Documents from the April 21, 2004 meeting of the Associated Students of the University of Montana (ASUM)

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ASUM SENATE AGENDA
April 21, 2004
UC332-333 - 6 p.m.

1. CALL MEETING TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES - April 7, 2004 and April 14, 2004

4. PUBLIC COMMENT

5. PRESIDENT’S REPORT
   a. Athletic Fee - Vice President Duringer
   b. HAVA Grant Coordinator - Melanie Brock
   c. City Council and ASUM
   d. Apple Computers and Online Elections
   e. Meeting with Senator Burns and Undersecretary of Education
   f. Campus Building Fee
   g. Other

6. VICE PRESIDENT’S REPORT
   a. KBGA
   b. SBPC Update
   c. Other

7. BUSINESS MANAGER’S REPORT
   Special Allocation – approx. $4,160.84
   Travel Special Allocation – approx. $396.15
   STIP – approx. $86,908.93
   Zero-Base Carryover – approx. $63,972.65
   a. Special Allocation Request - Lambda Alliance, College Republicans, Forensics Team $354/$354
   b. Zero-base Carryover Request - HAVA Grant Funding $175/$175
   c. Breakfast Meeting Update
   d. Other

8. COMMITTEE REPORTS
9. UNFINISHED BUSINESS
To see a list of resolutions in their entirety with the action taken on them, please go to
http://www.umt.edu/asum/government/resolution.htm
a. SB62-03/04 Resolution to Amend the Bylaws, Article IV, Sections 9 and 12
b. SB64-03/04 Resolution for Freshman Independence
c. Motion to Impeach ASUM President and Vice-President as brought forth by Cossitt-Helling 04/14/04
d. SB66A-03/04 (revised) Referendum Regarding the Student Athletic Fee
e. SB69-03/04 Motion to Censure the 2003-2004 Campaign Actions of President Aaron Flint and Vice President Gale Price
f. SB70-03/04 Resolution to Amend By-Laws, Article IV, Section 12 of the ASUM By-Laws
g. SB71-03/04 Resolution to amend ASUM Bylaws: Article IV, Section 20 Board on Off-Campus Housing and Neighborhood Outreach
h. SB72-03/04 Referendum to Amend the ASUM Constitution

10. NEW BUSINESS

11. COMMENTS

12. ADJOURNMENT
SENATE MEMBERS

SOPHIA RENA ALVAREZ
ANDREW BISSELL
BRAD CEDERBURG
SAMUEL CHARTIER
TRAVIS COSSITT
KYLE ENGELSON
ANNA GREEN
SHAWNA HAGEN
CHRIS HEALOW
ANDREA HELLING
WILL HOLMES
EMILY JONES
KIMBERLY PAPPAS
VINCENT PAVLISH
SAGE RAFFERTY
EBEN RECKORD
PATRICK VAN ORDEN
ROB WELSH
CHRISTIAN WINKLE
NATHAN ZIEGLER

ASUM OFFICERS

AARON FLINT
President
GALE PRICE
Vice-President
AVERIEL WOLFF
Business Manager

FACULTY ADVISORS

PROFESSOR ANDERSON
PROFESSOR AUSLAND
Chair Price called the meeting to order at 6:05 p.m. Present: Flint, Price, Wolff, Alvarez, Bissell (6:09), Cederberg, Chartier, Cossitt (6:16), Engelson, Green, Hagen, Healow, Helling, Holmes, Jones, Pappas, Pavlish, Rafferty, Reckord, Van Orden, Welsh and Ziegler. Unexcused was Winkle.

The minutes for the April 7 and April 14, 2004, meetings were approved as posted.

Public Comment
* Dustin Frost encouraged Senators to approve financial support for a collaborative event with Lambda Alliance, College Republicans and the Forensics Team to be held Tuesday, May 4.

The Chair recognized the presence of Bissell.

* Vinnie Pavlish encouraged Senators to put their name on the initiative circulated so that it can go on the ballot for public vote.
* Rob Welsh stated his intention to suspend House Rules for an additional referendum and a change in another.

President’s Report
a. Vice President Duringer distributed information about the athletic fee deficit and explained how they would be handling it. He also explained how the increase in the athletic fee would be used.
b. Flint introduced Melanie Brock as the newly-hired HAVA Grant Coordinator. She shared some of her ideas for getting out the vote.

c. Flint talked with Jerry Ballas about ASUM having meetings with City Council. Flint attended a recent Council meeting, and Council members agreed to have biannual meetings with ASUM.
d. Apple has agreed to give ASUM the use of wireless laptops for the upcoming General Elections.
e. This Friday Senator Burns and Education Undersecretary Hickock will be at Hellgate Elementary from 4:30-6:30 p.m.
f. The Building Fee may be increasing from $2.50/credit hour to $5.00/credit hour with a cap at 12 credits. This is a 96% increase. Flint suggested a resolution might be in order.

Vice President’s Report
a. Emily Jones will speak for ASUM on KBGA tomorrow.
b. Strategic Budget and Planning Committee voted on the athletic proposal, and there may be further revisions to reduce the fee. The total fee package has increases and decreases in course and other fees. Price would like to see the building fee amended to reduce the increase or increase it at a slower rate.
Business Manager's Report

Special Allocation - approx. $4,160.84

Travel Special Allocation - approx. $396.15

STIP - approx. $86,908.93

Zero-Base Carryover - approx. $63,972.65

a. A Special Allocation request for $354, recommended for same by Budget and Finance, to fund a debate with Lambda Alliance, College Republicans and Forensics was adopted with unanimous consent on a motion by Cossitt.
b. An ASUM Administration Zero-base request for $175, recommended for same by Budget and Finance, to use for matching HAVA grant funds, was adopted with unanimous consent on a motion by Cederburg.
c. Wolff attended an executive breakfast meeting with administrators to discuss the athletic fee, the Memo of Understanding, Student Escorts and a 24-hour study lounge.

Committee Reports

a. ASUM Relations and Affairs (Healow) - SB62, SB70, and SB71 received "do pass" recommendations.
b. IT (Rafferty) - No meeting.
c. COT (Shawna) - They talked about election advertising and Bylaws.
d. SPA (Jones) - Candidate forums are coming up April 2-29 as follows: gubernatorial third-party candidates - Tuesday 11-12; Republican gubernatorial candidates - Wednesday 12-1; Democratic gubernatorial candidates - Wednesday 1-2; Secretary of State candidates - Thursday 12-1. Get-out-the-vote ads were discussed, also. Jones commended Kyle Nelson for his work organizing the forums.
e. BOM (Pappas) - No meeting.
f. Transportation (Healow/Pappas) - The 20-year transportation plan was discussed. Volunteers are being called for Rock and Roll Week. A sign-up sheet was circulated for volunteers, and Senators were asked to sign up.
g. Off-campus Renter Center Board (Pappas) - A full board meeting will be held Friday.
h. UC Board (Engelson) - They are meeting at 9 a.m. Friday to discuss the 2004-2005 budget.
i. Radio Board (Cossitt) - No meeting.
j. University Affairs (Holmes) - The athletic fee proposal was discussed.
k. Publications Board (Wolff) - Interviews for Kaimin editor and business manager will be next Thursday.
l. Athletic Investigative (Jones) - They will meet at 10 a.m. Friday in Continuing Education, at which time Wayne Hogan and Rob Edwards will be interviewed. Subcommittees study different aspects of the investigation. Anyone interested in giving student input should talk to Jones.
m. Elections (Engelson) - Grievances will be addressed at 6 p.m. Thursday. Volunteers are needed for postering. The executive candidate forum will be held tomorrow from 12-1 in the UC Atrium.
Unfinished Business

To see a list of resolutions with the action taken on them noted and the resolutions currently being considered in their entirety, please go to: http://www.umt.edu/asum/government/resolution.htm

a. SB62-03/04 Resolution to Amend the Bylaws, Article IV, Sections 9 and 12 (Exhibit A) was amended by the author as follows: amend title to read "Resolution to amend the Bylaws, Article IV, Section 9"; delete 2nd paragraph; amend 3rd paragraph by replacing "COT Student Assistant and the SPA" with "Student Political Action" and delete "hindered"; amend 4th paragraph by replacing "committees that these staff are involved with are" with "the Student Political Action Committee is"; delete 5th paragraph; amending paragraph D. to read "The SPA Committee shall serve as an advisory board to the SPA Director, providing guidance and supervision"; delete final paragraph. Engelson-Helling moved the resolution, which passed after a previous question call by Healow-Ziegler.

b. SB64-03/04 Resolution for Freshman Independence - in committee Pavlish-Engelson moved to consider SB69 next. An objection by Alvarez failed. After a previous question call by Alvarez-Ziegler, the motion failed.

c. Motion to Impeach ASUM President and Vice-President as brought forth by Cossitt-Helling 04/14/04 was tabled indefinitely on a motion by Cossitt-Healow.

*A motion by Holmes-Helling to move to SB69 next passed.

d. SB69-03/04 Motion to Censure the 2003-2004 Campaign Actions of President Aaron Flint and Vice President Gale Price (Exhibit B) was amended as follows by the author, the amendments adopted by unanimous consent on a motion by Welsh: in the third whereas, change "although" to "though"; in the fourth whereas, change "needs to" to "must"; at the end, add "Endorsed By: Senator Travis Cossitt, Senator Chris Healow, Senator Will Holmes". On a motion by Welsh-Helling, the following amendment was adopted with unanimous consent to be inserted after the first whereas: "Whereas, as recorded in the minutes of the Senate of the Associated Students of The University of Montana, dated 14 April 2004, President Flint and Vice President Price admitted to breaking the Bylaws governing campaign expenditures." Holmes-Helling moved to amend by inserting four new Whereas statements (as follows)

1. Whereas, Associated Students of The University of Montana President (ASUM) Aaron Flint and ASUM Gale Price have not been forthcoming with all information and circumstances surrounding their election fraud;
2. Whereas, the misconduct of ASUM President Aaron Flint and ASUM Vice President Gale Price has shamed and dishonored the Associated Students of The University of Montana;
3. Whereas, the misconduct of ASUM President Aaron Flint and ASUM Vice President Gale Price will have lasting impacts on the reputation of the Associated Students of The University of Montana;
4. Whereas, the misconduct of ASUM President Aaron Flint and ASUM Vice President Gale Price appears to have broken Montana Code Annotated 45-7-203, which prohibits un-sworn falsification to public servants; after all of the current ones and two new Let It Be Resolved statements (as follows)

1. And Let It Be Further Resolved that the Associated Students of The University of Montana formerly and strongly encourage ASUM President Aaron Flint and ASUM Vice President Gale Price resign effective immediately;
2. And Let It Be Further Resolved that the Associated Students of The University of Montana encourages The University of Montana Administration to fully investigate all evidence of violations of The University of Montana Student Conduct Code by any parties involved in the election fraud misconduct.

after the current one. Amendments by Holmes (change "formerly" to "formally" in the first of the "And Let...") and Cossitt (insert "strongly" before "encourages" in the second of the "And Let...") were adopted with unanimous consent on a motion by Welsh. A motion by Welsh-Helling to divide the vote to consider adding the four new "whereas" statements above and number two of the new "And Let..." passed after a previous question call by Cossitt, and the amendment passed on a motion by Holmes-Hagen. The vote on the first "And Let..." failed on a motion by Cederburg. A motion by Helling to insert "Vice President" before "Gale" in what is now the seventh Whereas was adopted with unanimous consent. A motion by Pavlish-Welsh to change "might" to "should" in what is now the third Whereas was adopted with unanimous consent. An amendment by Reckord to include the first of the "And Let..." but delete the language "formally and strongly" was objected to consideration by Cederburg. Cossitt-Helling moved to add at the end "Therefore, Let It Further Be Resolved that ASUM strongly encourages both President Flint and Vice President Price to submit a letter of apology via the Montana Kaimin to the students of The University of Montana by April 20, 2004." Previous question calls by Healow, Cossitt, Welsh and Engelson failed. A motion by Jones-Hagen to strike the 1st "And Let..." paragraph was objected to consideration by Alvarez, which passed 13Y, 6N, 2A on a roll call vote (see Tally Sheet). After a previous question call by Ziegler, the amended resolution passed 14Y, 2N, 5A on a roll call vote (see Tally Sheet).

Five-minute recess
(Flint assumed position of Chair)

A motion by Welsh-Healow to suspend House Rules to consider SB66A was adopted by unanimous consent on a motion by Welsh.

e. SB66A-03/04 (revised) Referendum regarding the Student Athletic Fee (Exhibit C). Author Welsh pointed out changes: amend both instances of "$5.00" to "$4.00", "$20.00" to "$15.00" and "three (3)" to "six"; delete "six (6) credits would be charged a new fee of $15.00 per semester, any student taking between four (4) credits and", and delete the "s" in "fees" in the YES/NO statements. An amendment by Heaflow to insert "the" before
"University" in the second sentence was adopted by unanimous consideration on a motion by Welsh. A motion by Holmes-Hagen to insert "approximately 3,600" before "student seats" was adopted with unanimous consent after a previous question call by Ziegler. After a previous question call by Holmes, the resolution passed as amended. A motion by Welsh-Helling to reinstate House Rules passed.

f. SB70-03/04 Resolution to amend Bylaws, Article IV, Section 12 (Exhibit D) was amended in committee to add "or an ASUM COT Senator" before "shall" in B. Welsh-Healog moved to strike "COT" after "ASUM" in B. After a previous question call by Engelson, the amendment was adopted by unanimous consent, and the resolution passed as amended.

g. SB71-03/04 Resolution to amend ASUM Bylaws: Article IV, Section 20 Board on Off-Campus Housing and Neighborhood Outreach (Exhibit E) was amended in committee: delete the first whereas; in paragraph A., change "10" to "11" and add back in the sentence "one (1) shall be designated by the Director of Resident Life;", which was originally deleted. The resolution as amended was adopted by unanimous consent on a motion by Welsh.

A motion by Welsh-Pavlish to suspend House Rules to discuss SB72 was adopted with unanimous consent.

h. SB72-03/04 Referendum to amend the ASUM Constitution (Exhibit F) was adopted with unanimous consent on a motion by Welsh-Pavlish.

Pavlish-Wolff moved to reinstate House Rules, which was adopted with unanimous consent on a motion by Welsh.

New Business
a. Resolution to amend Bylaws (2)
b. Resolution on building fee
c. Resolution on nullification

Pavlish asked Senate to recognize Cody James, who formally presented an initiative signed by students and asked for it to go on the ballot during General Elections. (It went on the ballot.)

Comments
A motion by Chartier-Ziegler to adjourn failed.
Helling stated for the record that she feels Flint and Price should have resigned.

The meeting adjourned at 10:01 p.m.

Carol Hayes
ASUM Office Manager
SB62-03/04 Resolution to Amend the Bylaws, Article IV, Sections 9 and 12

Whereas, it is the responsibility of the ASUM Senate to oversee the actions of its classified staff,

Whereas, Senators trust committees to make educated decisions on student issues; particularly in regard to COT Affairs and Student Political Action;

Whereas, oversight by the Senate of the COT Student Assistant and the SPA Student Political Action Director is hindered difficult, and should be the responsibility of the appropriate committees;

Whereas, committees that these staff are involved with the Student Political Action Committee are is comprised largely of members of the Senate, as well as students at large;

Whereas, committees are formed for the purpose of researching and discussing issues before they reach the committee of the whole;

Whereas, the bylaws currently do not allow for these committees the SPA Committee to oversee the actions of the classified staff connected to them SPA Director;

Therefore let it be resolved that the bylaws be amended as follows:

Article IV, Section 9
D. The SPA Committee shall oversee the actions of the SPA Director.

D. The SPA Committee shall serve as an advisory board to the SPA Director, providing guidance and supervision.

Article IV, Section 12
F. The COT Affairs Committee shall oversee the actions of the COT Student Assistant.

Authored by: Emily Jones, ASUM Senator
Motion to Censure the 2003-2004 Campaign Actions of President Aaron Flint and Vice President Gale Price

Whereas, in a recent Montana Kaimin article, dated 13 April 2004, both President Flint and Vice President Price admitted to knowingly violating the ASUM Elections By-Laws by having surpassed the then allowed spending limit of $175.00;

Whereas, as recorded in the minutes of the Senate of the Associated Students of The University of Montana, dated 14 April 2004, President Flint and Vice President Price admitted to breaking the Bylaws governing campaign expenditures.

Whereas, this is a serious offense, and had it come to light sooner, the entire 2003-2004 Presidential/Vice Presidential elections might should have been nullified or else even an impeachment action could have been brought;

Whereas, although the terms of both President Flint and Vice President Price are about to end, their misconduct is worthy of repudiation from the Senate of the Associated Students of The University of Montana;

Whereas, the Senate should enforce its own By-Laws diligently, especially those governing elections, where fairness needs to must be upheld;

Whereas, the Senate should make clear examples of those who knowingly and purposefully break its By-Laws;

Whereas, Associated Students of The University of Montana President (ASUM) Aaron Flint and ASUM Vice President Gale Price have not been forthcoming with all information and circumstances surrounding their election fraud;

Whereas, the misconduct of ASUM President Aaron Flint and ASUM Vice President Gale Price has shamed and dishonored the Associated Students of The University of Montana;

Whereas, the misconduct of ASUM President Aaron Flint and ASUM Vice President Gale Price will have lasting impacts on the reputation of the Associated Students of The University of Montana;

Whereas, the misconduct of ASUM President Aaron Flint and ASUM Vice President Gale Price appears to have broken Montana Code Annotated 45-7-203, which prohibits un-sworn falsification to public servants;

Therefore Let It Be Resolved that the Senate of the Associated Students of The University of Montana censures President Aaron Flint and Vice President Gale Price for their actions in the 2003-2004 ASUM elections by knowingly and purposefully breaking ASUM By-Laws governing campaign
expenditure limits and for having taken steps to ensure that those actions remained hidden.

And Let It Be Further Resolved, that the Associated Students of The University of Montana formally and strongly encourage ASUM President Aaron Flint and ASUM Vice President Gale Price resign effective immediately;

And Let It Be Further Resolved, that the Associated Students of The University of Montana strongly encourage The University of Montana Administration to fully investigate all evidence of violations of The University of Montana Student Conduct Code by any parties involved in the election fraud misconduct.

Authored By: Senator Robert J. Welsh

Endorsed By: Senator Travis Cossitt, Senator Chris Healow, Senator Will Holmes
Resolution To Send Athletic Fee Increase to Student Referendum

Whereas, the Athletic Department and the University Administration have proposed increases to the student athletic fee from $30.00, currently, to $45.00 for 2004-2005, to $60.00 for 2005-2006,

Whereas, the proposed fee increase is highly significant, and an accurate method to ensure student participation in the decision making-process is to hold a referendum,

Whereas, the Administration recently withdrew the fee proposal from the Montana Board of Regents agenda, but has indicated that a fee increase is still the Administration choice of action,

Therefore Let It Be Resolved that the Senate of the Associated Students of The University of Montana (ASUM) send to referendum the following, based on existing knowledge of the fee increase proposal:

Referendum Regarding Athletic Fee Increase

The Athletic Department and the University Administration are proposing an increase to the current $30.00 a semester, athletic fee that full-time students pay. The extra funds would be utilized to ensure Departmental fiscal stability. The Athletic Department and the University Administration propose raising the $30.00 fee to $45.00 a semester for 2004-2005, and finally $60.00 a semester for 2005-2006. The $60.00 a semester athletic fee would become permanent.

___ YES – I support the proposed athletic fee increase as explained above.

___ NO – I do not support the proposed athletic fee increase as explained above.

Author By: Senator Robert J. Welsh

Endorsed by: Averiel Wolff, ASUM Business Manager
Gale Price, ASUM Vice President
Kyle Engelson, ASUM Senator
Vinnie Pavlish, ASUM Senator

Passed 4/7/04
Roll call vote 18 y 1 n
Referendum Regarding the Student Athletic Fee

The Athletics Department and the University Administration are proposing an increase to the student athletic fee. Currently, full-time students pay an athletic fee of $30.00 per semester. University Administration is proposing a $5.00 per semester increase to the full-time student athletic fee for the next four (4) years. Under the proposal, students would also receive an additional number of football stadium seats, bringing the total to 3,660 student seats. A $5.00 user charge would be attached to each student football ticket, and guest pass prices would remain the same (Currently, $10.00 per guest pass). Additionally, any student taking between one (1) and three (3) credits would be charged a new fee of $10.00 per semester, any student taking between four (4) credits and six (6) credits would be charged a new fee of $20.00 per semester. Students attending the College of Technology would not be affected by these proposed fee increases.

YES - I support the proposed full-time student athletic fee increase, creation of a user charge for tickets at football games, and new fees as explained above.

NO - I do not support the proposed full-time student athletic fee increase, creation of a user charge for tickets at football games, and new fees as explained above.

Authored By: Senator Robert J. Welsh
Resolution to Amend By-Laws, Article IV, Section 12 of the ASUM By-Laws

Whereas, in section 12.A, one quarter (5) of the Senate is required to serve on the College of Technology Affairs Committee,

Whereas, it has been increasingly difficult to procure the set number of Senators,

Whereas, it is also difficult for a non-COT student Senator to chair a committee that deals with the two COT campuses,

Whereas, A COT student knows better the issues, thoughts, and feelings of students at the COT campuses,

Therefore Let it be Resolved that the Senate of the Associated Students of the University of Montana amends By-Laws, Article IV, Section 12.A and B. to read:

Section 12. College of Technology Affairs Committee (COT):
A. The COT Affairs Committee shall be composed of nine (9) members, of which three (3) shall be members of the Senate and the rest students-at-large from the COT. Any student may be a non-voting advisor member of the Committee.
B. A COT student-at-large or an ASUM COT Senator shall chair the committee.

Authored By: Senator Shawna Hagen

Passed 4/21/04
Resolution to amend ASUM Bylaws: Article IV, Section 20 Board on Off-Campus Housing and Neighborhood Outreach

Whereas, students from different XXX better represent students living off campus;

Whereas, the Board on Off-Campus Housing and Neighborhood Outreach should serve the students living or looking to live off campus;

Whereas, it is difficult to gather quorum at on a bi-weekly basis;

Therefore Let It Be Resolved, that the ASUM ByLaws be changed to read as followed,

Article IV
Section 20. Board on Off-Campus Housing and Neighborhood Outreach:
A. The Board on Off-Campus Housing and Neighborhood Outreach shall be composed of 10 voting members, of which three (3) two (2) shall be members of the ASUM Senate; three (3) four (4) shall be students-at-large; one (1) shall be from the Office of the Vice President for Student Affairs; one (1) shall be designated by the Director of Residence Life; One (1) shall be a representative from the Office of Greek Life; one (1) shall be the University representative to the University Neighborhood Council; and one (1) shall be a representative from ASUM Legal Services. The Housing Coordinator shall serve as an ex-officio member of the Board.
B. The committee shall be chaired by an ASUM Senator.
C. Quorum shall consist of a simple majority of those members currently holding positions. This committee shall meet and have quorum two (2) one (1) times a month during the academic year.
D. Duties and functions of the Board on Off-Campus Housing and Neighborhood Outreach will include:
1. Hiring and firing of the Housing Coordinator and other positions as needed.
2. Establishing and maintaining a performance evaluation policy for the Housing Coordinator and other employees.
3. Annually reviewing and Office of Off-Campus Housing and Neighborhood Outreach budget.
4. Giving a binding vote on expenditures of $100 or more from the Office's budget.
5. Submitting for approval to the ASUM Senate any project which a) amounts to $500 or more from the Office's annual budget, and b) is approved in committee by anything less than a unanimous decision of all members present.
6. Developing a short term (one year or less) plan to be decided at the first meeting of each academic year. The plan may be amended at any point with a two-thirds (2/3) majority.

Authored by Sen. Kimberly Pappas
Referendum to Amend the ASUM Constitution

Recently, the Senate of the Associated Students of The University of Montana adopted a resolution to appoint, as an ex-officio and non-voting member of the ASUM Publications Board, the ASUM Office Accountant. The purpose of the amendment is to strengthen ASUM financial oversight of the Montana Kaimin, and other student literary organization under the purview of the ASUM Publications Board. The proposed language to be added to the ASUM Constitution, Article 9, Section 3, is as follows:

Section 2. The Publications Board will consist of seven voting members, chaired by the ASUM Business manager, who votes only in case of ties. The Pub Board will consist of one ASUM Senator, one student-at-large position, the Kaimin Editor, the Kaimin Business Manager, and the Kaimin Faculty Advisor, and a Business School faculty member, appointed by the Dean of the Business School, as voting members. The ASUM Office Accountant shall serve as an ex-officio, non-voting member on the Publications Board.

YES - I support the amendment to the ASUM Constitution as stated above.

NO - I do not support the amendment to the ASUM Constitution as stated above.

Passed 4/21/04