assign, including filling in for Principal Clerk in his or her absence.
- E. Be paid at a rate pursuant to Title V, Article VII, Section 707.

### **Section 128. Removal**

The Student Congress may dismiss any elected officer by a two-thirds vote subject to the laws and resolutions of the Congress governing this process. The Student Congress may dismiss any appointed officer of the Student Congress without utilizing the impeachment process by a 2/3 vote. Appointed officers may also be dismissed at the discretion of the Speaker without utilizing the impeachment process if he/she feels that the appointed officer is not serving in his/her capacity in a way that benefits the Student Congress. Any appointed officer dismissed by the Speaker may appeal the Speaker's decision in the form of having a member of Congress to introduce a resolution to overturn the Speaker's decision and reinstate the appointed officer. The resolution must be heard by the Student Affairs Committee and adopted by a two-thirds (2/3) vote of the full Congress to overturn the Speaker's decision. If the measure is adopted the appointed officer will be reinstated to his/her position.

### **Section 129. Vacancies**

Vacancies among the appointed officers of the Congress shall be filled by timely appointment of a successor. Vacancies among the elected officers of the Congress shall be filled by election according the procedures of this Title at the next regular meeting of the Congress unless said election shall be postponed by a two-thirds vote, said motion being debatable as to the merits of postponement. In the event of a vacant committee chair the senior member of the committee shall serve as Acting Chair until such an election can be held. If no member has seniority, the committee shall elect from among the equally senior members as Acting Chair.

### **Section 130. Rank of Members**

The rank of Congress members for such cases as it may be important shall descend as follows: the Speaker, the Speaker Pro Tempore, the Finance Committee Chair, the Rules and Judiciary Committee Chair, the Student Affairs Chair, the Ethics Committee Chair, the chairs of select committees in order of their creation, and the other members of Congress in order of seniority, as determined first by length of continuous service, and secondarily by total time of service.

## **Article III. Special Procedures for the First Meeting of Each Session**

### **Section 141. Members to Convene at Appointed Time and Place**

Every person elected to represent any district in the Student Congress shall appear at the first meeting of a new session of Student Congress as determined by Title II, Article III, Section 142.

### **Section 142. Time of First Meeting**

The first meeting of the regular session of the Student Congress shall be held annually within the first seven days after the inauguration. The Speaker Emeritus will determine a reasonable date and time for the meeting.

### **Section 143. Convening the New Congress Session**

The Speaker of the previous Student Congress session shall convene the Congress at 7:00 p.m. on the date established by law for the convening of each regular session, and preside over the body until the members elect a new Speaker. In the case of a vacancy, inability, or refusal to so serve, the duty shall devolve upon the Ethics Committee Chair of the prior Congress, and in the case of a vacancy in that office, or inability or refusal to so serve, the duty shall devolve upon the Principal Clerk of the prior Congress.

### **Section 144. Agenda for the First Meeting**

The agenda for the first meeting of each session shall be as follows:

- I. Call to Order
- II. Swearing in of Members
- III. Call of the Roll
- IV. Distribution of Title II
- V. Adoption of Title II as the temporary rules of procedure for the conduct of business.
- VI. Election of the Ethics Committee Chair;
- VII. Election of the Speaker for the session;
- VIII. Election of the Speaker Pro Tempore, the Finance Committee Chair, the Rules & Judiciary Chair, and the Student Affairs Chair, in that order;
- IX. Election of the membership of the Ethics Committee, the Finance Committee, Rules & Judiciary Committee, the Student Affairs Committee;
- X. First Reading and Reference to Committee of Bills and Resolutions
- XI. Concurrent Resolutions
- XII. Adjournment to a time not more than seven (7) class or exam days later.

### **Section 145. Election of Officers**

The elected officers of the Congress shall be elected by majority vote upon nominations from the floor. If no candidate receives a majority, runoff elections shall be held, in which the candidate receiving the fewest votes on the immediately preceding ballot for that office shall be excluded, until a majority for one candidate shall be obtained. Each candidate shall have the right to speak on his or her own behalf for a time not to exceed five (5) minutes, with such statements taking place in reverse order of nominations upon close of nominations for that office. At the conclusion of the last speech by a candidate for that office, the candidates will be allowed to answer queries on their own behalf for a time not to exceed five (5) minutes per query per candidate. Election shall be by ballot, with each ballot signed by a voting member of the Congress and open to public inspection. In the event of a tie the Congress shall revote as many times as necessary in order to reach a majority number of votes for one of the candidates. The tie may not be broken by the outgoing Speaker if the outgoing Speaker is not a member of the new Congress. If the outgoing Speaker is a member of the new Congress, his/her voting privileges are the same as any other member of the new Congress. All elected officers shall serve for the duration of the session except for cases of resignation, dismissal, or ineligibility.

### **Section 146. Election of Committees**

Committee composition shall be established by election except where general consent can be obtained. Members shall nominate themselves. Each member of Congress shall vote for a slate of candidates and the required number of members will be selected from the top vote-getters. Runoffs shall be used only to break ties which would affect the membership of a committee. Each candidate shall have the right to speak on his or her own behalf for a time not to exceed two (2) minutes, with such statements taking place in reverse order of nomination upon close of nominations for that committee. At the conclusion of the last speech by a candidate for that committee, the candidates will be allowed to answer queries on their own behalf for a time not to exceed two (2) minutes per query per candidate.

### **Section 147. Subsequent Members**

Members elected in special elections to fill vacant seats shall be elected to vacant committee assignments following the procedures of Section 146.

### **Section 148. Assignment of Members**

The elected members of the Congress shall be evenly apportioned among the standing committees with any remainder assigned to the Finance Committee first, the Student Affairs Committee second, the Rules & Judiciary Committee third. No committee shall have fewer than three members. Neither the Speaker nor the Speaker Pro Tempore shall be considered a member of any committee for the purpose of apportionment.

## **Article IV. Procedures for All Meetings**

### **Section 151. Regular Meetings**

Regular meetings of the Congress shall take place every two class weeks during the Fall and Spring Semesters.

### **Section 152. Schedule**

By the first day of classes of the Fall Semester, the Speaker shall determine a Schedule of meetings for the entire session for approval by the Student Congress. After approval, it may be amended by a two-thirds vote of the Congress.

### **Section 153. Special Meeting**

Special meetings of the Congress shall be called when deemed necessary by the Speaker or by a majority of the Congress petitioning the Speaker in writing. The date, time, and place of such meetings shall be established by the Speaker or petitioners as is appropriate, but such meetings require notice by United States mail with seventy-two (72) hours elapsing between postmark and meeting time or by electronic communication with seventy-two (72) hours elapsing between the sent time and the meeting time.

### **Section 154. Meetings during Holidays**

No regular or special meetings of the Congress shall be held during official University holidays or recesses without unanimous consent of all members of the Congress expressed in writing or electronic communication.

### **Section 155. Convening Day and Hour**

The Presiding Officer shall take the Chair at the day and hour fixed by the Congress upon adjournment on the preceding meeting, and shall call the members to order.

### **Section 156. Convening and Presiding in Absence of Speaker**

In the absence of the Speaker, the highest officer on the following list shall convene or reconvene the Congress and preside, in descending order:

- A. Speaker Pro Tempore
- B. Ethics Committee Chair
- C. Finance Committee Chair
- D. Rules and Judiciary Committee Chair
- E. Student Affairs Committee Chair

The clerk will then be instructed to call the roll. Should the Speaker and all of the officers listed above remain absent fifteen (15) minutes after any time fixed for the reconvening of Congress, the meeting shall be considered cancelled. In such case, the roll shall be called and all members not present shall have their absences/exits recorded.

### **Section 157. Quorum**

- A. A quorum consists of a majority of all the qualified members of the Congress;
- B. When a lesser number than a quorum convenes, the Representatives present may send the Sergeant-at-Arms or any person, for any or all absent Representatives, as a majority of the Representatives present determines; and
- C. Should the point of a quorum be raised during a meeting, the doors shall be closed and the Clerk shall call the roll of the Congress, after which the names of those not responding shall again be called.

### **Section 158. Approval of Minutes**

After convening the Congress the presiding officer shall order the minutes of the previous meeting to be examined and then entertain a motion to accept the minutes by consent after all corrections have been made.

### **Section 159. Order of Business**

After approval of the Minutes, the order of business shall be as follows:

- I. Reports of the Officers of Congress
- II. Receipts of Petitions and Messages
  - (A) Messages from the President
  - (B) Message from the GPSF President
  - (C) Messages from the Student Body Treasurer
  - (D) Messages from the Student Attorney General
  - (E) Messages from the Honor Court Chairperson
- III. Introduction of Concurrent Resolutions
- IV. Veto Messages from the Student Body President.
- V. Unfinished business of preceding meeting.
- VI. Special orders.
- VII. Consent Calendar
- VIII. General orders:
  - (A) Resolutions
  - (B) Bills
  - (C) Concurrent Resolutions
- IX. Notices and Announcements.
- X. Adjournment

### **Section 160. Agenda; Order to be Followed**

The agenda of the Congress shall be prepared by the Speaker of the Congress with the assistance of the Principal Clerk at least twenty-four (24) hours prior to each meeting. The Presiding Officer and the Principal Clerk of the Congress shall see that all bills are acted upon by the Congress in the order in which they stand upon the agenda, unless otherwise ordered as hereinafter provided. Any item of business may be reordered by a two-thirds vote, and items of unfinished business, general orders, and items of new business may be reordered by majority vote. These motions are not debatable. The published agenda shall include all items of business reported favorably or without prejudice from committee since the previous meeting. All items reported unfavorably shall appear on a separate unfavorable calendar.

### **Section 161. Papers Addressed to the Congress**

Petitions, memorials, and other papers addressed to the Congress shall be presented by the Speaker. Any messages from the Chancellor or the Board of Trustees of the University shall take precedence, followed by petitioning Students and reports or messages of the Student Body President, the Student Body Vice-President, President of the GPSF, Student Body Treasurer, Student Body Secretary, Executive Committee Chairs, Administrators, Faculty, and all others.

### **Section 162. Two Minute Speeches**

- A. Every Student Congress member shall be allowed to Speak for a period not exceeding two minutes before Student Congress convenes.
- B. This session shall be presided over by the Speaker or a willing Student Congress member designated by the Speaker.
- C. Any member who intends to speak for 2 minutes as outlined in section 162A shall inform the Speaker of his or her desire to speak before the Speaker calls the meeting to order.

### **Section 163. Reading and Referral of Bills**

- A. No Bill or Resolution shall be considered in Full Congress, except concurrent resolutions, unless it has been referred to the Speaker of Congress at least twenty-four (24) hours before a consideration in a standing committee.
- B. Congress shall consider all legislation on the favorable calendar before considering any legislation on the unfavorable calendar.

### **Section 164. Special Orders**

Any bill or other matter in consideration before the Congress may be made a special order for a subsequent day or hour by a vote of the majority of the Representatives voting, and if action on the special order is under consideration it shall take precedence over any special order or subsequent order for the day, but such subsequent order may be taken up immediately after the previous special order has been disposed of. All elections of new officers of the Congress or new members to committee shall take place during Special Orders on the Agenda.

### **Section 165. Consent Calendar**

When a bill has received a recommendation for a favorable report, favorable report as amended, or favorable as to committee substitute, and the vote in the committee was unanimous of the members present and voting, the Chair of the Committee may designate in the committee report that the bill is to go on the consent calendar. The bill shall appear on the consent agenda for the next meeting after the report is made. A bill shall be removed from the consent calendar if any member of the Congress makes such request in writing to the Speaker no later than five hours before the commencement of Congress and in such case the bill shall be placed on the regular agenda for that meeting. It shall not be in order to offer any amendment to a bill on the consent calendar except committee amendments. The Speaker will recognize the sponsor of the bill for a time not to exceed two minutes of debate. This Speaker shall then put the question on the bill.

### **Section 166. Election Supermajorities**

No law or resolution affecting in any way the conduct of an election or the content of the ballot shall be passed within thirty (30) days of said election without a two-thirds vote of the Congress. No resolution calling a referendum to amend the Constitution of the Student Body shall be passed at any time without a two-thirds vote of the Congress.

### **Section 167. Restricted Consideration**

No bills shall be considered under any circumstances which concern financial affairs, Constitutional amendments, or appointments and their approval unless said bills were reported or discharged from a committee when began at least forty-eight (48) hours before the Congress meeting.

## Article V. Conduct of Debate

### Section 171. Presiding Officer to Maintain Order

The Presiding Officer shall have general direction of the Hall of the Congress and shall be authorized to take such action as is necessary to maintain order, and in case of any disturbance or disorderly conduct in the galleries or lobbies, he or she shall have the power to order those areas cleared.

### Section 172. Substitution for Presiding Officer

The Presiding Officer, while in the Congress Chamber, shall have the right to call on any member of the Congress to perform the duties of the Chair. The Speaker may reclaim the chair from any other member at any time.

### Section 173. Points of Order

- A. The Presiding Officer shall preserve order and decorum and proceed with the business of the Congress according to the rules adopted. He or she shall decide all questions of order, subject to an appeal to the Congress by any member, on which appeal no member shall speak more than once unless by leave of the Congress. A two-thirds vote of the membership of the Congress present and voting is necessary to sustain any appeal from the ruling of the Presiding Officer.
- B. In the event the Congress Rules, Student Government Code, or Student Constitution do not provide for, or cover any point of order raised by any Representative, the current edition of Mason's Manual of Legislative Procedure shall govern.
- C. When a Representative is called to order he or she shall take his/her seat until the Presiding Officer determines whether he or she was in order or not; if decided to be out of order, he or she shall not proceed without the permission of the Congress; and every question of order shall be decided by the Presiding Officer, subject to an appeal to the Congress by any Representative; and if a Representative is called to order for words spoken, the words to which an exception is made shall be immediately taken down in writing by the Principal Clerk, so that the Presiding Officer or Congress may be better able to judge the matter.

### Section 174. Questions of Privilege

Upon recognition by the Presiding Officer for that purpose, any member may speak to a question of privilege for a time not to exceed three minutes. Questions of privilege shall be those affecting, first, the rights of the Congress collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn. Privilege may not be used to explain a vote or debate a bill. The Presiding Officer shall determine if the question is one of privilege and shall, without the point of order being raised, enforce this rule.

### Section 175. Obtaining Recognition

- A. When any Representative wishes to speak in debate or deliver any matter to the Congress, he or she shall raise his/her hand to obtain the attention of the Presiding Officer who may choose to keep a list of Representatives wishing to speak. This list shall not prevent the Presiding Officer from first recognizing members who have spoken little or none on a matter. No member shall speak until recognized by the Presiding Officer.
- B. A Representative who has the floor may yield the floor to another Representative only for the purpose of allowing another Representative to state a question. Only the Presiding Officer may award the floor to any Representative.

- C. A Representative who has obtained the floor may be interrupted only for the following reasons:
  - (1) A request that the member speaking yield for a question;
  - (2) A point of order; or
  - (3) A parliamentary inquiry.
- D. The Presiding Officer may certify any business of the Congress as a contested issue. Upon certification, the debate shall move to pro-con with the Chair of the Committee from which the legislation originated designating a Principal proponent (usually the sponsor) and a Principal opponent. The Speaker may remove this designation at any time, subject to an undebatable appeal to the majority of Congress.

### **Section 176. Limitations on Individual Debate**

- A. There shall be no limitations on the amount of time that a member may speak on any business of the Congress or limiting the time for consideration of said business, unless said limitations have been authorized by the Calendar Committee or a motion to limit debate has been approved by two-thirds(2/3) of the members of Congress present and voting prior to consideration of the business.
- B. A call for quorum is not in order when another member has the floor.
- C. Cloture may be invoked by delivering a written petition signed by 3/5 of all the members of the Congress to the Principal clerk. After Cloture is certified by the Clerk debate will be limited to two (2) hours and a vote will be taken on all pending motions.
- D. There shall be no limitations on the number of times a Representative may speak on the main motion, or on any other motion or appeal unless said limitations have been authorized by the Calendar Committee prior to the consideration of said business..
- E. By permission of the Presiding Officer, any member of the Congress may address the Congress from the well of the Congress.
- F. Any debate by a member must be germane to the motion under consideration.
- G. There shall be no other limitations on the content of the debate of any member unless said content is ruled out of order.

### **Section 177. General Decorum**

- A. The Presiding Officer shall be responsible for preserving order and decorum.
- B. Representatives may be referred to by name, but no derogatory remark reflecting personally upon any Representative shall be in order upon the floor of the Congress unless preceded by a motion or resolution of censure.
- C. When the Presiding Officer is putting a question, or a division by counting is in progress, no Representative shall walk out of or across the Chamber, nor when a Representative is speaking, pass between him or her and the Presiding Officer.
- D. When a motion to adjourn or for recess is affirmatively determined, no member or officer shall leave his/her place until adjournment or recess is declared by the Presiding Officer.
- E. Smoking shall not be allowed in the Congress chamber during or before sessions.
- F. No remark soliciting the donation of funds for the support of any person or organization shall be in order upon the floor of the Congress, unless the remark has some relevance to a bill or resolution before the body. No article of any kind soliciting business or donations may be placed by any person anywhere in the Congress Chamber or in any Congress office.

## Section 178. Speaking Privileges

- A. Upon undebatable seconded motion adopted by majority vote the Congress may extend speaking privileges to any person not to exceed five minutes. This time may be lengthened by two-thirds vote on a seconded motion to do so.
- B. This person will have access to a "Guests' Handbook" which will be created by the parliamentarian of the Congress each year. This handbook will include a basic outline of the rules of the functioning of Congress meetings. It will further go on to explain the rules of the proper decorum of the guests when they are coming before the Student Congress.
- C. The Presiding Officer is required to recognize guests for the purpose of defending their bill for time not to exceed five (5) minutes. He or she must recognize guests to speak to any properly seconded amendment upon their bill for a time not to exceed two (2) minutes.
- D. A resolution inviting the Student Body President to address the Congress shall be introduced twice during each term in October and in January.
- E. A resolution inviting the Chancellor to deliver a State of the University Address will be introduced during each session.
- F. The Student Congress Faculty Advisor shall be extended speaking privileges without objection. Upon objection the motion to extend speaking privileges to the Student Congress Faculty Advisor shall be considered under debate and passed only by a 2/3 majority of the members present.

## Article VI. Motions

### Section 181. Motions Generally

All original main motions shall be submitted in writing in the form of a bill or resolution under the provisions of Article VIII of this Section. Any other motion shall be reduced to writing, if requested by the Presiding Officer or any Representative, and read by the Presiding Officer or Clerk before the same is debated. Any motion may be withdrawn by the introducer at any time before decision or amendment. No motion relating to a bill shall be in order which does not identify the bill by its number and short title.

### Section 182. Motions, Order of Precedence

When a main motion is before the Congress no motion shall be received except those herein specified, which motions shall have precedence as follows:

- To adjourn.
- To lay on the table.
- Previous question.
- To postpone indefinitely.
- To reconsider.
- To postpone to a day certain.
- To re-refer.
- To amend an amendment.
- To amend.
- To pass the bill.

### **Section 183. Motion To Adjourn**

(a) A motion to adjourn shall be seconded before the motion is put to the vote of Congress (b) A motion to adjourn shall be decided without debate and shall always be in order, except when Congress is voting or some member is speaking; but a motion to adjourn shall not follow a motion to adjourn until debate or some other business of Congress has intervened. (c) A motion to adjourn shall require a roll call vote.

### **Section 184. Motion to Table**

(a) A motion to table shall be seconded before the motion is put to the vote of Congress and is in order except when a motion to adjourn is before Congress. (b) A motion to table shall be decided without debate. (c) A motion to table shall not be paired with a motion to reconsider. (d) A motion to table a bill shall constitute a motion to table the bill and all amendments thereto. (e) When the question before Congress is the adoption of an amendment to a bill or resolution, a motion to table the bill is not in order; and a motion to table an amendment applies to the amendment only, and the motion may not expressly or by implication or construction be expanded to include a motion to table the bill also. (f) When a question has been tabled, it shall not thereafter be considered except on motion to reconsider under Section 186 to remove from the table approved by a two-thirds vote.

### **Section 185. Motion to Postpone Indefinitely**

A motion to postpone indefinitely is in order except when a motion to adjourn or to lay on the table or for the previous question is before Congress. However, after one motion to postpone indefinitely has been decided, another motion to postpone indefinitely shall not be allowed at the same stage of the bill or proposition. When a question has been postponed indefinitely, it shall not thereafter be considered except on motion to reconsider under Section 186 or to place on the favorable calendar approved by a two-thirds vote.

### **Section 186. Motion to Reconsider**

- A. When a question has been decided, it is in order for any member to move for the reconsideration thereof on the same or the succeeding legislative day; provided that if the vote by which the motion was originally decided was taken by a recorded vote, only a member of the prevailing side may move for reconsideration.
- B. A first motion to reconsider shall be determined by a majority vote. A two-thirds vote shall be required: for a second or subsequent motion to reconsider and a motion to reconsider and a motion to reconsider the following:
  - (1) A vote upon a motion to table,
  - (2) A motion to postpone indefinitely,
  - (3) A motion to remove a bill from the unfavorable calendar,
  - (4) A motion that a bill be read twice on the same day,
  - (5) A motion to remove from the table.
- C. A motion to reconsider the vote by which a person has been elected as Speaker or Speaker Pro Tempore shall not be in order. This subsection of this rule cannot be suspended.

### **Section 187. Previous Question**

- A. The previous question may be called by any member of Congress.
- B. The previous question, once seconded, shall be as follows: "Call for the previous question having been made, is the call sustained?" When the call for the previous question has been decided in the affirmative by a vote of two-thirds of the members of Congress present, the question is on the passage of the bill, resolution, or other, matter under consideration.

- C. The call for the previous question shall preclude all motions, amendments, and debate, except the motion to adjourn or motion to table.
- D. If the previous question is decided in the negative, the question remains under debate.

## Article VII. Voting

### Section 191. Votes

Unless specifically noted, all required votes in this Title are votes of the Congress members present and not of the entire membership. Unless otherwise stated, two-third vote or any other supermajority shall be two-thirds or the supermajority of all members voting, including abstentions.

### Section 192. Methods of Voting

- A. The Congress shall vote via voice except where otherwise provided in this Title. Members abstaining from the voice vote shall indicate as such to the Clerk of Congress prior to the vote.
- B. **Division of Congress.** Division of Congress may be ordered by the Speaker or a member and a second, with the member specifying whether the vote shall be taken as a standing vote or a show of hands.
- C. **Roll Call Vote.** (a) Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth of the members present, the question shall be decided by the ayes and noes upon a roll call vote. (b) Every member who is in the chamber when the question is put shall vote upon a call of the ayes and noes. (c) Roll call cannot be used in Committee of the whole. (d) During the consideration of bills and resolutions and their associated amendments, if a voice vote fails to achieve a standard of unanimity in the Congress, an automatic roll call of the ayes and noes shall be undertaken by the Clerk of Congress for the purposes of public record and transparency.
- D. **Secret Ballots.** The Congress shall be forbidden the use of the secret ballot.

### Section 193. Dividing the Question

- A. If any question contains several distinct propositions, a member may move that the question be divided. The motion shall clearly state how the question is to be divided. The motion shall be adopted by majority vote of the members present and voting.
- B. If the question is divided and any part thereof fails, then any provisions remaining to be voted upon are still under consideration.
- C. Only one motion to divide the question shall be in order during consideration of a bill or resolution.

### Section 194. Voting

- A. Any member of Congress may vote yea, nay, or abstain. An abstention vote shall not be counted in the final vote.
- B. The votes of each representative for every bill and resolution put to question in full Congress shall be recorded by the Clerk of Congress and published on the Student Congress website.

### Section 195. Voting by Speaker

In all elections the Presiding officer may vote. In all other instances the Presiding Officer may vote, or may reserve this right until the vote would change the outcome; but in no instance may the Speaker vote twice on the same question.

## **Article VIII. Processing of Legislation**

### **Section 201. Application of Rules**

All provisions of these rules applying to bills shall apply also to resolutions, memorials.

### **Section 202. Resolution Defined**

A resolution shall be any written motion before the Congress which seeks to accomplish one of the following tasks:

- A. Approval of appointments of the Student Body President and the Speaker of the Congress;
- B. Establishment of rules of execution of the business of the Congress where such rules are not placed in the Student Government Code;
- C. Requiring of reports from organizations receiving funds from Student Government;
- D. Proposal of Constitutional Amendments;
- E. Proposal of Referenda;
- F. Bestows honor or appreciation on any individual or organization affecting the Students of the University; or
- G. Statement of the opinion of the Congress on any matter or calls for action by any external agency not under the jurisdiction of the Congress.

### **Section 203. Bill Defined**

A bill shall be any written motion before the Congress which seeks to accomplish any task other than those which can legitimately be accomplished by resolution.

### **Section 204. Concurrent Resolution**

A concurrent resolution is a resolution, which states the opinion of the Congress on any matter, calls for action by any external agency not under the jurisdiction of the Congress, or requires a report from an organization receiving student government funds, and which receives the consent of two-thirds (2/3) of Congress.

### **Section 205. Prohibitions on Legislation**

Bills shall not become resolutions. Resolutions shall not become bills. Resolutions cannot amend, repeal, or modify a statute; nor do they have life beyond the term of the session during which they are adopted. No bill or resolution may be considered unless copies of the bill have been made available to the entire membership of the Congress.

### **Section 206. Act Defined**

An act shall be a bill which has been passed by the necessary majority of the Congress.

### **Section 207. Law Defined**

A law shall be an act which has been signed by the Student Body President, an act vetoed by the Student Body President where said veto has been overridden by the Congress, or an act which was neither signed nor vetoed within ten school days of its transmission to the Student Body President.

### **Section 208. Legislation Defined**

Legislation shall refer to one or more resolutions, bills, acts, or laws.

### **Section 209. Sponsorship Defined**

The principal sponsor of a piece of legislation shall be the member of Congress, Student Body President, or Student Body Treasurer who introduces the bill or resolution. The Principal Sponsor shall be listed first in any list of sponsors. A piece of legislation may have any number of members of Congress as sponsors, where said sponsorship indicates strong support but entitles the sponsor to no special legislative privilege.

### **Section 210. Authorship of Legislation**

A need that can be addressed by the Congress may be written and placed in proper form by any person familiar with the legislative process. The author of the legislation shall then find an authorized sponsor, who shall act as principal sponsor for the legislation.

### **Section 211. Form and Copies of Bills**

Unless variation is authorized by the Rules and Judiciary Committee, bills submitted for introduction shall be in a computer-typed form prepared by the Principal Clerk. When a bill which is introduced is not in the prescribed form, the Principal Clerk shall cause the bill to be retyped in the prescribed form, and the retyped copy shall become the official copy of the bill for all purposes. The original bill shall then be returned to the introducer of the bill and shall not become a part of the records or documents of the Congress.

### **Section 212. Introducing Legislation**

The Speaker shall assign the measure a number. Bills must be numbered chronologically as the Speaker receives them. The Speaker shall then refer the legislation to the appropriate committees for consideration.

- A. Legislation, except funding requests, not submitted prior to seventy-two (72) hours before the next scheduled committee meeting shall not be referred to committee until the following cycle. The Speaker may, at his discretion, grant exceptions only in emergency situations.
- B. Funding requests not submitted online prior to seventy-two (72) hours before the next scheduled Finance Committee meeting shall not be considered by the Finance Committee until the following cycle.

### **Section 213. University Holidays**

University holidays shall not be counted as working days for the Speaker and the Clerk for the purposes of referring a bill or resolution to committee.

### **Section 214. Bill Title**

Each bill shall be given a title by its sponsor.

- A. The title of each bill shall adequately and fairly reflect its subject matter.
- B. When a bill is materially modified or the Scope of its application extended or decreased, the title of the bill shall be changed by the Representative introducing the bill or by the committee having it in charge, or by the Principal Clerk, so as to indicate the full purport of the bill as amended.

### **Section 215. Referral to Other Committee**

All bills filed for introduction in the office of the Speaker not later than seventy-two hours (72) prior to the regularly scheduled committee meetings shall be referred to the appropriate standing committee. The time and place of these meetings must be announced at the proceeding Congress meeting. The Speaker of Congress shall produce a list of all bills presented and the committees to which they are referred. Bills may be referred to more than one committee serially, i.e. "S.C.B. \_\_\_\_\_ is referred to the Finance Committee and upon a favorable report referred to the Rules & Judiciary Committee."

### **Section 216. Consideration by Committee**

Legislation shall be considered by committees in accordance with the provisions of Article IX of this Title.

### **Section 217. Reports of Committees**

All Congress bills and resolutions shall be reported from the standing committee or select committee to which referred with such recommendations as the standing committee or select committee may desire to make except in the case where the principal introducer requests in writing to the Chair of the standing committee or select committee that the bill not be considered. The report shall be submitted to the Principal Clerk no later than the sooner of forty-eight hours after the committee meeting or twenty-four hours before the next meeting of Congress. Every Representative presenting a report of a committee shall endorse the report with the name of the committee and, in case of a minority report, with the names of the members making the report. The report of the committee shall show that a quorum of the committee was present and a majority of those present voted in favor of the report. Every report of the committee upon a bill or resolution shall stand upon the general orders with the bill or resolution. The forms of report are as follows:

- A. Favorable Report. When a standing committee or select committee reports a bill with the recommendation that it be passed, the bill shall be placed on the favorable calendar for the next meeting as designated by the Speaker.
- B. Report Without Prejudice. When a standing committee or select committee reports a bill without prejudice, the bill shall be placed on the favorable calendar in the same manner as provided in subsection A. of this rule.
- C. Postponed Indefinitely. No motion to postpone indefinitely or any other terminal motion shall be allowed.
- D. Unfavorable Report. When a standing committee or select committee reports a bill with the recommendation that it be not passed and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.
- E. Minority Report. When a bill is reported by a standing committee with a recommendation that it be not passed, but it is accompanied by a minority report signed by at least three of the members of the standing committee who were present and voting when the bill was considered in standing committee, the question before the Congress in special orders for the next legislative meeting shall be: "The adoption of the minority report." If the minority report is adopted by majority vote, the bill shall be placed on that meeting's favorable calendar for consideration. If the minority report fails of adoption by a majority vote, the bill shall be placed on the unfavorable calendar.
- F. Removing Bill From Unfavorable Calendar. A bill may be removed from the unfavorable calendar upon motion during special orders carried by a two-thirds (2/3) vote. A motion to remove a bill from the unfavorable calendar is debatable.

### **Section 218. Action on Amendment or Committee Substitute**

If any committee recommends adoption of an amendment or committee substitute of a bill or resolution, the amendment or committee substitute shall be considered adopted upon the reading of the committee report and shall be engrossed. The bill or resolution, as amended, or its adopted committee substitute shall be placed on the agenda for the next legislative meeting or re-referred if the bill or resolution was serially referred. The committee substitute's original bill or resolution shall lie on the table.

### **Section 219. Recall of Bill from Committee and Discharge Petition**

- A. Notwithstanding anything to the contrary, only the Speaker, or the chair of a committee to which a bill or other matter is assigned may, with the consent of a majority of the membership of the Congress present and voting, recall the measure to be referred to another committee or the floor.
- B. A motion to discharge a committee from consideration of a bill or resolution may be filed with the Principal Clerk if accompanied by a petition signed by majority of the members of the Congress asking that the committee be discharged from further consideration of the bill or resolution. No petition may be circulated for signatures until 10 legislative days after the bill has been referred to the committee. No petition may be circulated for signature until notice has been in the Congress offices and on the listserv that the petition is to be circulated. If such a motion accompanied by a valid petition is filed, the Principal Clerk shall place that motion on the agenda for the next meeting of full Congress as a special order of business. If the motion is adopted by a majority of the Congress, then the committee to which the bill or resolution has been referred is discharged from further consideration of the bill or resolution, and that bill or resolution is placed on the agenda for the next legislative day as a special order of business. If the committee had, prior to discharge, adopted any amendment or committee substitute for the bill, it shall be in order to offer that amendment or substitute on the floor as if it were a committee amendment or substitute. The Principal Clerk shall provide a form for discharge petitions.
- C. This Section shall not be temporarily suspended.

### **Section 220. Publication of the Agenda**

Twenty-four hours prior to the next regularly scheduled meeting of the Full Congress, the Speaker and the Clerk shall ensure that copies of all legislation for the meeting are made available to each member of Congress by posting in locations previous approved for that purpose by the Clerk and upon the listserv.

### **Section 221. Bills Authored by Committee or Under Immediate Consideration**

Any legislation authored by committee or bills Presented for immediate consideration on the floor of Congress or in committee must follow the requirements of Section 163.

### **Section 222. Immediate Consideration**

Unless the rules of Congress are properly suspended, only Concurrent Resolutions may be placed into immediate consideration.

### **Section 223. Certification of Passage of Bills**

The Speaker shall certify the passage of bills by the Congress, with the date thereof, together with the fact whether passed by vote of three-fifths or two-thirds of the membership of the Congress present and voting, whenever such vote may be required by the Constitution or laws of the State.

## **Section 224. Conveyance to the Student Body President**

Following the passage of legislation in the Student Congress:

- A. Within three (3) work days of passage, three (3) copies of all acts and resolutions passed by the full Congress shall be signed by the Speaker as they were passed. Two (2) copies shall be delivered by the Speaker to the Student Body President.
- B. The remaining signed copy shall be filed by the Clerk, who shall place a copy of it in the labeled files of the Student Government offices. This will ensure immediate and public access to the acts and resolutions of the Student Congress during each of its sessions. The Speaker and the Clerk of the Congress shall be responsible for the maintenance of this file.

## **Section 225. Transmission of Vetoed Bills**

The Student Body President shall return a signed copy of acts of the Congress to the Clerk of Congress within ten (10) school days of receiving it, unless he or she shall have elected to veto the act or to decline to sign it. He or she shall keep the other copy signed by both parties, and it shall be included among the permanent records of the Office of the Student Body President.

## **Section 226. Signed Acts Immediately Become Law**

Acts of the Congress signed by the Speaker and the Student Body President immediately become law, unless other specified. Acts not returned within ten school days of passage shall become law without the Student Body President's signature, with a notation by the Speaker stating that the President declined to sign the act.

## **Section 227. Vetoed Acts**

Vetoed acts shall be returned to the Speaker with a veto message within ten (10) school days of transmission to the Student Body President.

- A. The Speaker shall then place a special order for the reading of the veto message and a motion to override the President's veto on the agenda of the next Congress meeting. This motion is undebatable and requires a two-thirds vote of Congress members present and voting for adoption.
- B. If the motion is adopted, the act shall become law despite the Presidential veto. Following Congressional override of the President's veto, acts of the Congress shall become law with a notation by the Speaker stating that the President's veto was overridden.

## **Section 228. Corrections of Typographical Errors in Bills**

The Clerk is authorized to make corrections of typographical errors in the text of bills at any time prior to ratification. Before the correction is made, the Principal Clerk shall have the approval of the Speaker, in his/her absence, the Speaker Pro Tempore.

## **Section 229. Germaneness of Amendment**

All amendments and committee substitutes shall be germane to the original subject matter of the bill. The question of germaneness is in order at any time the measure is before the body prior to final action on the measure.

## **Section 230. Legislative Style Manual**

The exact format of bills, resolutions, acts, laws, messages, and reports to the extent that it shall not be included here shall be established in the Legislative Style Manual, which shall be amenable by the Rules and Judiciary committee.

### **Section 231. Bill Number**

All bills and resolutions introduced in Congress shall include a bill number on the first page. All laws and resolutions promulgated by the Congress shall include a number in accordance with Section 212.

### **Section 232. Legislative History**

All bills and resolutions in Congress shall include a legislative history Section on their first page which shall be compiled by the Clerk of the Congress. This history shall include the date of introduction, the principal and other sponsors, and the committee to which it was referred by the Speaker. It shall also include the date it reported from committee, by whom it was reported, how it reported, and the numbers of any subsidiary documents relating to the bill or resolutions. It shall also include the dates of any other relevant action on the measure, motions for reconsideration, the actions taken, ayes and nays of roll call votes and the sponsors of these actions. The final copy of this legislative history shall include the final disposition of the bill along with the original introduction number.

### **Section 233. Whereas Clauses**

Bills and resolutions may have optional clauses explaining the need for the legislation which shall begin "WHEREAS," and shall contain one sentence each, terminating with a semicolon. Where there are two or more such clauses, the next to last clause shall terminate with a semicolon followed by the word "and".

### **Section 234. Enacting Clause**

There shall be an enacting clause in all bills which shall follow any explanatory clauses and shall read "BE IT ENACTED BY THE STUDENT CONGRESS OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL THAT:". If there are explanatory clauses this clause shall be preceded by the word "THEREFORE".

### **Section 235. Resolving Clause**

There shall be a resolving clause in all resolutions which shall follow any explanatory clauses and shall read "BE IT RESOLVED BY THE STUDENT CONGRESS OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL THAT:". If there are explanatory clauses this clause shall be preceded by the word "THEREFORE".

### **Section 236. Signature Page**

The signature page of promulgated legislation shall include the following items:

- A. A statement "Done by the Student Congress on the (1) day of (2) in (3)"—where (1) is the cardinal number of the day of the month, (2) is the month, and (3) is the year written out—to be followed by the Speaker's signature; and
- B. A statement "And made law on the (1) day of (2) in (3)"—where (1), (2), and (3) are as above—to be followed by the Student Body President's signature, should he or she decide to affix it.

### **Section 237. Veto Message**

In the event of a veto, the veto message shall begin with the date and include the bill number and complete title of the vetoed legislation. The message may but need not also contain an explanation of the veto. It shall conclude with the Student Body President's signature.

### **Section 238. Overridden Veto**

In the event that a Presidential veto is overridden, the signature page of promulgated legislation shall include the following items:

- A. A statement "Done by the Student Congress on the (1) day of (2) in (3)"—where (1) is the cardinal number of the day of the month, (2) is the month, and (3) is the year written out—to be followed by the Speaker's signature;
- B. A statement "And made vetoed on the (1) day of (2) in (3)"—where (1), (2), and (3) are as above;
- C. A statement "And veto overridden by the Student Congress on the (1) day of (2) in (3)"—where (1) is the cardinal number of the day of the month, (2) is the month, and (3) is the year written out—to be followed by the Speaker's signature.

### **Section 239. Law Without Signature**

In the event that the President declines to sign and return an act by the required deadline, the signature page of promulgated legislation shall include the following items:

- A. A statement "Done by the Student Congress on the (1) day of (2) in (3)"—where (1) is the cardinal number of the day of the month, (2) is the month, and (3) is the year written out—to be followed by the Speaker's signature;
- B. A statement "And made law without signature after ten days on the (1) day of (2) in (3)"— where (1), (2), and (3) are as above.

### **Section 240. Numbering of Legislation**

Legislation shall be assigned a bill or resolution number upon introduction to the Speaker. A number of a bill shall have the form "SCB-ss-###". A number of a resolution shall have the form "SCR-ss-###" The "ss" shall be replaced by the number of the current Congressional session and the "###" shall be replaced by a sequential number of all bills and resolutions which shall begin at one ("001") with the beginning of each Congressional session and shall be incremented by one for each piece of legislation introduced so that it shall represent at any time the total number of pieces of legislation introduced in that session of the Congress.

### **Section 241. Numbering of Resolutions**

Resolutions which are passed by the Congress shall receive a new number prior to promulgation which shall be of the form "ss SR ###". The "ss" shall be replaced by the number of the current Congressional session and the "###" shall be replaced by a sequential number which shall begin at one ("001") with the beginning of each Congressional session and shall be incremented by one for each resolution passed by the Congress so that it shall represent at anytime the total number of resolutions passed in that session of the Congress.

### **Section 242. Numbering of Laws**

Laws of the Congress shall receive a new number prior to promulgation which shall be of the form "ss SL ###". The "ss" shall be replaced by the number of the current Congressional session and the "###" shall be replaced by a sequential number which shall begin at one ("001") with the beginning of each Congressional session and shall be incremented by one for each law of the Congress so that it shall represent at any time the total number of laws enacted in that session of the Congress.

### **Section 243. Number Cannot be Changed**

Once a proposed bill or resolution has been assigned its chronological number, this number shall not be changed prior to its consideration by the full Congress.

### **Section 244. Certification**

Each copy of any bill, resolution, act, law, order, agenda, or minutes promulgated by the Speaker or the Clerk shall bear the name of the official paper (i.e., SCB-78- 124 or Agenda 20 Nov. 1996) and the following statement "Certified correct and proper by \_\_\_\_\_ Speaker" legally initialed by the Speaker (or Acting Speaker of the Student Congress) in the case of Congressional documents or "certified correct and proper by \_\_\_\_\_ Speaker \_\_\_\_\_ SBP" legally initialed by the Speaker (or Acting Speaker) and the Student Body President (or the Acting Student Body President) in the case of laws.

### **Section 245. Bill Table**

Monthly, the Speaker shall produce a table showing the final action on all bills and resolutions introduced within the session.

### **Section 246. Transmitting of Legislation**

- A. All legislation introduced in the Congress shall be transmitted to the Office of Student Affairs and the University Archives.
- B. All legislation reported from standing and select committees of the Congress shall be transmitted to the Office of Student Affairs and the University Archives.
- C. All legislation disposed of by the Congress shall be transmitted in its terminal form (failed, postponed indefinitely) to the Office of Student Affairs and the University Archives.
- D. All legislation passed by the Congress shall be sent in its terminal form (signed, unsigned, vetoed, vetoed and overridden) to the Office of Student Affairs and the University Archives.
- E. All promulgation to the Student Body President, the Office of Student Affairs and the University Archives shall include legislative history, signature page, veto message, and any other notations of the Speaker, President, or the Secretary of the Student Body as to the fate of the legislation. All promulgation to other parties shall omit these items and shall include only the text of the law or resolution unless these other items are specifically requested.
- F. All passed resolutions of the Congress shall be transmitted to the mandates and the President in addition to the parties above.
- G. All laws of the Student Body shall be transmitted to the Office of the Student Body President, the Student Supreme Court, the Office of the Student Attorney General, the Student Activities Fund Office, the Student Body Treasurer, and the Secretary of the Student Body.
- H. All amendments to the General Elections Law and all matters concerning elections shall be transmitted to the Elections Board.
- I. All laws and resolutions passed by the Congress relating to officers of Student Government or Student Government-recognized organizations shall be transmitted to the officer or organization affected.
- J. All laws and resolutions passed by the Congress shall be transmitted to the chair of the standing or select committee from which they reported.
- K. Copies of resolutions passed by the Congress and signed by the Speaker and copies of all laws shall be transmitted to all appropriate or interested parties within five school days of passage.

## Section 247. Public Record

All laws and resolutions passed by the Congress shall be public record and shall be transmitted in a timely manner to all parties requesting them. No documents of Student Congress may be withheld except under order of the Ethics Committee or the Chancellor of the University.

## Section 248. Student Congress Listserv

### A. Listserv Management

- (1) The Speaker Pro Tempore shall act as the manager of the Student Congress Listserv (referred to hereafter as "Listserv") in accordance with the rules delineated in this section.
- (2) Management responsibilities may be deferred at any time to the Speaker of the Student Congress.
- (3) The Speaker of the Student Congress maintains the right to monitor all processes of Listserv management.
- (4) The Listserv manager shall access and distribute Listserv messages on a daily basis at a minimum.

### B. Parameters

- (1) The manager shall distribute all appropriate messages posted to the Listserv.
- (2) No endorsements of elected officials of any kind, representing on- or off-campus constituencies, shall be considered appropriate.
- (3) No messages advocating for or against legislation beyond the authority of the Student Congress shall be considered appropriate.

C. **Appeals.** The originator of a message that is withheld from the Listserv by the manager may appeal that decision to the Speaker. The Speaker has final discretion regarding appeals.

D. **Notice.** Upon admittance to the Listserv each new subscriber shall receive via their subscribed electronic mailing address the rules for Listserv conduct as delineated in this section.

## Section 249. Congress Records

Each Congress shall maintain a complete set of records including 1) the agendas and minutes of each meeting of the Congress; 2) the agendas, minutes, and/or reports of all standing or select committees of the Congress to the extent that they exist; 3) the complete set of correspondence from and to the officers of the Congress; 4) the complete financial records of the Congress; 5) all items obtained by the Congress under Part 3 of this title concerning Congressional ethics; 6) records of the annual budget process; 7) the most recent roster of the Congress; 8) the most recently published copy of the Student Government Code; 9) the most recently published copy of the Legislative Style Manual; 10) the complete set of documents on each measure introduced or studied in Congress; and 11) any other documents of importance. All documents shall be kept in their original forms and in all amended or revised forms.

## Section 250. Records on Each Measure

The complete set of records on each measure introduced in Congress shall include the following: 1) the measure as introduced to the Speaker; 2) the measure as reported from committee; 3) the committee's report on the measure including recommendations and proposed amendments; 4) any of the following where appropriate: any amendments proposed on the floor of the Congress regardless of passage or failure, signature pages, veto messages, and notations of the Speaker regarding veto overrides, laws enacted without Presidential signature, or the failure of the Congress to override a veto.

### **Section 251. Previous Sessions**

The complete legislative records of the three immediately prior sessions of the Congress and the records of the current session shall be maintained in the office of the Congress at all times. At the close of the session the records of the oldest session on file in the office should be transferred to the University Archives.

### **Section 252. Clerk's Responsibility**

The Clerk of the Congress, under the supervision the Speaker, shall be responsible for the maintenance and promulgation of the records of Congress.

### **Section 253. Yearly Production**

Each year a Code of the Permanent Laws of the Student Government of the University shall be produced. Periodically, a supplement to the Student Government Code shall be produced incorporating all laws passed since the previous edition of The Code.

### **Section 254. Appendix**

Each edition to The Student Government Code shall include an appendix containing all permanent laws not codified in The Student Government Code.

### **Section 255. Promulgation of The Code**

These annual editions shall be promulgated yearly to those parties entitled by law to receive them, and copies shall be available to other parties upon request for a cost not to exceed the cost of printing and promulgating them.

### **Section 256. The Promulgation of the Code**

- A. The Student Body Secretary shall be charged with annually producing The Code of Permanent Laws of the Student Government of the University of North Carolina at Chapel Hill.
- B. The Speaker of the Student Congress shall send two (2) properly signed and certified copies of all acts and resolutions to the Student Body Secretary within one week of passage by Congress. The Student Body President shall send to the Student Body Secretary two (2) properly signed and certified copies of all laws signed, vetoed or made law without signature within one week of his/her final action. The Chair of the Elections Board shall provide to the Student Body Secretary one copy of all certified election results of all referenda. From the laws the Student Body Secretary shall create the Annual Code and regular supplements.
- C. The Student Body Secretary may delegate the physical production of the Code to any individual responsible to the Secretary.
- D. The Code shall be published by the outgoing Secretary before the end of his or her term.

### **Section 257. Organization**

The Code shall be organized by Title, Part, Article, Section, and subsection(s).

### **Section 258. Section Numbers**

Within the Student Government Code no section number shall be duplicated within the same title.

**Section 259. Citation**

Particular provisions within the Student Government Code shall be made by Title and Section. The form for citing Section 113 of Title II in the 1996 Student Government Code would be II SGC. 113 (1996)

**Section 260. Conversion Table**

The Speaker shall produce a table, which shall be made available to all members of Congress, the executive branch, and the public at large. This table shall serve as a conversion chart providing remuneration equivalents. The Section Conversion Table shall be produced each year and included in all future editions of the Student Government Code.

**Section 261. Section Titles**

Each section within The Code shall be given a title which shall will appear in the index, the conversation table, and the text of The Code itself. Section titles shall not be considered part of the text of The Code, for the purposes of judicial interpretation. The title of each section shall be included within the enacting legislation.

**Article IX. Committees**

**Section 301. Standing Committees**

The standing committees of the Congress shall be the Finance Committee, Rules & Judiciary Committee, and the Student Affairs Committee.

**Section 302. Establishing Additional Committees**

The Congress may establish at any time and for any purpose, by resolution or law, such other standing or select committees as it deems necessary.

**Section 303. Membership**

No member of Congress shall serve on more than one of the committees enumerated in Section 301 of this Title.

**Section 304. Chair; Vice-chair**

Each committee in said Section shall be chaired by one member of Congress, selected under the provisions of Section 145. Each committee shall elect from within its own membership one vice-chair to assist the Chair in the operation of the Committee.

**Section 305. Powers of committees**

The standing and select committees shall

- A. Conduct hearings, prepare reports, and initiate such legislation as they deem necessary on matters which fall within their respective areas of competence;
- B. Subpoena students to testify by majority vote such witnesses as are necessary to accomplish the purposes of subsection A;
- C. Consider all bills referred to the committee at the meeting following their referral;

- D. Report such bills as are appropriate, with or without amendments, with written report, either favorably, unfavorably, or without prejudice; and
- E. Receive and consider reports on behalf of the Congress.

### **Section 306. Finance Committee**

The Finance Committee (FI) shall consider all legislation pertaining to the generation and allocation of funds and the establishment of budgets. No bill appropriating student government funds may be considered by the full Congress unless it has been reported by the Finance Committee. Such authority shall not be construed to prevent other committees from recommending certain appropriations or fees for or from events under their respective spheres of competence provided the actual appropriations bill is considered by the Finance Committee.

### **Section 307. Rules and Judiciary Committee**

The Rules and Judiciary Committee (RJ) shall consider all legislation pertaining to the content of the Student Government Code, all referendums amending the constitution, the appointment of the Attorney General, the Student Body Vice President, the Student Body Treasurer, and the Student Body Secretary, the Honor Court and any other judicial officers, consider any amendments to Title II, consider the appointments to the Congressional staff, amend and approve the Legislative Style Manual, the Guest's Handbook and the Speaker's Handbook, purpose standing rules, recommend any regulations necessary for the smooth functioning of Congress, all appointments to positions established under Title III of the Student Government Code, and any other legislation which concerns judicial or legal matters.

### **Section 308. Student Affairs Committee**

The Student Affairs Committee (SA) shall consider all appointments, nominations, and recommendations for appointments made by the Student Body President, all referenda, recommend and oversee all external appointments made by Congress, any resolutions not otherwise considered by the Finance, the Rules & Judiciary Committee, and any other legislation which concerns the students of the University. The Student Affairs Committee shall assist the Speaker Pro-Tempore in the planning of the Full Congress Public Forum.

### **Section 309. Debate Timelines**

The Speaker, in consultation with the committee chairs, may introduce a motion in writing at the start of each Full Congress meeting setting timelines, or time limits for individual pieces of legislation.

- A. A motion shall be debatable for a period of time not to exceed 10 minutes.
- B. Such a resolution must pass by a two-thirds (2/3) majority vote.
- C. If in the course of debate more time is needed on a particular piece of legislation, a motion to extend debate by a specified amount of time may be made and passed by a two-thirds (2/3) vote.

### **Section 310. Ethics Committee**

The Ethics Committee (ET) shall be considered a special standing committee, consisting of five members.

- A. No member of the Ethics committee shall be an officer or Committee Chair (with the exception of temporary select chairs), with the exception of the Ethics chair, who shall serve only as the Ethics chair. Three of the members shall be the senior-most willing members of Congress, as determined by length of continuous service and secondarily by total time of service. Where one or more seats might be contested due to equal seniority, a committee election shall be held with only those members of appropriate seniority eligible for nomination and election. The other two members shall be junior members of Congress.

- B. The Ethics Committee shall investigate and report to the Congress any matter brought to its attention by a member of the Student Body concerning improper action of a representative or officer of the Congress, including but not limited to those actions mentioned in this Article X. The individual who brings the complaint must submit supporting documentation or a written complaint to the ethics chair prior to the calling of the ethics investigative meeting. The information shall be signed and include the legal name of the complainant. Also the committee chairs and clerk of the court will submit to the ethics chair attendance records upon request when charges are related to absenteeism.
- C. The Ethics committee shall investigate and report all complaints filed with the Chair of the Committee. If the committee finds sufficient cause to investigate, it shall first discuss informally with the representative or officer in question of the nature of the complaint. If this discussion does not resolve the problem, the Ethics Committee shall be obligated to make a recommendation to the Congress;
- D. The Power of the Ethics Committee shall include, but not be limited to, the power to investigate any alleged violation of the Ethics Rules (Article X), any alleged violation of the campus code or the honor code by a member in the Student Congress, any alleged behavior unbecoming a Representative, and any alleged violation by members of the Congress of the Open Meetings Law (Article 33C of Chapter 143 of the North Carolina General Statutes), as the same may be amended in the future.
- E. For the purposes of this section only, a junior member shall be defined as a member who has not served in any previous session of Student Congress.
- F. Report of Ethics Committee. The Ethics Committee, should it decide that some punitive action is warranted, shall recommend a single course of action in its report to Full Congress.
- G. The Ethics Committee chair shall make available the Full Congress attendance records in the form of the number of meetings attended over the total number of meetings as well as including the number of excused and unexcused absences for public record by use of the congress website.

### **Section 311. Meetings**

Regular Committee meetings shall be called by the committee chairperson, and notification given in a regular meeting of full Congress. The following rules shall apply to all committee meetings:

- A. Room assignments and times for all committees must be approved by the Speaker to avoid scheduling conflicts;
- B. The chair of the committee shall notify or cause to be notified the sponsor of each bill which is set for hearing or consideration before the committee as to the date, time, and place of that meeting;
- C. The published agenda shall reflect those committee notices received in the Office of the Principal Clerk prior to 3:30 p.m. the day of the legislative meeting;
- D. Subject to the provisions of subsection E, standing committees and select committees shall permit other members of the General Assembly, the press, and the general public to attend all sessions of said standing committees or select committees;
- E. The Chair or other presiding officer shall have general direction of the meeting place of the standing committee or select committee and, in case of any disturbance or disorderly conduct therein, or if the peace, good order, and proper conduct of the legislative business is hindered by any person or persons, the Chair or presiding officer shall have power to exclude from the session any individual or individuals so hindering the legislative business;
- F. Procedure in the standing committees and select committees shall be governed by the rules of the Congress, so far as the same may be applicable to such procedure. If before a question is put, any member may call for the ayes and noes, the question shall be decided by the ayes and noes upon a roll call vote. All roll call votes shall be taken alphabetically;

- G. No standing committee or select committee shall meet during any meeting of the full Congress. Standing committees and select committees shall meet at their regularly scheduled hour. Standing committees and select committees may meet at other times as authorized by the Speaker in order to assure the availability of the meeting room and that no conflicts will exist with the meetings of other bodies. All standing committee and select committee meetings shall adjourn no later than 10 minutes preceding a regular session of the Congress;
- H. During standing committee and select committee meetings, the Chair may exercise the right to vote, or may reserve this right until there is a tie, in which event the Chair may vote, but in no instance may the Chair vote twice on the same question; and
- I. Previous question shall not be in order in any committee and seconds shall not be required.

### **Section 312. Reporting of Legislation**

The respective committees shall report any and all legislation as favorable, unfavorable, or without prejudice unless otherwise acted upon through motions consistent with the Congress's parliamentary authority. Committees shall be forbidden the use of terminal motions such as motions for adoption, motions of indefinite postponement, and other motions whose effect is to prevent a measure from reporting during a Congressional session. Each committee shall report following each of its meetings the number and title of all legislation referred to it and not yet reported.

### **Section 313. Select Committees**

Congress shall have the power to create select committees. The following special rules apply to select committees:

- A. Select Committees shall be created by resolution upon a majority vote of members present.
- B. Membership in any standing committee does not preclude membership in a select committee. The select committees shall be presided over by one or more representative(s) elected by the Student Congress, who shall serve as chair(s); the committee's membership shall be elected from within Student Congress at a regular session.
- C. The select committees shall hold hearings in strategic locations throughout the campus to gauge public sentiment on issues within their sphere of authority.
- D. The select committees shall have the power to subpoena students to testify by majority vote when such witnesses are necessary for the committee to accomplish its business.
- E. The select committees shall write or consider legislation within their sphere of authority, reporting it to the Student Congress under the provisions of this title.

### **Section 314. Subcommittees**

By consent and approval of any committee, the chair may designate a subcommittee of not less than three representatives to conduct hearings, call witnesses and inquire into any matter properly before the committee. A duly constituted subcommittee shall have all the powers of the full committee, except the reporting of bills to Full Congress, but any subcommittee shall cease its activities upon a majority vote of the full committee.

### **Section 315. Public Hearings**

- A. Legislative Hearings. Any Representative may request in writing or electronic communication a formal public hearing on any bill or resolution. Requests may be granted in the discretion of the chair. Notice shall be given not less than five agenda days prior to public hearings. Such notices shall be

issued as information for the press and the information shall be posted in the places designated by the Principal Clerk. Any person may speak at the public hearing on any subject germane to the legislation under consideration.

- B. Investigative Hearings. At the discretion of the chair or by majority vote of the committee or when directed by a majority vote of the full Congress, committees of the Congress may open investigative hearings whose purpose shall be to gather information, including facts and opinions, on issues and subjects relevant to the work of the Congress or of interest to the Student Body.
- C. Rules. Prior to the start of any hearing the committee must adopt a set of rules governing the hearing. The following shall be standing rules for all public hearings:
  - (1) Hearings may be held by any committee or subcommittee of the Congress.
  - (2) A committee may not take action on legislation during a public hearing.
  - (3) One-fourth of the members of a committee shall constitute quorum for the purpose of conducting a public hearing.

### **Section 316. Rights of the Student Body President before Committee**

The President of the Student Body may appear before any committee of the Student Congress and request to speak upon any measure. He or she may also designate individuals to testify on his/her behalf for such time as the committee may designate.

### **Section 317. Appearance before Committee**

Every student desiring to appear in person to introduce testimony, or to offer argument for or against the passage of any bill or resolution, before any committee of the Student Congress, shall first make a written application to such committee chair prior to the committee meeting stating the names and nature of the student's testimony. If the chair considers the information likely to be important, or the interest of the applicant to be great, they shall hear the testimony at the next committee meeting. If the chair denies the request, the student may appeal to the full committee.

### **Section 318. Appeal from Denial of Right to be Heard**

If any committee shall refuse to grant the request of any student to be heard before it in a matter touching of his/her interests, the student may appeal to the Rules & Judiciary Committee; if he/she shows good reason for his/her request the Rules and Judiciary Committee shall order it to be granted.

### **Section 319. Hearings; Examination of Witnesses**

- A. Committees of the Student Congress may hold hearings, call witnesses, and compel testimony relevant to any bill, resolution, or other matter properly before the committee.
- B. witnesses may be examined under oath.
- C. when any person is examined before a committee, any member wishing to ask a question must address it to the chair or presiding officer, who repeats the question or directs the witness to answer the member's question.
- D. objections to the propriety of a question are directed to the committee as a whole. The committee must determine whether the objection is sustained or overruled by majority vote of the committee.
- E. Witnesses may be accompanied by any student acting as their counsel for the purpose of advising them concerning their rights.

### **Section 320. Committee Minutes to Legislative Library**

The chair of a committee shall insure that written minutes are compiled for each of the committee's meetings. The minutes shall indicate the number of members present and the actions taken by the committee at the meeting. Not later than 3 days after the adjournment of each meeting of the committee, the chair shall deliver the minutes to the Legislative Library. The Speaker of the Congress may grant a reasonable extension of time for filing said minutes upon application of the committee chair.

## **Article X. Ethics Standards**

### **Section 331. Grounds for Action**

Malfeasance, misfeasance, and/or nonfeasance of any kind by a member or non-member officer of Congress shall constitute grounds for action under the provisions of this part.

### **Section 332. Failure to Comply**

Failure to comply with student laws and Congressional rules and procedures established by law or resolution shall constitute malfeasance, misfeasance, and/or nonfeasance as appropriate.

### **Section 333. Proof of District**

Members of Congress elected in a Regular Spring Election shall provide the Ethics Chair with proof that they are constituents of the district they represent within six weeks of the beginning of the Fall Semester. Members elected in a special election shall provide the Ethics Chair with proof that they are a constituent of the district they represent within one month of their inauguration. For Undergraduates, sufficient proof shall consist of a dated University document stating the member's current place of residence or a photocopy of the member's housing contract, lease, rental agreement, or deed. For graduates, sufficient proof shall consist of a University document stating the member's current department of study or a dated letter on University stationery from the member's department chair stating that said individual is currently enrolled in that department.

### **Section 334. Change of Status**

Members of the Congress shall notify the Speaker of any change of campus residence or enrollment which may affect his/her or her status as a representative within one (1) week of the date such a change occurs. A member will be given a grace-period of no more than four weeks after his or her notification of the Speaker of his or her change in status. During such a grace-period the member must attain and inhabit a place of residence within the district to which he or she was elected. Proof of proper residency must be presented to the Speaker and/or Ethics Chairperson before the end of this period. Failure to re-establish residency of a proper domicile will result in referral to the Ethics Committee.

### **Section 335. Attendance Requirements**

Members of congress shall accumulate no more than two (2) unexcused absences per session. The ethics chair may excuse absences upon a written notice at least 24 hours before the meeting. The ethics chair will excuse the member for absences, tardies, and exits related to

- Family;
- Illness;
- School requirements;
- Unavoidable mandatory work schedule;

- Religious obligations and observances.

More than two (2) unexcused and/or six (6) excused absences shall constitute grounds for investigation by the Ethics Committee.

### **Section 336. Punctuality Requirements**

Pertaining to the meetings listed in Title II, Part 1, Article X, 335(A,B,C): Two unexcused tardies or exits are equal to one unexcused absence. A tardy is an arrival at least 15 (fifteen) minutes after the scheduled time of the meeting. An exit is a departure before the Adjournment of the meeting.

- A. Upon late arrival or early departure at a meeting, a member shall check in with the clerk.
- B. The clerk shall make note in the minutes the time of the arrival or departure.
- C. Any tardies shall be reported by the clerk to the Ethics Chair.

### **Section 337. Organization Membership**

Members of the Congress, upon election shall submit to the Clerk of Congress a list of all recognized campus organizations in which they are active or have been active in the past academic year which shall include offices held in said organizations. This list must be submitted within one month of a member's inauguration and be updated to reflect any recognized campus organization in which the member becomes active during the term in office within one month of the member's becoming active in the organization. Copies of these lists shall be open to the public inspection upon request by any UNC student.

### **Section 338. Compensation Prohibited**

- A. No representative shall be a paid staff member of any organization funded by the Congress.
- B. No member of Congress shall be entitled to nor shall he/she accept a stipend, salary, or any other form of compensation for the purpose of serving as a student representative in Student Congress from any student organization.

### **Section 339. Reporting to Constituency**

Each representative will submit to the Ethics Committee a plan for informing his/her constituency of the activities of Student Congress. This plan shall include a list of representative organization(s) within his/her constituency that he/she will report to bimonthly. The Ethics Committee will determine the validity and completeness of the list. This list shall be submitted to the Clerk of the Congress within one month of a member's inauguration.

### **Section 340. Conflict of Interest**

No representative shall serve as a senior member of the Student Body President's staff, nor shall he/ or she hold any position within the Student Supreme Court, the Undergraduate Honor Court, or the Office of the Undergraduate Student Attorney General. A "senior member" shall be defined as to include the Graduate and Professional Student Federation President, Carolina Athletic Association President, Resident Hall Association President, Vice- President of the Student Body, the Secretary of the Student Body, the Treasurer of the Student Body, the Executive Branch Chief of Staff, committee chairs, presidential aides, executive assistants, and any other person recommended by the Ethics Committee of SC and voted as such by a two-thirds (2/3) majority of the SC.

### **Section 341. Rules for Clerk**

The Clerk of the Congress shall hold no other elected or appointed office in Student Government. The Clerk shall be immediately dismissed from office upon the filing of a petition for any Student Government office.

### **Section 342. Prohibition**

A member must cast a vote of present but not voting, concerning any recognized student organization which he/ or she has been a member in the last twelve months, when the business at hand is an appropriations request and the motion is to adjust the amount requested up or down, to vote on the passage of a bill or the previous question has been moved on such an appropriations bill. Membership in Student Congress, CAA, GPSF, CUAB or RHA does not require one to cast a vote of present but not voting; however, in such a circumstance, officers of CAA, GPSF, CUAB and RHA must cast a vote of present but not voting.

### **Section 343. Violations of the Open Meetings Law**

- A. On its own motion, or in response to signed and sworn complaint of any individual filed with the Standing Committee on Ethics, the Committee shall inquire into any alleged violation by members of the Congress of the Open Meetings Law (Article 33C of Chapter 143 of the North Carolina General Statutes), as the same may be amended in the future.
- B. If, after such preliminary investigation as it may make, the Committee determines to proceed with an inquiry into the conduct of any individual, the Committee shall notify the individual as to the fact of the inquiry and the charges against him and shall schedule one or more hearings on the matter. The individual shall have the right to present evidence, cross-examine witnesses, and be represented by counsel at any hearings.
- C. After the Committee has concluded its inquiries into the alleged violations, the Committee shall dispose of the matter by taking one of the following actions:
  - (1) Dismiss the complaint and take no further action.
  - (2) Issue a letter of reprimand to the legislator, if the legislator unintentionally violated the provisions of the Open Meetings Law.
  - (3) Issue a letter of reprimand if the violation of the Open Meetings Law was intentional, or if the legislator has previously received a letter of reprimand. The Chair of the Committee on Ethics shall have the public letter of reprimand spread on the pages of the Congress Minutes.
  - (4) Refer the matter to the full Congress for appropriate action.

### **Section 344. Censure**

Censure shall consist of a formal reprimand delivered to a standing representative by the Speaker or his/her designee at the next regular meeting of Congress following the Ethics Committee report recommending such an action. It shall be warranted following an Ethics Committee recommendation, unless two-thirds of the Student Congress vote to overturn the Committee report in a debatable motion immediately following the presentation of the report.

### **Section 345. Suspension**

Suspension of voting privileges of any member for a definite period of time shall require a two-thirds vote following debate of the motion of the Ethics Committee.

### **Section 346. Expulsion for Nonfeasance**

Expulsion for nonfeasance, limited to the failure to fully attend the required number of Congress or committee meetings, shall require a majority vote following debate of the motion of the Ethics Committee.

### **Section 347. Expulsion**

Expulsion for any other cause shall require a two-thirds vote following debate of the motion of the Ethics Committee.

### **Section 348. Removal of an Officer**

The Ethics Committee can recommend removal of an officer of Student Congress. This motion is debatable and requires a two-thirds vote for adoption.

### **Section 349. Special Provisions**

If the Speaker is the subject of the motion, he or she shall relinquish the chair to the Speaker Pro Tempore during the period of debate. If the Ethics Committee Chair is the subject of a complaint, it should be filed with the senior-most member of the Ethics Committee, who shall direct an investigation after informing the Speaker of the charges made against the Chair.

### **Section 350. Full Congress Public Forum**

Student Congress representatives will be required to attend the Full Congress Public Forum that will take place no later than two full legislative cycles after being elected to committees.

## **Article XI. Summer Student Congress**

### **Section 401. Power**

No decisions made by the Summer Student Congress shall extend beyond the first fall meeting of the Student Congress. Programs or services funded by the Summer Student Congress shall take place only between May 16 and the first fall meeting of the SC.

### **Section 402. Membership**

The SC of the first summer session and the second summer session shall be composed of all regularly elected members of SC, who remain available for the summer.

### **Section 403. Requirements for Membership**

Members of the Summer Student Congress may live outside their SC districts, and they do not have to be enrolled in Summer school. However, they shall serve only if the ethics requirements of Title II, Part I, Article X, have been met to the satisfaction of the Ethics committee during the preceding semester.

### **Section 404. Officers and Chairs**

The officers and the committee chairs of the Student Congress shall hold their same positions in the Summer Student Congress.

### **Section 405. Selection of Summer Officers**

If any of the elected officers or committee chairs are absent for the summer, then the remaining members may vote to fill the positions with regularly elected SC members present during the summer.

- A. Preference is to be given to regularly elected SC members serving on the respective committee during the regular session.
- B. These positions will have the same title as during the regular SC with the addition of "Summer" at the beginning of the title.
- C. These officers shall be vested with the same powers and responsibilities as during the regular school year.

### **Section 406. Binding Rules**

The binding authority of the Summer Student Congress where this Article is silent shall be all other parts of Title II and all other Titles of this Code.

### **Section 407. Regular Meetings**

Regular meetings of the Summer Student Congress shall take place only during the first summer session and the second summer session. The SSC may decide to have weekly meetings.

### **Section 408. First Scheduled Meeting**

The first meeting of the SSC shall be set at the last regularly scheduled SC meeting on the first Tuesday after classes begin in the first summer session.

### **Section 409. Introduction**

The principal sponsor of any legislation shall introduce the measure to the Speaker of the Congress in its proper form. The Speaker shall place the measure on the agenda for the next meeting, provided that he or she receives it at least 48 hours before the meeting.

### **Section 410. Rules of Consideration**

Bills need not be read twice. Committees shall not consider legislation, unless the Summer Student Congress recommits business for further consideration. This provision shall not exempt any committee and/or its chair from other functions under this Title, nor shall it exempt the Finance Committee from hearing requests from groups that do not receive funds under the current fiscal year.

### **Section 411. Committee Action**

Whenever committee action on a piece of legislation is necessary, the sponsor shall submit the bill to the Speaker of Congress and the appropriate committee chair no later than 72 hours prior to the committee meeting.

### **Section 412. Numbering of Summer Student Congress Bills**

Legislation shall be assigned a special bill or resolution number upon introduction to the Speaker. These numbers shall be of the form SSCB-ss-## for bills and SSCR-ss-### for resolutions. The "SSC" shall denote the fact that it is an Summer Student Congress measure. "###" shall be replaced by a sequential number which shall begin at one ("01") with the first piece of legislation of the SSC. The sequencing of bills shall be in the order received by the Speaker.

### **Section 413. Rules**

The rules of the committee of the Whole in Section 320 will apply to all meetings of the summer Student Congress, with the exception of Section 320B. and C.. For the purposes of referring bills to the regular session of Congress, summer Student Congress will be considered a committee.

### **Section 414. Powers of the SSC**

Consistent with Section 401, the SSC shall have the power to:

- A. Approve or reject all appointments made by the Student Body President;

- B. Require reports from all organizations receiving funds from Student Government through the Finance Committee;
- C. By a two-thirds majority of the members present, override a veto of the Student Body President;
- D. Make laws necessary and proper to promote the general welfare of the Student Body; and
- E. The SSC shall appropriate funds from the unappropriated balance with the approval of a two-thirds (2/3) majority of the members present and voting. The total to be appropriated by the Summer Student Congress in total shall not exceed twenty-five hundred dollars (\$2,500).

#### **Section 415. Quorum**

Quorum shall be six (6) members.

#### **Section 416. Standing Committees**

There will be standing committees of the SSC which shall be the same as the standing committees of the Student Congress. SC committee members who serve in the SSC shall serve on their respective committees in the SSC.

#### **Section 417. Forwarding of Legislation**

All sets of legislation by the SSC shall be forwarded within three (3) days of the SSC approval to the SBP for signature, then to the Speaker and Finance Committee Chair who serve during the regular term.

### **Article XII. General Provisions**

#### **Section 418. Freedom of Speech**

The members shall have freedom of speech and debate in the Student Congress, and shall not be liable to impeachment or question, in the Student Judicial Systems for words therein spoken.

#### **Section 419. Laws Remain in Effect**

All laws and resolutions shall be assumed to be in effect until they are repealed either explicitly or indirectly by other laws and resolutions of the Congress, unless they are of such nature as to be of obviously instantaneous effect or they provide explicitly for their own expiration. Any law or resolution passed prior to April 1, 1995, and not contained in the 1996 edition of the code will be repealed as of April 1, 1997. Any changes to the permanent laws made thereafter shall be made as amendments to appropriate parts of the Student Government Code.

#### **Section 420. Accordance with the Constitution**

Laws of the Congress shall be in accordance with the Student Government Constitution (Title I) and shall be enacted in accordance with the procedures of this title and such other procedures as the Congress shall enact.

#### **Section 421. Measures at the End of the Session**

All measures which remain in committee at the conclusion of a Congressional session shall be considered failed. All measures tabled or otherwise not considered by the end of the session shall be considered failed. Any act unsigned by the Student Body President at the beginning of the next session shall be considered vetoed.

### **Section 422. Speaker to Sign Papers**

All acts, addresses, and resolutions, or other official documents, and all warrants and subpoenas issued by order of the Congress shall be signed by the Speaker or by the Speaker Pro Tempore presiding in his/her absence.

### **Section 423. Recognition for Extending Courtesies**

- A. Courtesies of the floor and galleries shall be extended only by the Presiding Officer on his/her own motion or upon the written request of a member of the Congress to former members of the General Assembly or to distinguished visitors.
- B. The Presiding Officer, upon written request at intervals between various orders of business, may extend courtesies to organizations or other special large groups visiting in the galleries while they are present, and the Presiding Officer shall, at such times as he or she deems appropriate, express to those visitors in the galleries the pleasure of the Congress for their presence.

### **Section 424. Privileges of the Floor**

Unless otherwise stated, any group or individual other than members of the Congress who desires to make remarks upon the floor of the Congress will first obtain approval of the Speaker or, in his/her absence, the Speaker Pro Tempore of the Congress.

### **Section 425. News Media**

The Speaker Pro Tempore is authorized to assign area and equipment on the floor of the Congress for the use of the representatives of news media, and the Speaker shall provide regulations for the operation of the representatives of the news media on the floor of the Congress.

### **Section 426.**

Any person other than a member of Congress, a representative, sponsor, or other individual directly addressing a piece of legislation currently under consideration, desiring to place articles of any kind on or about desks in the Congress chamber must do so before the meeting has been called to order. Such persons may also distribute information to members of Congress via their email boxes and or offices in Suite C.

### **Section 427. Information from Government Officials**

All officers, committees, or individuals appointed by the Congress or the Student Body President, or organizations receiving funding from any power of Congress fee are required to give to any committee of the Student Congress, upon request, all relevant information and all relevant data within their possession, or ascertainable from their records. This requirement is mandatory and shall include requests made by the Speaker, any Congress committee or the chair of a committee. This provision shall not apply to sealed records of the Honor Court or any other records protected by federal or state law.

### **Section 428. Presumed Constitutional; Severable**

The provisions of this Title shall be considered severable and presumed Constitutional, and any decision by the Student Supreme Court regarding the Constitutionality of any part, article, Section, or subsection shall apply only to that part, article, Section, or subsection.

**Section 429. Alterations, Suspension or Rescission of Rules**

- A. These rules may not be permanently rescinded or altered except by Congress resolution passed by at least majority of the membership of the Congress.
- B. Except as otherwise provided herein, the Congress, after receiving written notification by a member at least twenty-four hours prior to the beginning of the Congress meeting, may upon two-thirds vote of the membership of the Congress, may temporarily suspend any of these rules, except as otherwise provided.

## Part 3

# Impeachment

### Article I. Powers of Impeachment

#### Section 601. Any Elected or Appointed Official

The Student Congress shall have the power to impeach and remove from office Student government Official, elected by the Students or whose appointment was approved by Congress. Charges may be entered against any Student Government Official for misfeasance, malfeasance, or nonfeasance of duty. A majority vote of those present and voting shall be necessary to bring the official to trial. The SC member entering the charges shall prosecute, or may designate any University student to act as counsel for the prosecution, and the accused official may designate any University student to act as counsel for the defense. A two-thirds (2/3) vote of the SC members present and voting shall be necessary to convict the accused, or to remove the accused from office. This act shall not be construed to prohibit other means by which an official may be removed from office, as provided by law.

### Article II. Forms of Bills of Impeachment

#### Section 611. Articles

A Bill of Impeachment shall be divided into several Articles of which:

- A. The first shall designate the name of the Officer to be impeached, the date of his/her commission or election, and the place whereat he/she resides;
- B. The second shall designate a manager for the prosecution of the accusation and impeachment, who shall be a student in good standing at the University of North Carolina at Chapel Hill;
- C. The third shall enumerate at least two Representatives in Student Congress who shall aver the truth of the Articles of the Bill of Impeachment; and
- D. The fourth and succeeding paragraphs shall enumerate allegations as shall be required by this Act to constitute a Bill of Impeachment against the specific Officer to be impeached.

#### Section 612. Impeachment of the SBP or SBVP

A Bill of Impeachment of the President or Vice- President of the Student Body shall allege specifically by what acts, upon what dates, and in what manner, the President of the Student Body shall have failed to perform the duties of his/her office as prescribed by the Constitution of the Student Body, Code of Permanent Laws and the laws enacted thereunder, to the truth of which allegations five Representatives in Student Congress shall be enumerated to aver.

### **Section 613. Impeachment of the GPSF President**

A Bill of Impeachment of the GPSF President shall allege specifically by what acts, upon what dates, and in what manner the Graduate and Professional Student Federation President shall have failed to perform the duties of his/ her office as proscribed by the Constitution of the Student Body, Code of Permanent Laws and the laws enacted thereunder to the truth of which allegations five Representatives in Student Congress shall be enumerated to aver.

### **Section 614. Impeachment of the Justices of the Student Supreme Court**

A Bill of Impeachment of the Chief Justice or an Associate Justice of the Supreme Court shall allege specifically by what acts, upon what dates, and in what manner, the Justice shall have failed to perform the duties of his/her office as prescribed by the Supreme Court Act of 1968, and amendments thereto, to the truth of which allegations five Representatives in Student Congress shall be enumerated to aver.

### **Section 615. Impeachment of a Member of the Undergraduate Court**

A Bill of Impeachment of a Member of the Undergraduate Court shall allege specifically by what acts, upon what dates, and in what manner, the Member shall have failed to perform the duties of his/her office prescribed by the Constitution of the Student Body and laws enacted thereunder, to the truth of which allegations five Representatives in Student Congress shall be enumerated to aver.

### **Section 616. Impeachment of an Officer**

A Bill of Impeachment of an Officer elected by the Student Congress of the Student Body, pursuant to the Code thereof shall allege specifically by what acts, upon what dates, and in what manner, the Officer shall have failed to perform the duties of his/her office as prescribed by the Constitution of the Student Body, and the laws enacted thereunder, and the By-laws of the Student Congress of the University of North Carolina at Chapel Hill, to the truth of which allegations five Representatives in Student Congress shall be enumerated to aver.

### **Section 617. Impeachment of the CAA President**

A Bill of Impeachment of the Chairperson of the Carolina Athletic Association shall allege specifically by what acts, upon what dates, and in what manner, the Chairperson shall have failed to perform the duties of his/her office as prescribed by the Constitution of the Student Body and the laws enacted thereunder, and the customs and traditions of the Carolina Athletic Association, to which customs and traditions and to which allegations, five Representatives in Student Congress shall be enumerated to aver.

### **Section 618. Impeachment of the RHA President**

A Bill of Impeachment of the Chairperson of the Residence Hall Association shall allege specifically by what acts, upon what dates, and in what manner, the Chairperson shall have failed to perform the duties of his/her office as prescribed by the Act to establish the Residence Hall Association and amendments thereto, and by all regulations and ordinances established by that Association in accordance with the Constitution of the Student Body and the laws enacted thereunder to the truth of which allegations five Representatives in Student Congress shall be enumerated to aver.

### **Section 619. Specific Allegations**

A Bill of Impeachment of an Officer subject to Impeachment by a Bill of Impeachment not heretofore authorized shall allege specifically by what acts, upon what dates, and in what manner, the Officer shall have failed to perform the duties of his/her office as prescribed by the Constitution of the Student Body and the laws enacted thereunder, to the truth of which five Representatives in Student Congress shall be enumerated to aver.

**Section 620. Aver to Truth of Allegations**

No Representative in Student Congress shall aver to the truth of any allegation unless and except he/she have probable cause to believe such allegation to be true.

**Section 621. One Specific Act per Article**

No Article of Impeachment shall allege more than one specific act by which the officer to be impeached shall have failed to perform the duties of his/her office.

**Article III. Preliminary Proceedings**

**Section 622. Introduction**

A Bill of Impeachment may be introduced as new business at any Regular Session of the Student Congress.

**Section 623. Requirement After Introduction**

Upon the introduction of a Bill of Impeachment, the Speaker shall require each Representative, who shall be enumerated by the Articles to aver to the truth of said Articles, to acknowledge such averment and to subscribe his/her signature to the Bill of Impeachment.

**Section 624. Referral to Rules and Judiciary Committee**

Immediately following such acknowledgment, the Speaker shall refer such Bill of Impeachment to the Rules and Judiciary Committee, and shall require the Chairperson of such Committee to call a meeting of the Rules and Judiciary Committee within seventy-two (72) hours following and to give notice within twenty-four (24) hours following to the officer to be impeached and the managers for the prosecution.

**Article IV. Duties of the Rules and Judiciary Committee**

**Section 631. Requirements of the Rules and Judiciary Committee**

The Rules and Judiciary Committee shall, within seventy-two (72) hours following the introduction, acknowledgment, and subscription of a Bill of Impeachment, convene and require that:

- A. Receipt of notice given to the officer to be impeached be presented by the Chairperson of the Committee;
- B. Receipt of notice given to the manager for the prosecution be presented by the Chairperson of the Committee;
- C. The managers for the prosecution submit the names and campus addresses of all persons whom such managers shall desire to present as witnesses to acts alleged by the Articles;
- D. The managers for the prosecution present all documents and real evidence which such managers shall desire to introduce into evidence to acts alleged by the Articles; and
- E. The Representatives in the Student Congress who shall have been enumerated by the Articles to the truth thereof to appear before the Rules and Judiciary Committee and, upon oath or affirmation, testify as to the specific acts by which it be alleged that the accused did fail to perform the duties of his/her office.

### **Section 632. Examination**

The Rules and Judiciary Committee, except any member thereof who shall have been enumerated by the Articles to aver the truth thereof, shall:

- A. Examine each Representative who shall have been enumerated by the Articles to aver the truth thereof;
- B. Examine each document and item of real evidence presented by the managers for the prosecution.

### **Section 633. Report of the Rules and Judiciary Committee**

The Rules and Judiciary Committee, except any member thereof who shall be enumerated by the Articles to aver to the truth thereof, shall report at the Regular Session of the Student Congress next following the introduction, acknowledgment and subscription of a Bill of Impeachment:

- A. Whether such Bill of Impeachment shall contain allegations of fact supported by averment or other evidence; and
- B. Whether such Bill of Impeachment shall contain allegations of fact which supported by averment or other evidence which shall constitute the failure of the officer to perform the duties of his/her office.

## **Article V. Consideration of Bills of Impeachment**

### **Section 641. Convene into Committee of the Whole**

Immediately following the Report of the Rules and Judiciary Committee upon the Bill of Impeachment, the Student Congress shall convene in Committee of the Whole.

### **Section 642. Order of Business**

The order of business of the Committee of the Whole shall be:

- A. The reading of the Bill of Impeachment;
- B. The opening argument by the managers for the prosecution;
- C. The examination of witnesses and real evidence submitted by the managers for the prosecution;
- D. Debate upon the question and Rising of the Committee of the Whole.

### **Section 643. Examination**

The Committee of the Whole shall examine the witnesses introduced before it in the following manner:

- A. The direct examination of the witness by the managers for the prosecution;
- B. The cross-examination of the witness upon matters introduced in direct testimony, by any Representative in the Student Congress;
- C. The redirect examination of the witness by the managers for the prosecution; and the re-cross examination of the witness by any Representative in the Student Congress.

### **Section 644. Adoption of Bill of Impeachment**

The question shall be whether the Committee of the Whole shall recommend that the Bill of Impeachment be adopted, which question shall be subject to amendment and indefinite postponement only.

**Section 645. Limitation on Debate**

No Representative shall speak more than once to the question or to any amendment, nor for more than five minutes, unless another Representative shall yield such Representative his/her own time.

**Section 646. Voting**

Upon completion of debate upon the question, the Committee of the Whole shall rise without final recommendation, and the Speaker shall put the question to the call of the roll of the Student Congress.

**Section 647. Prima Facie Case for Adoption**

The Student Congress of the Student Body shall adopt the Bill of Impeachment should the evidence submitted by the managers for the prosecution create a prima facie case and, therefore, be sufficient to prove that the accused officer did fail to perform the duties of his/her office, unless, upon the trial of the Bill of Impeachment, such evidence be explained, rebutted or contradicted.

**Article VI. Proceedings Preliminary to Trial**

**Section 651. Transcription of Bill of Impeachment**

Should the Student Congress adopt a Bill of Impeachment, the Speaker shall direct that the Clerk of the Student Congress shall within twenty- four (24) hours, prepare and certify a true and accurate transcription of the Bill of Impeachment as amended and the poll of the Student Congress upon the question of its adoption.

**Section 652. Extraordinary Session**

Upon the adoption of a Bill of Impeachment, the Student Congress shall order that it shall convene in Extraordinary Session not more than fifteen (15) nor less than seven (7) days thereafter, and that it shall be in order only at that Extraordinary Session that the Student Congress resolve itself to be the Court for the trial of Impeachment.

**Section 653. Discharge from Duties**

Thereupon, the Student Congress shall order that the Officer Under Impeachment be excused from the discharge of his/her duties pending trial.

**Section 654. Proclamation and Summons**

Upon the adjournment of the Student Congress, the Speaker shall direct the Clerk of the Student Congress that he/she, within fifty (50) hours following, issue proclamation and summons to the Officer Under Impeachment, fixing the day of return upon the convening of the Student Congress in Extraordinary Session.

**Section 655. Service of Proclamation and Summons**

The proclamation and summons to the Officer Under Impeachment shall be issued and served within thirty-six (36) hours upon such Officer, and shall contain:

- A. A certified transcript of the Bill of Impeachment as amended and the poll of the Student Congress upon the question of its adoption;
- B. A certified copy of all Rules and Procedures for Introduction, Consideration and Trial of Impeachments;

- C. A certified copy of those provisions of the Constitution of the Student Body defining and guaranteeing the Rights of Students.

### Section 656. Form of Proclamation and Summons

The form of the Proclamation and Summons to be issued and served upon the Officer Under Impeachment shall be:

The Student Congress to \_\_\_\_\_ , Greetings

Whereas the Student Congress did, on the \_\_\_ day of \_\_\_ , adopt Articles of Impeachment against you, the said \_\_\_ , \_\_\_ , \_\_\_ , should be put to answer the accusations as set forth in said Articles, and that such proceedings, examinations, trials, and judgments might be there-upon had as are agreeable to law and justice, You, the said \_\_\_ , are therefore hereby summoned to be and appear before the Student Congress sitting in the Court for the Trial of Impeachments, at \_\_\_ o'clock \_\_\_ .m., at \_\_\_ on the \_\_\_ day of \_\_\_ , then and there to answer to said Articles of Impeachment.

Furthermore, You, the said \_\_\_ , are therefore hereby relieved and excused from the discharge of your duties under the Constitution of the Student Body and the laws enacted thereunder pending the trial of such Articles of Impeachment, and You, the said \_\_\_ , should you fail to appear and answer to the Articles of Impeachment, shall be ordered and adjudged to have answered and pleaded Not Guilty, by and through the Clerk of the Court for the Trial of Impeachment for and upon your behalf acting.

Hereof fail not.

Witness \_\_\_ , Clerk of the Student Congress, this \_\_\_ day of \_\_\_ .

## Article VII. Trial

### Section 661. Convene in Extraordinary Session

Upon the day and hour ordered by the Student Congress, the Congress shall convene in Extraordinary Session, and the Speaker shall put the question, upon motion by any member, whether the Student Congress do hereby resolve into a Court for the Trial of Impeachments. Failure to adopt such resolution shall constitute dismissal of the Articles of Impeachment.

### Section 662. Surrender of the Chair

Thereupon, if the President (or Vice-President) of the Student Body be under Impeachment, the Speaker shall then surrender the Chair to the Chief Justice of the Student Body, or, in his/her absence to the Senior Justice there present, who shall be the President of the Court. If the President of the Student Body be not under Impeachment, then the Speaker shall be President of the Court.

### Section 663. Oath

The Chief Justice of the Student Body, or in his/her absence any officer empowered to administer Oaths of Office, shall administer the following Oath to each Representative of Student Congress before such Representative shall act as a member of the Court for the Trial of Impeachments:

I solemnly swear (or affirm) that in all things appertaining to the Trial of the Impeachment of (name), now proceeding, I will do impartial justice according to the Constitution and Laws of the Student Body.

**Section 664. Clerk**

The Clerk of the Student Congress shall be the Clerk of the Court.

**Section 665. Pleading**

The Officer Under Impeachment shall then be called to appear and answer the Article of Impeachment against him/her, which Articles shall be read before him/her by the Court, whereupon the Officer shall answer Guilty or Not Guilty.

**Section 666. No Appearance**

Should the Officer Under Impeachment not appear, nor instruct or authorize any person to appear on his/her behalf, the President of the Court shall enter a plea of Not Guilty on behalf of the accused Officer.

**Section 667. Admission to the Bar of the Court**

The managers for the prosecution of the Articles of Impeachment, the Officer Under Impeachment, and any student who the Officer Under Impeachment shall authorize and instruct to act on his/her behalf in the Trial of Impeachment, shall be admitted to the bar of the Court for the Trial of Impeachments immediately following the Answer.

**Section 668. Motions**

All motions made by the Prosecution or the Defense shall be addressed to the President of the Court and, if he/she require it, be reduced to writing.

**Section 669. Time Limit of Debate**

Motions shall be in order upon the close of evidence for the Prosecution and the Defense, which motion shall not be debated for more than one half hour by each side, unless the Court shall by order extend the time.

**Section 670. Opening and Closing of Arguments**

The arguments shall be opened and closed by the Managers for the Prosecution of the Articles of Impeachment and shall be made by one person, unless the Court shall by order direct otherwise.

**Section 671. Order of Presentation**

The order for the presentation and introduction of evidence shall be:

- A. The Opening Argument for the Managers of the Prosecution;
- B. The examination of witnesses and introduction of real and documentary evidence submitted by the Managers for the Prosecution;
- C. The Opening Argument by the Defense;
- D. The examination of witnesses and introduction of real and documentary evidence submitted by the Defense;
- E. The Closing Argument by the Defense; and
- F. The Closing Argument by the Managers for the Prosecution.

### **Section 672. Oath of Witnesses**

Each witness called by either side shall be administered the following oath by the President of the Court:

I, \_\_\_\_\_, do solemnly swear (or affirm) that the evidence which I shall give in the case now pending between the Student Body of the University of North Carolina at Chapel Hill and \_\_\_\_\_, shall be the Truth, the Whole Truth and Nothing but the Truth, So help me God.

### **Section 673. Examination of Witnesses**

The examination of witnesses submitted by either side shall be in the following manner:

- A. The direct examination of the witnesses by the side submitting him/her;
- B. The cross-examination of the witnesses by the side not submitting him/her; upon any matter, and for any purpose;
- C. The redirect examination of the witnesses by the side submitting him/her; and
- D. The re-cross-examination of the witnesses by the side not submitting him/her.

### **Section 674. Court Member Called as Witness**

If a member of the Court be called as a witness, he/she shall be sworn and give his/her testimony standing in his/her place, but shall not be disqualified thereby from sitting in the Court.

### **Section 675. Polling of the Court**

Upon the questions of any motion, and on the question whether the Articles of Impeachment be sustained, the Court shall be polled.

### **Section 676. Question of Guilt**

Upon the close of the argument by the Prosecution, and the close of Motions thereafter, the question shall be whether the Officer Under Impeachment is Guilty of the Impeachment of Having Failed to Perform the Duties of His/Her Office, which question shall be debatable but not subject to any subsidiary motion, and no Member of the Court shall speak more than twice, nor more than ten (10) minutes at any one time.

### **Section 677. Standard of Reasonable Doubt**

No member of the Court for the Trial of Impeachments shall sustain the Articles of Impeachment, unless the evidence submitted, examined and considered shall prove beyond reasonable doubt that the Officer Under Impeachment did fail to perform the duties of his/her Office.

### **Section 678. Voting**

The form of the question whether the Articles of Impeachment be sustained and the Officer Under Impeachment convicted of having failed to perform the duties of his/her office shall be, to each Member of the Court: "Mr. (Mrs., Miss, Ms.) \_\_\_\_\_; How say you of the Defendant \_\_\_\_\_, Guilty or Not Guilty;" to which each member of the Court shall respond either "Guilty" or "Not Guilty."

### **Section 679. Adjournment**

Upon Acquittal of any Officer Under Impeachment, the President of the Court for the Trial of Impeachments shall put the question, whether the Court for the Trial of Impeachments adjourn, which motion shall not be subject to debate.

**Section 680. Removal**

Upon conviction of any Officer Under Impeachment, the President of the Court shall put the question, whether the Convicted Officer be removed from Office, which motion shall be debatable but not subject to any subsidiary motion, and no Member of the Court shall speak more than once, nor for more than ten (10) minutes.

**Section 681. Disqualification**

Removal from Office by the Court shall disqualify such Officer Convicted from the exercise of any office of trust, profit or honor under the Student Government.

**Section 682. Suspension**

Any Officer Convicted, but not removed from his/her Office, shall be suspended from the exercise of his/her duties and powers until such time that the Student Congress shall, by Resolution, revoke such suspension.

**Article VIII. Appeal to the Supreme Court**

**Section 691. Appeal to Supreme Court**

Any Officer Under Impeachment may appeal conviction thereunder from the Court for the Trial of Impeachments to the Supreme Court of the Student Body, in accordance with Section 6 of the Supreme Court Act of 1968, as amended.

**Section 692. Only Error of Law**

There shall be no Appeal from the Court for the Trial of Impeachments except upon error of law, and unless such appeal be commenced by notice to the Court for the Trial of Impeachments upon conviction and sentence.

**Section 693. Notice of Appeal and Record of Trial**

Should any Officer convicted by the Court for the Trial of Impeachments give notice to that Court of Appeal to the Supreme Court of the Student Body, the President of the Court for the Trial of Impeachments shall file written notice of such appeal with the Chief Justice of the Supreme Court within twenty-four (24) hours thereafter; and shall file a transcript of the articles, motions, rulings, judgments, and sentence within five (5)days.

**Article IX. General**

**Section 701. Familiar Disqualifications to Sit on Court**

No person, or the spouse or brother or sister of a person, designated the Officer to be Impeached by any Bill of Impeachment shall take part in the consideration of such Bill.

**Section 702. Disqualification for Conflict of Interest**

No person, or the spouse or brother or sister of a person, who shall, upon conviction or removal of an Officer Under Impeachment, succeed to such office pursuant to the Constitution of the Student Body or any law enacted thereunder, shall vote on such bill.

**Section 703. Chairman of Rules and Judiciary Committee**

Should the Chairperson of the Rules and Judiciary Committee be impeached, the member of the Rules and Judiciary Committee senior in consecutive service in the Student Congress shall act as Chairperson and perform the duties thereof as herein prescribed.

**Section 704. Clerk of Congress**

Should the Clerk of the Student Congress be impeached, the Speaker Pro Tempore shall act as Clerk of the Court and shall perform the duties thereof as herein provided.

**Section 705. Limitations on Excuse for Discharge of Duties**

No officer shall be excused from the discharge of the duties of his/her office pending the trial of a Bill of Impeachment brought against him/her for more than fifteen days.

**Section 706. No Denial of Constitutional Rights**

Except as provided by the Constitution of the Student Body, no Officer Under Impeachment may be denied any right granted and guaranteed by the Constitution of the Student Body, of the State of North Carolina, or of these United States of America.