

Notre Dame Student Senate
EXECUTIVE SUMMARY

September 24, 2000
Notre Dame Room, LaFortune

I. OPENING BUSINESS

A. Call to Order

Chairperson Brooke Norton called the meeting to order at 7:00 p.m.

B. Invocation

Mr. Mark Leaheey led the invocation.

C. Roll Call

Ms. Shannon Bennett, Ms. Kristin Caponi, ~~Mr. Clay Cosse~~, Mr. Tim Kinatukara, Mr. Brian O'Donoghue, Mr. Chris Andersen, and Ms. Veronica Kessenich were absent.

II. OLD BUSINESS

III. NEW BUSINESS

Appeal of Mr. Brian Clemency regarding off-campus Senator election

Mr. Brian Clemency addressed the Senate and requested that they allow him to campaign as an off-campus Senator. In support of his position, Mr. Clemency explained that nowhere in the Constitution does it say that by living in a dorm he is disqualified from running as an off-campus Senator. Moreover, since an Election Committee has not yet been formed, Mr. Clemency claimed that the Judicial Committee should not be allowed to disqualify his candidacy. As a result, Mr. Clemency requested that the Senate approve his appeal.

Mr. John Powers explained that the reason an Election Committee has not yet been formed is that the Constitution does not mandate its formation until the Second Semester. Thus, because this election is being held outside the regularly schedule timeframe, any appeals do not have to be heard by the Election Committee. Mr. Powers then noted that while Mr. Clemency says he lives in a house in Granger, the structure is actually owned by his Uncle and he regularly resides in Zahm Hall.

Mr. Tony Wanger then summarized his contact with Mr. Clemency, noting that he first received Mr. Clemency's request on September 21. Immediately Mr. Wanger looked in the phone book and although Mr. Clemency does reside in Manhasset, NY, his primary school-year residence is given as 262 Zahm Hall. Consequently, Mr. Wagner decided to decline Mr. Clemency's request. In support of this decision, Mr. Wagner reminded the Senate that the Constitution cannot be expected to cover every single instance or complication that a may come about.

Mr. Brian Clemency then explained that he does actually consider his Uncle's house in Granger to be one of his residences. Additionally, Mr. Clemency noted that this entire confusion could be cleared up by making an addition to the Constitution.

Mr. Paul Sladek then noted that the Senate is currently acting as an appeal body, as it would if Mr. Clemency's request had been denied by the Election Committee. Moreover, Paul noted that not only must one assume a "reasonable" interpretation of the law, but there has also never been a precedent to allow an off-campus Senator to reside on campus.

Mr. Jeff Stuffings then moved to uphold the Judicial Council's recommendation and this was approved unanimously.

IV. ANNOUNCEMENTS

V. ADJOURNMENT

Mr. Brendan Dowdall moved for adjournment at 7:15 and this was approved unanimously. The next meeting of the Student Senate will be September 27, 2000 at 6:00 in the Notre Dame Room, LaFortune.

Respectfully Submitted,

Trip Foley
Student Union Secretary
9/27/00