

4-24-2019

Documents from the April 24, 2019 Meeting of the Associated Students of the University of Montana (ASUM) (2018-2019 Senate)

University of Montana--Missoula. Associated Students

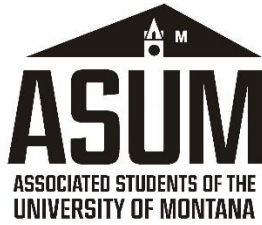
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ASUM SENATE AGENDA
Wednesday, April 24, 2019
UC225 – 6:30 P.M.

1. CALL MEETING TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES – April 17, 2019

4. PUBLIC COMMENT

5. PRESIDENT'S REPORT

- a. Kyiyo, ASUM Student Group of the Year
- b. Cathy Cole, ASUM Administrator of the Year
- c. Other

6. VICE PRESIDENT'S REPORT

- a. Elections Grievance
- b. Elections Update
- c. Senate Reports
- d. Graduation Cords
- e. Other

7. BUSINESS MANAGER'S REPORT

Zero-Base Carryover: \$207,722.64
S.T.I.P.: \$199,024.32 (\$192,134.32)
Special Allocation: \$3,435.00 (\$3,110)
Travel Allocation: \$901.05
Union Emergency: \$4,851.00 (\$3,976)

- a. ASUM Administration STIP Request Technology Update \$4,955.00 (\$4,955.00)
- b. ASUM Administration STIP Request Live Stream Equipment \$1,112.00 (\$1,112.00)
- c. Out-There STIP Request \$823.00 (\$823.00)
- d. Chinese Student Association Special Allocation \$325.00 (\$325.00)
- e. Smoke Jump Union Emergency Request \$875.00 (\$875.00)
- f. Committee Reports
- g. Birthdays
- h. Other

8. COMMITTEE REPORTS

9. UNFINISHED BUSINESS

- a. SB56-18/19: Resolution Expanding Impeachable Offences to Specify and Reflect the Montana Code Annotated
- b. SB57-18/19: Resolution Regarding Removing Repetitive Rules from Section 2 of House Rules
- c. SB58-18/19: Resolution Amending Personnel Policy 4.31 (Legal Director Position Description)
- d. SB59-18/19: Amending House Rules
- e. SB60-18/19: Resolution Amending Personnel Policy Section 4.21 Sustainability Coordinator
- f. SB61-18/19: Resolution Amending Personnel Policy to Include the Student Group Coordinator
- g. SB62-18/19: Resolution Regarding an Adjustment to the Bitterroot College Fee Structure
- h. SB63-18/19: Resolution Regarding Striking Section 9.13 and its Subpoints from Fiscal Policy
- i. SB64-18/19: Resolution Regarding Mandatory, Obligatory, Compulsory, Binding, Required, Inescapable, Unavoidable, Necessary, Essential, Imperative, Vital, Crucial, Contractual, Enforceable, Forced Drug Testing for ASUM Executives
- j. SB65-18/19: Resolution Regarding Storage of Nuclear Warheads on Campus

10. NEW BUSINESS

11. COMMENTS

12. ADJOURNMENT

ASUM Senate Minutes
Wednesday, April 24, 2019
UC 225, 6:30 p.m.

Chair Welch called the meeting to order at 6:30 pm. Present: Senators Akmal, Anderson, Belcher, Borghesani, Corkish, Flanagan, Glueckert, Gregory, Hanley, Hiatt, Johnston, Milton, Miranda, Nelson, Pablo, Parsons, Pease, Powell, Schei; Business Manager Schafer; Vice President Welch; President Butler; and Advisors Renner-Fahey and Stark. Senators Davis and Grewell arrived late and were unexcused. Senators Paz and Woody were absent and unexcused.

Minutes from the April 17, 2019 meeting were approved.

Public Comment

- President Bodnar
- Sonny Capece, UM Student
- James Willmus, former and future ASUM Senator

President's Report

- Kyiyo, ASUM Student Group of the Year
 - Alice Boyer and other Kyiyo executives
- Cathy Cole, ASUM Administrator of the Year
- General thanks from Senators

Vice President's Report

- Elections Grievance
 - Elections grievance had to be formally filed via email
 - Abbigail Belcher and Ethan Hanley filed a grievance against Dakota Hileman and Ethan Holmes for violating elections bylaws. Hileman repeatedly left up a free-standing sign, despite Senator Hiatt telling him to take it down multiple times. Hileman also violated several other elections bylaws, but the committee previously did not pursue sanctions. After the violations continued, the elections committee decided that a sanction was necessary. Elections committee came up with a sanction for the infraction, which the Senate will vote on.
 - The Elections committee suggests that ASUM does not reimburse the team which violated the bylaws. Elections committee feels that if they do not have any sanction for breaking the bylaws, they will have no force. Hileman and his running mate attended a campaign information session and also indicated on their paperwork that they had read the elections bylaws.
 - The parties that are faced with the sanction were notified officially and invited to come speak at the Senate meeting in their defense.
 - Senator Pease would like to see the evidence. Senator Hiatt says that he has multiple pictures of all infractions, which he would provide to the Senate if they would like to see them.

- Senator Glueckert wanted to know why elections committee didn't expel the team earlier.
 - Grewell: As an elections committee member, she wanted to maintain two teams in the election. She also did not feel that the infractions were egregious enough to expel a team, but they should receive an infraction.
- Vote to take away reimbursement requires a 2/3 vote to approve.
- Motion fails 9Y-13N-0A.
- Elections Update
 - 13.5% voter turnout, which is sufficient for MontPIRG's continued fee
 - 26 senators have been elected
 - If you would like reimbursements, candidates must have turned in their receipts and speak with the ASUM Office Manager
- Senate Reports
 - VP Welch is still missing several reports. Send them in by Friday.
- Graduation Cords
 - VP Welch has graduation cords in her office for anyone who has served at least a full semester on ASUM.
- Student Achievement Awards
 - Certificates for senators who weren't present are with VP Welch
- Graduation is also looking for volunteers.

Business Manager's Report

Zero-Base Carryover: \$207,722.64

S.T.I.P.: \$199,024.32 (\$192,134.32)

Special Allocation: \$3,435.00 (\$3,110)

Spring Travel: \$901.05

Union Emergency: \$4,851.00 (\$3,976)

- ASUM Administration STIP Request for Technology Update for \$4955. B and F recommends at \$4955.
 - SAIT has stopped providing services for computers running old versions of Windows, which the ASUM are. They must be updated or SAIT can't help us.
 - SSD card will allow the ASUM TV to function.
 - Senate approves at \$4955.
- ASUM Administration STIP Request for live stream equipment. It is contingent upon the passage of a later resolution. Request is for \$1112. B and F recommends at \$1112.
 - Senate approves at \$1112.
- Out There STIP Request for \$823. B and F recommends at \$823.
 - There are three requests but they will be voted on as a slate.
 - Senate approves at \$823.
- Chinese Student Association Special Allocation request for \$335. B and F recommends at \$335.
 - Senate approves at \$335.

- UM Smokejump Ultimate Frisbee Union Emergency Request for \$875. B and F recommends at \$875.
 - Funding for lodging and personal car.
 - Pease: Move to add \$275 to registration fee. Seconded
 - Nelson: B and F already funded as much as they requested, so shouldn't fund more than the request. Funds might not be used.
 - Motion withdrawn.
 - Senate approves at \$875.
- Next round of RCSF is almost completed.

Committee Reports

- Hanley: R and A met Friday and forwarded 9 resolutions to the floor. Transportation approved the budget. Gold line will continue. Dean of the DHC committee has finished all campus visits. Submit feedback on the Provost's website. The committee will make a recommendation on Friday.
- Flanagan: Website update committee has not met but he would like it to.
- Pablo: UC Board met on Monday. Ballroom floor will be done.
- Belcher: OPM decision will be made on Monday. Can submit feedback on Provost's website until then.
- Corkish: Sustainanza went well.
- Parsons: Senior International officer search committee to start Zoom interviews.
- Grewell: Will miss her mentee Kent Haslam.

Unfinished Business

- SB56-18/19: Resolution Expanding Impeachable Offences to Specify and Reflect the Montana Code Annotated
 - Pease: Some friendly amendments. Our impeachable offenses make misdemeanors and felonies basically the same. Believes that this will balance victim advocacy and due process. Felony offenses, domestic violence, and other crimes against other people
 - Anderson: Motion to capitalize all bullets from line 191 to line 214, friendly called by Pease.
 - Anderson: Move to amend the resolution to add the new language to the bylaws, to both Article II Section 3 and Article III and Section 3.
 - VP Welch will move SB56 to after SB63.
 - Discussion on this resolution resumed at 9:34 pm.
 - Pease: This resolution only requires that public information be provided to ASUM, not confidential information.
 - Schei: This resolution is hard to understand for most students, who might not know about resources that are available to them. Puts out of state students at a disadvantage because they don't know Montana Code Annotated. ASUM needs to make this information clear to any potential Senator.
 - Johnston: Opposed to some whereas clauses. We should focus on the ASUM bylaws and impeachable offenses.
 - Glueckert: This resolution has a good intention but it should be condensed. Will ASUM do background checks? Would support a similar resolution in the future.

- Pease: A large slate of friendly amendments.
- Davis: Move to remove tribal court in line 198 because it is unconstitutional. Seconded.
 - Pease: Says that ASUM Legal says that this is not unconstitutional.
 - Anderson: This is saying that if students had been convicted in tribal court, this would apply. We are not doing anything in tribal court.
 - Schei: Feels that this limits student participation in activities.
 - Amendment passes.
- Akmal: Opposes the resolution because it will turn the Senate into a judicial body. Lack of opportunities for students to retroactively explain. The language of the resolution could affect Senate participation among underclassment.
- Pease: Already spent a lot of time on this resolution. Important that we represent all students. The crimes specified in the resolution are crimes against other people.
- Grewell: This is a carefully written resolution. This actually makes it more difficult to be impeached, because it separates felonies and misdemeanors, which are currently equal in our bylaws.
- Anderson: The language that people are complaining about came out of the Student Conduct Code, which all students are expected to read and understand. Ignorance doesn't excuse you from violating the law, and it shouldn't excuse you from Senate impeachment.
- Pease: It is important to specify the different kinds of crimes that are covered because they are different under MCA.
- Pablo: Concerned about some wording and this resolution is difficult to understand, even with preparation. Wants to make sure that we are doing everything right.
 - Move to table the resolution. Seconded by Grewell.
 - Belcher: Has questions before she could vote not to table this resolution.
 - Motion fails 9Y-13N-0A.
- Parsons: Questions about conviction or guilty plea.
 - Pease: Conviction means that you were sentenced by a judge. The majority of cases end in plea deals, which means convictions are very rare. This is the reason she included guilty plea in the language.
- Powell: This resolution is important because we represent students. Senators should be held to a higher standard. A convicted felon should not represent students.
- Flanagan would like to know what would happen to a current senator with a MIP
 - Pease: a Senator who pleads nolo contendere to an MIP could not be impeached.
- Nelson: Has issues with ASUM having access to information about an offense. Feels that this is in the wrong place in the bylaws.
- Johnston: Previous question called and failed.
- Parsons: Good to consult with ASUM Legal Director. MCA and Student Conduct Code are already in action, so it is appropriate to recognize them in our Bylaws.
- Corkish: Supports the goal of the resolution but it's not accessible to students and they won't read it.

- President Butler: Would like to know about the sections that have ASUM get access to the documents
 - Pease: ASUM represents all students, not just crime victims but also perpetrators of crimes. ASUM should value due process and these subsections help to respect that. She would not be comfortable with bringing forward something without the Senate having access to the relevant information.
- Schei: Senators received a drastically different version of this initially and drastic changes have been proposed on the floor.
- Milton: Initially was against it but now is for it. Doesn't disqualify someone to be on Senate, just puts them up to impeachment. Shouldn't mean that past offenses will be brought up and used against Senators.
- Pease: This doesn't mean that people will automatically be removed, but it provides more opportunities for input in the process
- Miranda: Thinks that this will disproportionately affect students of color because of higher rates of misdemeanors
- Butler: Retaliation is the only section that was taken from the Student Conduct Code
 - Pease: Retaliation is a complicated crime. It is clearly defined in the SCC but not in the MCA.
- Parsons: The timing of the resolution shouldn't disqualify it, it is the Senate's duty to see resolutions.
- Resolution fails 8Y-12N-2A.
- SB57-18/19: Resolution Regarding Removing Repetitive Rules from Section 2 of House Rules
 - Nelson: Currently, these rules are repetitive and this will clarify.
 - Resolution passes 23Y-0N-0A.
- SB58-18/19: Resolution Amending Personnel Policy 4.31 (Legal Director Position Policy)
 - Parsons: Will ask the ASUM Legal Director to provide updates to Legal oversight Board.
 - Resolution passes 21Y-0N-1A.
- SB59-18/19: Amending House Rules
 - Anderson: ASUM represents many students who don't have a good connection with ASUM. This could help connect those students.
 - Nelson: Will help ASUM uphold its value of transparency.
 - Milton: Would like to know who will set up the camera and recording setup.
 - Anderson: Would like to have the video recordings uploaded to Scholarworks.
 - Schei: Marketing and Outreach committee should be charged with uploading this.
 - Belcher: Move to add "That the public comment period shall be the first 10 minutes of the meeting." This would be so that students know when they would be able to remotely submit their comments for public comments. Dilatory.
 - Anderson: Move to amend line 30 add "currently in use, and to Scholar works" and striking "the senate deems necessary"
 - Anderson: Technology changes so we should say "currently in use"
 - Parsons: Didn't want company names up there.

- Hiett: Does Scholar Works support video.
 - Advisor Stark: yes
- Grewell: add “by ASUM” after “in use.” Friendly
- Amendment passes.
- Hanley: Move to add “The Chair of the meeting shall determine the length of the public comment period.” Seconded.
 - Motion withdrawn.
- MCA says that ASUM is an open meeting, which is sufficient to allow us to record people who are here.
- BM Schafer does not know where this change will take place in the House Rules
- Glueckert is concerned about how we could livestream on multiple platforms, since ASUM has so many in use.
- Johnston: Move to overturn the decision of the chair to cap the speaker’s list. Seconded by Nelson. Motion requires a 2/3 vote and passes.
- Butler: Will oppose the resolution. This is a good idea, but there are too many complications, and it’s not time-sensitive. Need to work more things out first.
- Hiett: Next year’s Senate should really pursue this.
- Belcher: Move to add “After the closure of public comment, all comments shall be read at the next meeting.” Seconded.
 - Grewell: Allowing a week’s worth of comments to be read would take a very long time.
 - Butler: This process needs review. This will require more work than just floor amendments.
 - Anderson: Opposes. We should act like the people watching are in the room. Agendas are posted in advance.
 - Hanley: It’s not possible to allow online public commenters to be exactly like they are in the room. Senators couldn’t yield to someone online.
 - Johnston: This would expand public comment to include lots of not-relevant information.
 - Belcher: Will only support this resolution with this amendment.
 - Motion fails.
- Hanley: Previous question fails.
- Parsons: Wants to know how we will filter content. What will happen if someone says something inflammatory?
 - Anderson: The same way the Chair would treat it in the room
- BM Schafer: Motion to add “insert a new bullet B and subsections 1 through 3” in line 26.
- Nelson: Move to amend the title to “Resolution Amending Section 2 of House Rules.” Friendly.
- Schei: ASUM has already had some public comment issues with meetings held at other campuses. It should be reintroduced next year and sent to Marketing and Outreach.
- Flanagan: Move to add a new section that says “the livestreaming of the meeting will be handled by the Website Upkeep Committee and the Marketing and Outreach Committee.” Seconded.
 - This task needs specific assignment or it won’t be done consistently.

- Hanley: Doesn't want to assign a task specifically when it has never been done before, even though they would likely do it in the end. We need to test this before we do it.
 - BM Schafer: House Rules are to define what happens during the meeting. Bylaws define committee tasks.
 - Motion withdrawn.
- Grewell: Doesn't think the livestream should allow public comment. Wants to try it, because doesn't know what people might do on the livestream.
- The STIP request is contingent on the passage of this resolution.
- Nelson: We should pass this resolution to hold us accountable for what we just decided to fund. Will work on this over the summer to address the concerns.
- Belcher: Our governing documents don't prohibit livestreaming. Just because it's not required doesn't mean we can't do it.
- Nelson: Previous question called and passes.
- Resolution fails 11Y-12N-0A.
- SB60-18/19: Resolution Amending Personnel Policy Section 4.21 Sustainability Coordinator
 - President Butler: Move to strike "ASUM Sustainability Coordinator must be a graduate student." Friendly.
 - This resolution will allow the Sustainability office to be more effective. Grad students can't work full time on campus and tend to have high turnover, which makes it difficult for the office to work as well as possible.
 - KRELf will allocate more money to fund this position and UM Sustainability will also provide more funding. Additional funding from ASUM Transportation, but the position will oversee certain Transportation programs.
 - Resolution passes 21Y-0N-0A.
- SB61-18/19: Resolution Amending Personnel Policy to Include the Student Group Coordinator
 - President Butler: SGC has been working this year but isn't yet in Personnel Policy. SGC is supervised by both the ASUM President and the Branch Center/Student Involvement Advisor.
 - Parsons is wondering if base pay rates should be amended because of how the position is funded.
 - President Butler wants the next President to discuss this with Hailey Michelson. Isn't ready to amend it yet.
 - Resolution passes 22Y-0N-1A.
- SB62-18/19: Resolution Regarding an Adjustment to the Bitterroot College Fee Structure
 - Milton: Authorship.
 - Hanley: Move to strike the BMAC signature line. Friendly.
 - Hanley: The impact on the transportation budget would be about \$8000. Director of Transportation is not against this because of its equity.
 - Parsons: This issue does need to be addressed.
 - Milton: Can't say for sure that students at BC don't use the Curry Health Center, but none that he knows have used their services.
 - Schei and Hiatt: Minor grammatical amendments, which were called friendly.
 - Milton: Move to amend line 20 to have difficulty utilizing. Passes.

- BM Schafer: Move to strike Rosi Keller. Friendly.
- Grewell: Suggests an opt-in fee structure.
- Corkish: Move to strike “eliminate” in line 26 and replace it with “reassess”
 - Nelson: Move to amend to say “reassess and reduce or eliminate.” Friendly.
- Grewell: Move to amend line 15 to add “outside of Missoula County.” Seconded. Passes.
- Resolution passes 23Y-0N-0A.
- SB63-18/19: Resolution Regarding Striking Section 9.13 and its Subpoints from Fiscal Policy
 - Nelson: Resolution will eliminate the Senate Call function during formal lobbying. It hasn’t been used in a long time, especially not usefully.
 - Hanley: Strike meaningfully in line 15 and replace with successfully. Say “tried to utilize” in line 12. Friendly.
 - President Butler: Move to add “and its Subpoints” to line 37. Friendly.
 - Resolution passes 23Y-0N-0A.
- SB64-18/19: Resolution Regarding Mandatory, Obligatory, Compulsory, Binding, Required, Inescapable, Unavoidable, Necessary, Essential, Imperative, Vital, Crucial, Contractual, Enforceable, Forced Drug Testing for ASUM Executives
 - Hiatt: Authorship.
 - Grewell: Assorted amendments. Friendly.
 - BM Schafer: Amendment. Friendly.
 - Pease: Amendment. Friendly.
 - Resolution fails 3Y-12N-6A.
- SB65-18/19: Resolution Regarding Storage of Nuclear Warheads on Campus
 - Flanagan: Authorship.
 - BM Schafer: Amendment. Seconded. Passes.
 - Nelson: Amendment. Seconded. Passes.
 - Anderson: Amendment. Seconded. Fails.
 - Flanagan: Amendment. Friendly.
 - Resolution fails 2Y-16N-0A.

New Business

Comments

Swearing-In of New Executive Team

Motion to adjourn by Anderson. Seconded by Grewell. Unanimous. Meeting adjourned at 11:33pm.

Daisy Ward
ASUM Senate Secretary