



Senate of the Associated Students of the University of Nevada

90th Session, 2022-2023

AN ACT TO UPDATE LINE OF SUCCESSION

Bill Number: 18

Authored By: Senator Salah on behalf of Attorney General Schein

Sponsored By: 2022-2023 Student Government Assembly

Whereas, the current line of succession is unnecessarily long, consisting of the Director of Programming, Director of Clubs and Orgs, Attorney General, Director of Campus and Public Relations, and Director of Government Affairs;

Whereas, this line is arbitrary, either missing important roles like the Chief of Staff or ranking the importance of different cabinet members, with no real logic;

Whereas, these officers listed may not even be interested in the Presidency, as they applied and were hired to fulfill their unique job duties, not the larger duties and responsibilities of the Presidency;

Whereas, this also is undemocratic, as it gives the presidency to an unelected official, who likely was appointed by the President, who may have been removed for misconduct;

Whereas, instead of a line of succession, the Cabinet could do an internal discussion at an agendaized Cabinet meeting and vote for an interim President, to serve until a Special Election is held;

Whereas, there must be an interim President, due to hard deadlines on processes like the Budget that must be submitted by the end of the fiscal year;

Whereas, the special election should be held within two weeks of the appointment of the interim President to ensure there is student input on democratic processes;

Whereas, this process will follow the Association's rules on Special Elections, a project which the Government Operations committee intends to develop;

Whereas, in a case where the CSE is unable to hold a special election within the two week period, they shall present the matter to the Judicial Council;

Whereas, if the Judicial Council sees fit, they may temporarily extend the term of the interim- President or any other relevant measures regarding the special election;

Whereas, a common form of feedback regarding the line of succession is that it is unlikely to occur;

Whereas, while this is true, having procedure in place is important to ensure there will always be a President to fulfill their duties, as the entire Association is contingent upon them;

Whereas, this also may occur if the Vice-President and Speaker of the Senate decline the duties of the Presidency, not necessarily just their removal;

Whereas, the addendum below lays out this procedure shifting from a direct line of succession, to a system built on a democratic approach;

Be it enacted, the following addendum be adopted;

Adopted in Senate on November 30th, 2022

Attest:

Andrew Thompson, Speaker of the Senate

Dionne Stanfill, President of the Associated Students

I certify that this Act originated in the Senate.

Wyatt Layland, Senate Secretary

Chapter 213: Succession

Section 01: Resignation or Refusal of Office of the President

The only evidence of a refusal to accept, or of a resignation of the office of President or Vice President, shall be an instrument in writing, declaring the same, and subscribed by the person refusing to accept or resigning, as the case may be, and delivered to the Speaker of the Senate of the Associated Students.

Section 02: Vacancy in Offices of both the President and Vice President

a) Succession of Speaker of the Senate to Office of President:

1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is neither a President nor Vice President to discharge the powers and duties of the office of President, then the Speaker of the Senate shall, upon the resignation as Speaker and as Senator, act as President.

2) The same rule shall apply in the case of the death, resignation, removal from office, or inability of an individual acting as President under this subsection.

b) An individual acting as President under subsection a of this section shall continue to act until the expiration of the then current Presidential term, except that:

1) if the Speaker's discharge of the powers and duties of the office is founded in whole or in part on the failure of both the President-elect and the Vice President-elect to qualify, then the Speaker shall act only until a President or Vice President qualifies; and

2) if the Speaker's discharge of the powers and duties of the office is founded in whole or in part on the inability of the President or Vice President, then the Speaker shall act only until the removal of the disability of one of such individuals.

c) LINE OF SUCCESSION:

1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is no Speaker of the Senate to act as President under subsection b of this section, then the President's Cabinet shall hold a vote to determine an interim-President. Any member of the President's Cabinet that meets the constitutional requirements are eligible for nomination or self-nomination. The nominee that receives a majority of votes from the other cabinet members shall be appointed as the interim-President. This election shall be chaired by the Chief Justice of the Association. then the officer of the Associated Students who is highest on the following list, and who is not under disability to discharge the powers and duties of the office of President, shall act as President: Director of Clubs and Organizations, Director of Programming, Attorney General, Director of Public and Campus Relations, Director of Legislative Affairs

2) A person operating as interim-President under Section 2 of this

subsection shall only serve for a maximum term of two weeks. A special election must be held during this time to elect a President. In the case that no special election has been held, the Director of Elections or other appropriate CSE staff shall present to the Judicial Council regarding the special election. The Judicial Council shall then give their recommendations to the rest of the Association. This includes the ability to extend the term of the interim-President until the special election may be held.

2) An individual acting as President under this subsection shall continue so to do until the expiration of the then current Presidential term, but not after a qualified and prior-entitled individual is able to act, except that the removal of the disability of an individual higher on the list contained in subsection 1 of this subsection or the ability to qualify on the part of an individual higher on such list shall not terminate the individuals service.

3). The taking of the oath of office by an individual specified in the procedure in subsection 1 of this subsection shall be held to constitute a temporary resignation from their former position. Upon the election of a new president through special election, the interim President shall assume their former office.

3) The taking of the oath of office by an individual specified in the list in subsection 1 of this subsection shall be held to constitute the individuals resignation from the office by virtue of the holding of which the person in question qualifies to act as President.

d) Subsections a and c of this Section shall apply only to such officers as are eligible to the office of President under the Constitution. Subsection c of this section shall apply only to officers appointed, with the consent of the Senate, prior to the time of the death, resignation, removal from office, inability, or failure to qualify, of the Speaker of the Senate, and only to officers not under impeachment by the Senate at the time the powers and duties of the office of President devolve upon them.

Section 03: Compensation

During the period that any individual acts as President under this Chapter, the

compensation of the individual shall be at the rate then provided by law in the case of the President.