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Documents from the April 17, 1996 meeting of the Associated Students of the University of Montana (ASUM)

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Associated Students
University of Montana

ASUM SENATE AGENDA
April 17, 1996

Mt. Sentinel Room - 9 p.m.

Suite 105
University Center

Missoula, MT 59812
(406) 243-2451

1. **Call Meeting to Order**
2. **Roll Call**
3. **Approval of Minutes - April 3, 1996**
4. **Public Comment**
5. **President's Report - None**
6. **Vice President's Report**
7. **Business Manager's Report**
 - a. Special Allocation Requests
 - b. STIP Requests
 - c. Miscellaneous
8. **Committee Reports**
9. **Unfinished Business**
 - a. SB28-95/96 Resolution to Support the Faculty Four-Plus-Two Plan
 - b. SB36-95/96 Resolution to Oppose Non-UM Personnel Using Campus Recreation
 - c. SB37-95/96 Resolution for an Ethics Board
 - d. SB38-95/96 Resolution to Amend ASUM Personnel Policy, Item 4.5: The ASUM President Selects the Programming Director in Consultation with the ASUM Interview Committee
 - e. SB40-95/96 Resolution to Change ASUM Senate Bylaws Article IV, Section 1G
 - f. SB41-95/96 Resolution Regarding Student Resolution Officer
 - g. SB43-95/96 Resolution Establishing the ASUM Senate's Lack of Confidence in Jason Thielman
 - h. SB44-96/96 Resolution to Establish Policy Requiring All Student Employees Paid with ASUM Monies to be Hired by the Interview Committee
 - i. SB45-95/96 Resolution to Request ASUM Administration to Prepare and Submit A STIP Request for the Purchase of Locking Mailboxes for ASUM
 - j. SB46-95/96 Resolution to Amend Personnel Policy Item 2.3
 - k. SB47-95/96 Resolution to Change Name of UM Productions to ASUM Productions
 - l. SB49-95/96 Resolution to Support Change in Structure of Parking Decal Pricing
 - m. SB50-95/96 Resolution to Investigate the Possibility of Moving Hourly Pay Parking from University Center (LOT F) Parking to Campus Security Office (Lot U) and River Bowl Parking (Lot M) Area Parking
10. **New Business**
11. **Comments**
12. **Adjournment**

ASUM SENATE TALLY SHEET

DATE

April 17, 1996

SENATE MEMBERSROLL
CALL

SCOTT CARLSON
TOM DONNELLY
ROBERT ERICKSON
JENNIFER HENRY
RENEE HILBURN
JEREMY HUETH
VINCE IACOPINI
GREGORY INGRAM
RONALD KELLEY
ALLEN LEE
SEAN MALOON
MICHAEL MATHERN
KEVIN MCCOLLY
JEFF MERRICK
CORY RIGLER
MATT SHIMANEK
JOSH STICKA
DERRICK SWIFT-EAGLE
BEN WOBKER
MATTHEW ZIGLAR

24 11A
SPB 4A
Depart
Committee

P	A	10:14	—				
P	N	10:14	—				
P	—		Y				
P	A		Y				
P	N		Y				
P	N		Y				
P	A		Y				
Excluded	—	at	—				
P	N		Y				
P	N		Y				
unvoted voted	—		Y				
P	N		Y				
P	N	Time?	—				
P	N	10:00	—				
P	N		Y				
P	N		Y				
P	N		N				
Resigned							
Excluded	—		—				
P	Y		Y				

ASUM OFFICERS

MATT LEE
President
DANA SHONK
Vice-President
JASON THIELMAN
Business Manager

Excluded

—		—					
P	Y	Y					
Excl	A	Y					

FACULTY ADVISORS

PROFESSOR AUSLAND
PROFESSOR KIA

P			Y				
—							

ASUM SENATE MINUTES
April 17, 1996
Mt. Sentinel Room

Chair Shonk called the meeting to order at 8:37 p.m. Present: Shonk, Thielman, Carlson, Donnelly, Erickson, Henry, Hilburn, Hueth, Iacopini, Kelley, A. Lee, Maloon (10:01), Mathern, Merrick, McColly, Rigler, Shimanek, Sticka and Ziglar. Excused were Ingram, Lee and Wobker.

The minutes of the April 3 meeting were approved.

Public Comment - None

President's Report - None

Vice-President's Report

- a. Shonk suggested to the Senators that since there were so many resolutions on the agenda that they focus on certain important ones. Senate responded that they preferred to try and address them all.
- b. Shonk (after interviews before Senate earlier in the evening) made a motion recommending Chris Field for the position of UM Productions Director (in the absence of President Lee). A previous question call by Hueth-Hilburn passed, and the motion failed.
- c. Shonk made a motion recommending Cory Atkinson for the position of UM Productions Director. The motion passed.

Business Manager's Report

- a. A Special Allocation request by the UM Ad Team for \$1,500 to cover registration fees for their annual competition passed.

Unfinished Business

- a. SB28-95/96 Resolution to Support the Faculty Four-Plus-Two Plan - killed in committee
- b. SB36-95/96 Resolution to Oppose Non-UM Personnel Using Campus Recreation - sent to committee
- c. SB37-95/96 Resolution for an Ethics Board - tabled until next week
- d. SB38-95/96 Resolution to Amend ASUM Personnel Policy, Item 4.5: The ASUM President Selects the Programming Director in Consultation with the ASUM Interview Committee (Exhibit A). Ziglar's calling of the question was not objected to, and the resolution passed.
- e. SB40-95/96 Resolution to Change ASUM Senate Bylaws Article IV, Section 1G (Exhibit B). Ziglar's calling of the question was not objected to, and the resolution passed.
- f. SB41-95/96 Resolution Regarding Student Resolution Officer (Exhibit C). A previous question call by Iacopini-Hilburn passed, and the resolution failed (2/3 approval needed).
- g. SB43-95/96 Resolution Establishing the ASUM Senate's Lack of Confidence in Jason Thielman (Exhibit D). (This resolution was authored by Shonk, so he passed the gavel to Erickson for consideration of it.) A previous question call by Shimanek-Rigler failed. A previous question call by Mathern-Hilburn passed. The resolution failed 11-2 with four abstentions on a roll call vote.
- h. Shonk-Sticka moved to have the Business Manager formulate a policy regarding COT monies. An objection to consideration by Kelley was not supported. Henry-Rigler moved to suspend House Rules to consider the motion. A brief recess was called for the chair to research the necessity for suspension. After reconvening the Chair recognized Maloon's arrival and ruled that suspension of House Rules was not necessary. Shonk restated his motion to formulate a policy of COT monies into Fiscal Policy. A motion by Hueth-Sticka to commit the motion to Budget and Finance passed.
- i. With no objection, Thielman noted that a member of the Woodsmen Team was present and asked Senate to consider their STIP request of \$2,493 to

ASUM Senate Minutes

April 17, 1996

page two

purchase four chainsaws. A previous question call by Hilburn-Iacopini passed, and the request passed.

- j. A motion by **Henry-Hueth** to have Comments before adjourning passed.
- k. **Hueth** asked to move to Committee Reports, which met with no objection.

Committee Reports

- a. Hueth requested the following additions to Elections Committee, which Senate approved: Ben Miller, Peter Baker, Dixie Dishon. He reminded Senators that the primary will be held next Wednesday, April 24, and asked for Senators not running to sign up to help at polling sites.
- b. Hueth asked to add Renee Hilburn to ASUM Affairs, which Senate approved.

Unfinished Business (continued)

- l. SB44-96/96 Resolution to Establish Policy Requiring All Student Employees Paid with ASUM Monies to be Hired by the Interview Committee - tabled indefinitely
- m. SB45-95/96 Resolution to Request ASUM Administration to Prepare and Submit A STIP Request for the Purchase of Locking Mailboxes for ASUM - not considered
- n. SB46-95/96 Resolution to Amend Personnel Policy Item 2.3 - not considered
- o. SB47-95/96 Resolution to Change Name of UM Productions to ASUM Productions - tabled indefinitely
- p. SB49-95/96 Resolution to Support Change in Structure of Parking Decal Pricing - not considered
- q. SB50-95/96 Resolution to Investigate the Possibility of Moving Hourly Pay Parking from University Center (LOT F) Parking to Campus Security Office (Lot U) and River Bowl Parking (Lot M) Area Parking - not considered

New Business

- a. Resolution to change House Rules Article II
- b. A motion by **Iacopini-Sticka** to suspend House Rules to consider a motion to change Personnel Policy passed. The motion requested a change in Item 3.0 to increase the Radio Music Director's hours from 25 to 40 hours per month and the Radio News Director from 50 to 60 hours per month. **Hilburn's** calling of the question faced no objection, and the motion passed.
- c. Resolution for Senators to receive academic credit hours
- d. Resolution to amend Fiscal Policy 17.11
- e. Resolution to reintroduce SB37
- f. Resolution to abolish SPA
- g. Resolution for Constitutional referendum on Articles 3 & 4
- h. Resolution for Constitutional referendum on Article 6
- i. Resolution for Constitutional referendum on Article 9
- j. Resolution to change Personnel Policy 4.1
- k. Resolution on ASUM Resolution Officer
- l. Resolution to reintroduce SB47
- m. Resolution for removal of ASUM Business Manager
- n. Resolution to abolish position of ASUM Business Manager
- o. Resolution for Senate to oppose Amendment 30 re: Board of Regents

Comments

The Chair adjourned the meeting at 10:50 p.m.

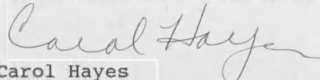

Carol Hayes
ASUM Office Manager

Exhibit 7

SB 38

Resolution to amend ASUM Personnel Policy, Item 4.5: *The ASUM President selects the Programming Director in consultation with the ASUM Interview Committee.*

WHEREAS: There is, presently, no language in Personnel Policy instructing the ASUM President or Senate to consult the Programming Director or Productions Advisor in considering the appointment of a new Director.

WHEREAS: The Programming Director and Productions Advisor are, arguably, the two most qualified persons on campus to determine the best candidate to succeed the Programming Director.

WHEREAS: Future ASUM Administrations and Senate may possess the great insight and wisdom that is characteristic of the current ASUM bodies and therefor, may not naturally reach such an obvious conclusion of their own accord.

THEREFORE: Let ASUM Personnel Policy, Item 4.5, be amended to read: *The ASUM President selects the new Programming Director in consultation with the ASUM Interview Committee and out-going Programming Director and Productions Advisor.*

Passed
4/17/96

Exhibit B

SB40

RESOLUTION TO CHANGE ASUM SENATE BYLAWS ARTICLE IV, SECT 1:G

Whereas: There exists a discrepancy between the ASUM Constitution and the ASUM Bylaws,
and

Whereas: In instances of discrepancies between these documents, the ASUM Constitution shall
be the ruling document (See Constitution Article 13, Sect 1).

Therefore let it be resolved:

That the ASUM bylaws, Article IV, Section 1, Subsection G read:

- G. All chairs and members of committees and boards shall be recommended by the President,
in consultation with the Vice President, and confirmed by the Senate by a two-thirds (2/3)
majority vote.

Authored by ASUM Senator Jennifer Henry

Passed
4/17/96

Exhibit C

SB 41 RESOLUTION REGARDING STUDENT RESOLUTION OFFICER

Whereas, The current format governing the Resolution Officers length and time of appointment make it difficult to provide students with qualified and timely representation, and,

Therefore Let It Be Resolved That, Personnel Policy 4.16 shall read:

The Student Resolution Officer is responsible for overseeing the resolution procedure outlined in Article 21 of the UTU Bargaining Agreement. The position shall be hired by the end of April through the Selection Procedure, Item 7.0. The position will be for two years subject to review after one year. The review will conducted by the selection committee. If the person is not found desirable for a second year than the position is open. More specifically, the officers' duties include, but are not limited to, the following:

Authored by Dana Shonk

Failed
4/17/96
Reintroduced & Passed
5/1/96

Thielman
SB 43-95/76

RESOLUTION ESTABLISHING THE ASUM SENATE'S
LACK OF CONFIDENCE IN JASON THIELMAN

*WHEREAS THE DUTIES OF THE BUSINESS MANAGER PURSUANT THE GOVERNING DOCUMENTS OF ASUM
INCLUDE:*

- a) "[to] be responsible for keeping accurate records of the accounts of ASUM and all organizations receiving funds from ASUM" (ASUM Constitution, Article 3, Section 4(b)).
- b) "[to] be responsible for overseeing the safekeeping of any ASUM property received by an organization" (ASUM Constitution, Article 3, Section 4(c)).
- c) "[to be] required to carry out the duties for that office as outlined in the Constitution, Bylaws, Personnel Policy, and Fiscal Policy. The Business Manager Shall:
 - ...c) serve as chief officer of the accounting of ASUM and set policy for that office;
 - ...e) have the additional duty of advising the organizations funded by ASUM as well as oversee their budgets"(ASUM Personnel Policy 4.14).
- d) "All officers must carry out their duties as listed in the Constitution" (ASUM Bylaws, Article 2, Section 2).

WHEREAS, Implicitly, the ASUM governing documents expect the execution of these aforementioned duties in an expedient and timely fashion.

WHEREAS THE DUTIES OF THE SENATE INCLUDE:

"[to] approve all ASUM policies" (ASUM Constitution, Article 4, Section 3(f)).

"The Fiscal Policy recommendation shall be submitted by the Business Manager to ASUM Senate for its approval" (ASUM Constitution, Article 4, Section 3(a)).

WHEREAS ASUM CONSTITUTION GOVERNS ASUM FINANCES SUCH THAT:

"The Association shall be supported and maintained by funds derived from . . . proceeds derived from the associated organizations" (ASUM Constitution, Article 8, Section 1).

"The fees, donations, and receipts from any source are to be used only for the purposes of ASUM under the control of the ASUM Senate" (ASUM Constitution, Article 8, Section 5).

FACTS

WHEREAS, The ASUM Business Manager Jason Thielman "authorize[d] the College of Technology Affairs (CTA) committee to institute a five dollar locker fee" (see attached memo of Jan. 29th, 1996).

WHEREAS, The Business Manager failed to submit this policy to the Senate for authorization.

Failed
4/17/96

WHEREAS, Representatives of the CTA committee assessed and collected fees pursuant to the unauthorized policy created by the Business Manager in the attached memorandum.

WHEREAS, Monies generated by this fee were stored in a room that is accessible to students, is often used as a student study area, and a substantial number of students possessed keys to this room.

WHEREAS, The Business Manager, after allowing representatives of the CTA committee to collect fees, failed to execute his own policy and collect these fees for ASUM.

WHEREAS, Monies from these fees remained in this insecure storage area, in cases for over a month, without action by the Business Manager to remedy the situation required by governing documents (see Exhibit A).

WHEREAS, The ASUM President and Vice-President upon discovering the predicament remedied the situation and collected the monies and submitted them into the ASUM accountant.

THEREFORE LET IT BE RESOLVED:

1. The Business Manager Jason Thielman
 - a. instituted a policy that lacked the authorization of the Senate, in clear violation of ASUM governing documents, including the ASUM Constitution;
 - b. failed to ensure the policy was adequately executed, in clear violation of his Constitutional duties as Business Manager;
 - c. thus inciting a predicament wherein ASUM monies were in serious jeopardy.
2. The Business Manager violated the ASUM Constitution, Article 4, and thus usurped the duties of the Senate by failing to have his fiscal policy concerning the College of Technology authorized by the Senate.
3. The Business Manager violated the ASUM Constitution, Article 8, and thus undermined the general spirit of how student funds ought to be overseen by failing to ensure that funds were collected in a timely manner under the control of a policy authorized by the Senate.
4. Any one of these violations, taken in their singularity, are merely grounds for some concern, but all of these violations, taken in their entirety, are a clear sign of:
 - a. blatant disregard by the Business Manager of the power vested in him by the members of the ASUM,
 - b. a clear lack of concern for the duties charged to him by the Constitution, Bylaws, Fiscal Policy and Personnel Policy.

THEREFORE LET IT FURTHER BE RESOLVED:

The ASUM Senate censures Jason Thielman and finds no confidence in his ability to perform and continue the execution of his duties as ASUM Business Manager as defined by the ASUM governing documents.

Authored by Dana Shonk

TO: Sean Maloon, Chair College of Technology Committee

FROM: Jason Thielman, Business Manager

DATE: January 29, 1996

RE: Locker Fee's

ASUM authorizes the College of Technology committee to institute a five dollar locker fee. The five dollar fee is consistent with the locker fee system used by the College of Technology student government prior to the merger.

All funds generated by the fee will be made to ASUM, College of Technology and deposited to account number 7003.

Thank-you.

CC: Erik Myers, Gail Shackelfurd, Jeffrey Krott, Paula Hallaford, Michelle Lasaka