

This Amendment will take the power of replacing a vacant Senate seat away from the President and return it to the voters. It also eliminates any advertising period and speeds up the process of replacing a Senator so that a vacancy can occur at one Senate meeting and be filled the following week at the next Senate meeting. Instead of taking two weeks for the President to appoint someone and then additional time for the Senate to confirm them, this amendment will simply refer back to the election where the vacating Senator was elected and re-run the data, replacing the vacated seat with the next most preferred candidate by the voters.

In addition to returning power from the President to the voter, this amendment takes power away from the Senate and returns it to the voter. As it is now, the Senate must confirm the Presidential-appointed replacement, which is a small check on the President's power; however by using the past election data to replace a vacancy, there is no need for the Senate to confirm someone that the voters have already approved. Also, if for any reason this candidate has lost the voters' confidence since the election took place, the voters can call for a recall election and remove the replacement Senator from office. This would ultimately lead to another countback election to replace the replacement Senator; while this may seem to be a very obscure and hypothetical scenario, it is worth noting that there is still a check in place, it has just been transferred from the Senate (12 people) to the voters (over 20,000 people).

Lastly, while editing the current text to allow for a replacement Senator to serve out the full remaining term of the vacating Senator it prevents a problem that could easily occur under the old wording. As it is currently, the replacement Senator only serves until the next election. For instance, if a Senator was elected in Winter, vacated and a replacement was put into office prior to the Fall election, then during the Fall election that seat would be filled permanently according to the Constitution. However, this would mean one of two things. Either that 7 people would have to be elected in the Fall and one of these people would only be serving the rest of the term for the Senator that vacated. If this is the case, then there is nothing in the Constitution to specify which of these 7 candidates would be the one to only serve this partial term. Or it would mean that every Fall voters would elect 7 senators and every spring they would elect 5 senators. Either way, the current wording is either too ambiguous or contradictory with the rest of the Constitution. By changing it to simply allow the replacement Senator serve the rest of the vacating Senators term it prevents either of these problems from arising.