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Documents from the November 3, 1993 meeting of the Associated Students of the University of Montana (ASUM)

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ASUM SENATE AGENDA
November 3, 1993
Mt. Sentinel Room

1. Call Meeting to Order
2. Roll Call
3. Approval of Minutes - October 27, 1993
4. Public Comment
5. President's Report
 - a. Western Virginia University
 - b. Lobbyist Interviews
6. Vice President's Report
 - a. Committee Appointments
 - b. General Announcements
7. Business Manager's Report
 - a. Fiscal Policy Changes
8. Committee Reports
9. Unfinished Business
 - a. SB65 Resolution to Provide A Permanent Funding Source for UM Advocates and Consistent Funding for Escort Services - tabled
 - b. SB77 Resolution to Support Faculty in UTU Negotiations - in committee pending letter
 - c. SB82 Resolution to Direct the Student Health Service Advisory Comm. - in committee
 - d. SB97 Resolution to Allow for Discharge Petitions - returned to author
 - e. SB98 Resolution to Place Voting Procedures into House Rules - pending CRB meeting
 - f. SB100 Resolution to Keep Senate Meeting Agenda and Senate Bills at the Senate Table on Wednesdays
 - g. SB101 Resolution to Support Veterans Day
 - h. SB102 Resolution to Amend Article IV, Section 1(J) in Bylaws
 - i. SB103 Resolution to Define a "Tie"
 - j. SB104 Resolution Supporting Amended Policy on Sexual Assault and Rape
 - k. SB105 Resolution Supporting Amended Affirmative Action Plan
10. New Business
11. Comments
12. Adjournment

ASUM SENATE TALLY SHEET

DATE

November 3, 1993

SENATE MEMBERSROLL
CALL

JOSH ARNOLD
 ELDENA BEAR DON'T WALK
 DONIELLE BOYLE
 JAMES BROWN
 TIM CROWE
 MOHAMMAD FAROOQUI
 SHAWN FAST
 ALLISON GRANT
 BETTY GREGORY
 JODY HAMMOND
 EVAN KATZMAN
 HILARY KUNTZ
 JON LINDSAY
 MICHELE MATHER
 JENNIFER PANAS/AUK
 ALISON REDENIUS
 BENJAMIN REED
 TANA ROGERS
 TERESA SCHLOSSER
 LEWIS YELLOW ROBE

P	Y	P	P	Y			
6:09	N	P	P	Y			
P	N	P	P	Y			
P	Y	P	P	Y			
P	N	P	P	Y			
P	Y	A	P	Y			
P	A	P	P	Y			
6:09	N	P	P	Y			
P	Y	P	P	Y			
P	Y	P	P	Y			
6:06	Y	Ext. used	Ext. used	Y			
P	Y	P	P	Y			
6:05	Y	P	P	Y			
P	Y	Ext. used	Ext. used	-			
Ext. used	-	-	-	-			
P	Y	A	P	Y			
P	Y	P	P	Y			
6:05	N	P	P	Y			
P	N	P	P	Y			
P	Y	A	P	Y			

ASUM OFFICERS

J. P. BETTS
 President
 JOLANE FLANIGAN
 Vice-President
 ED HOFFMAN
 Business Manager

P	Y	P	P	Y			
P	-Y	P	P	Y			
P	Y	P	P	Y			

FACULTY ADVISORS

PROFESSOR AUSLAND

P	-	P	P	Y			
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ASUM SENATE MINUTES
November 3, 1993
Mt. Sentinel Room
6:00 p.m.

Chair Flanigan called the meeting to order at 6:02 p.m. Present: Betts, Flanigan, Hoffman, Arnold, Bear Don't Walk (6:09), Boyle, Brown, Crowe, Farooqui, Fast, Grant (6:09), Gregory, Katzman (6:06), Kuntz, Lindsay (6:05), Mather, Reed, Rogers (6:05), Schlosser and Yellow Robe. Excused was Panasuk.

The minutes of the October 27 meeting were approved.

Public Comment - None

President's Report

- a. Senators Fast, Redenius and Boyle volunteered to help with the two student government visitors from West Virginia University.
- b. Interviews for the lobbyist position will commence at 6 p.m. Monday, November 8. Three candidates will be interviewed.
- c. Betts requested that the Senators make sure their computer is turned off at the end of the day.
- d. Some Faculty Senators and ASUM Senators will meet at noon tomorrow in 360J to discuss common issues and structure for a joint committee.

Vice-President's Report

- a. The following slate of committee nominees were approved by Senate: Graduate Council Committee - Kay Woodworth, Lisa McKenzie, Peg Plimpton, Donya Haas; SPA - Sarah Akhtar.
- b. Pantzer award suggestions should be given to Flanigan.
- c. Flanigan reported on the ACUI Conference she attended last week.
- d. A Senate table sign-up sheet was circulated.

Business Manager's Report

Betts-Farooqui moved to approve fiscal policy changes submitted by Budget and Finance (Exhibit A). Senate approved.

Committee Reports

- a. Lindsay of UC Board reported that architects are being interviewed prior to selection for UC renovations. Copper Commons may close on weekends due to loss of income.
- b. Lindsay reported that the Constitutional Review Board ruled on Flanigan's petition that the resolution in question will stand. A position paper is being written by CRB member David Cox.
- c. Mather of the Interview Committee announced that Redenius will replace her for the lobbyist interviews.
- d. Brown did not attend the Campus Development Committee meeting. University Affairs Committee will be meeting with UTU representative McCleary every other week to determine meeting strategy.
- e. Crowe of UC Board reported that AIDS Awareness Day on December 1 from 9-3 has been approved.
- f. Director Johnson of SPA brought two resolutions to Senate as seconded motions: 1) SB106 Resolution to Financially Support Nicholson's Suit Against Montanans for Better Government (Exhibit B). (10-minute

recess) A previous question call by **Farooqui-Reed** failed. A friendly amendment by **Redenius** to change the amount from \$5,000 to \$2,500 was accepted. A previous question call by **Reed-Farooqui** failed. A previous question call by **Grant-Lindsay** passed. The resolution passed on a roll call vote of 15 yes, 6 no, 1 abstention, with the Chair voting yes. 2) SB107 Resolution to File an Amicus Curie in the Montanans for Responsible Government Suit - withdrawn upon passage of first resolution.

- g. Brown reported University Affairs tabled the Resolution Supporting Amended Affirmative Action Plan. He then called on Nancy Borgmann to speak on the policy since she was present and may not be available when the resolution is considered by Senate. She explained the policy and its history and fielded questions.
- h. Advisor Ausland noted that ASUM policy calls for two advisors and suggested Prof. Mehrdad Kia fill the second position. This will be addressed at next week's meeting.

(10-minute recess)

Unfinished Business

- a. SB65 Resolution to Provide a Permanent Funding Source for UM Advocates and Consistent Funding for Escort Services - tabled.
- b. SB77 Resolution to Support Faculty in UTU Negotiations - in University Affairs Committee for a rework of letter.
- c. SB82 Resolution to Direct the Student Health Service Advisory Committee - in committee.
- d. SB97 Resolution to Allow for Discharge Petitions - in committee
- e. SB98 Resolution to Place Voting Procedures into House Rules - Tabled.
- f. SB100 Resolution to Keep Senate Meeting Agenda and Senate Bills at the Senate Table on Wednesdays (Exhibit C). A previous question call by **Brown-Farooqui** passed. Upon immediate vote, resolution passed.
- g. SB101 Resolution to Support Veterans Day (Exhibit D). A friendly amendment by **Mather** to add "and Columbus Day be the first choice to be replaced by Veterans Day" at the end was accepted. Resolution passed.
- h. SB102 Resolution to Amend Article IV, Section 1(J) in Bylaws. A motion by **Hoffman-Reed** to return resolution back to committee passed.

(5-minute recess)

Mather was excused for remainder of meeting.

Grant called for a roll call - 17 present (see ASUM Senate Tally Sheet).

- i. SB103 Resolution to Define a "Tie" - killed in committee.
- j. SB104 Resolution Supporting Amended Policy on Sexual Assault and Rape (Exhibit E). **Hoffman** called for a roll call before questions/discussion - 20 present (see ASUM Senate Tally Sheet). Resolution passed.
- k. SB105 Resolution Supporting Amended Affirmative Action Plan - in committee.

New Business

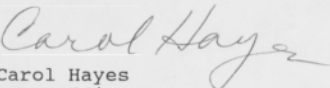
- a. Resolution Revising ASUM Fee
- b. Resolution to Amend Bylaws
- c. Resolution to Pay Senators

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- d. Resolution to Support Restructuring
- e. Resolution for Two Elections per Year

Comments

The meeting was adjourned at 10:17 p.m.


Carol Hayes
ASUM Office Manager

FISCAL POLICY CHANGES FOR 1993-1994

ITEM 1.1

CHANGE: The words "these student funds" **TO:** "the student activity fee"

EXPLANATION: The wording, student funds, has raised questions as to whether this money is State or student. In talking with Rosi Keller, this money is in fact State money because it is collected through the University/State of Montana. Changing the wording to student activity fee will tell exactly what the money is and where it originates from.

ITEM 2.2

ADD: M. "Administrative Assessment" are the monies paid to the University for services related to general administration.

N. "General Fund Support" are funds provided by the University to support identified organizations. This amount is set by the President of the University and the President of ASUM.

NOTE: For further definition of these terms refer to Memorandum of Understanding in the Fiscal Policy File in Office Managers file.

EXPLANATION: These definitions solidify the definitions and purposes of these two items.

ITEM 6.1

CHANGE: ASUM shall collect, allocate and monitor the use of student activity fees, **TO:** ASUM shall allocate and monitor the use of student activity fees.

EXPLANATION: ASUM does not collect the student activity fee, the University collects the fee, then ASUM monitors the placement of the money.

ITEM 6.4

CHANGE: During the third academic week of Spring Semester, the Business Manager and the Accountant, in consultation with the University Controller's Office, shall determine the total allocation figures for the upcoming fiscal year. **TO:** During the third academic week of Spring Semester, the Business Manager and the Accountant shall determine the total allocation figures for the upcoming fiscal year. This shall be done by determining the actual activity fee income for the prior fiscal year and thereby budgeting 100% of that amount. The administrative assessment expenditures and special allocation expenditure budgets must be included in this amount.

EXPLANATION: In talking with Marlene, the present Accountant, she said that the University Controller's office has not been part of the budgeting process. The method of looking at the prior year income has been used in the past and is a sound method.

ITEM 6.4A

ADD: In Allocating the General Fund Support monies the Senate shall consider in range of priorities these groups: 1) UM Escort Service, 2) UM Advocates, and then any other organization categorized as a Broad Based Student Service.

EXPLANATION: This addition will solidify the funding source for the Escort Service and Advocates. It also directs the General Fund Support to desired organizations.

ITEM 6.8

CHANGE: The executive recommendation may...or mandated salary step increases conflict... TO: The executive recommendation may... or mandated salary increases conflict...

EXPLANATION: This is done because there is currently no step system in place.

ITEM 7.3

CHANGE: The Business Manager and/or Office Manager shall approve...TO: The Office Manager or Accountant, under direction of the Business Manager, shall approve...

EXPLANATION: The purpose of the accountant is some what nullified if he/she can not approve expenditures. A little history: In the 1987 Fiscal Policy read: ALL expenditures must have prior ASUM approval...; after 11/88 it was changed to The Business Manager shall approve expenditures...; then in 1992 it was changed to the current wording. It is my perception that the change in '88 was due to some fiscal problems with the Accountant and Business manager. I feel that you have to give the accountant this power, so the accountant can perform their duties.

ITEM 7.5

CHANGE: Any unexpended amounts remaining... will revert to the General Fund... TO: Any unexpended amounts remaining... will revert to Zero Base Carryover...ALSO: Delete Child Care Accounts 7030,31,33.

EXPLANATION: Currently this money is put into Zero Base Carryover and not into General Fund account. Child care is on one account.

ITEM 7.6

CHANGE: A) These meetings shall be attended by the Accountant in order... TO: These meetings may be attended by the Accountant in order... AND: B) Delete item number one in the Exceptions.AND: C)Delete the numbers 30/31/33 on the Child Care accounts, and delete 7592 and Homecoming line.

EXPLANATION: A) It should be up to the Board and Business manager as to if they need or would like the Accountant at the meetings; in the past it has not been necessary. B) The homecoming committee activities have been taken over by Programming, so it is not necessary to have an account. C) Child care only has one account with ASUM.

ITEM 7.7

CHANGE: Any deficit incurred by ASUM Programming or any ASUM member group...TO:Any deficit incurred by any ASUM member group...AND: Change the words, Programming and/or Programming department, to that group and/or ASUM group, respectively.

EXPLANATION: If you read through this section as it currently reads, you would find that ASUM programming is responsible for all debts incurred by any ASUM group. These changes will make the group in debt responsible for those debts.

ITEM 10.2

CHANGE: Delete this ITEM all together, and renumber ITEM 10.3 to 10.2.

EXPLANATION: When looking at this accounts status there is rarely any extra funds, also it is a dangerous situation to allow this fund to be used for other uses other than its primary purpose.

ITEM 11.0

CHANGE: Delete this ITEM along with 11.1

EXPLANATION: The ASUM currently does not have such a fund because it was a unnecessary slush fund.

ITEM 12.5

CHANGE: If all three ASUM elected officers are absent for more than two days, the Accountant and/or Office Manager can approve budgeted travel expenditures. TO: The Office Manager or Accountant, under direction of the Business Manager, may approve budgeted travel expenditures.

EXPLANATION: Currently all budgeted travel expenditures are approved by the Accountant or Office Manager whether there is or is not an executive present. This change would make these actions within policy and would relieve unnecessary processes.

ITEM 19.6

CHANGE: ...,the Board shall appoint one of its members to serve as chief administrator. TO: ...the Accountant in consultation with an appointed member of the Board shall serve as Chief Administrator.

EXPLANATION: I do not feel that an appointee from the Board would be able to competently serve this role: also, they may not be available during the day to complete this job. This change would give the Accountant the ability to approve loans, and the Board would still be informed of those decisions.



Student Political Action

RESOLUTION TO FINANCIALLY SUPPORT NICHOLSON'S SUIT AGAINST MONTANANS FOR BETTER GOVERNMENT

Whereas, Montanans for Better Government have suspended the state income tax increase, forcing a special session of the Legislature to cut as much as \$72 million from the state budget, and...

Whereas, it is likely there will be significant cuts to the University System which will be passed on to students in the form of increased tuition and reduced educational resources, and...

Whereas, Montanans for Responsible Government are defendants in a suit before the Montana Supreme Court questioning the constitutionality of this use of the petition process, and...

Whereas, a ruling by the court allowing the state to collect the tax until the general vote next November would allow the Legislature more flexibility in funding the University System, which could benefit students, and...

Whereas, ASMSU and ASEMCA have joined the suit and ASUM have also been invited to join the suit as defendants, and...

Whereas, Natelson and Montanans for Better Government have initiated a second suit against the Board of Regents seeking to bar student governments from using their funds to enter lawsuits or for other political activities, and...

Whereas, this other lawsuit is an attack against ASUM's ability to safeguard and further student interests through legal action or other actions that might be considered political, and...

Whereas, it is in the best interest of students of this University for ASUM to join this suit as defendants along with our fellow student government.

Therefore Be It Resolved:

That ASUM be named as defendants by contributing the sum of equivalent to that given by ASMSU and ASEMCA of approximately 50 cents per student (\$5000) to the lawyer representing the defendants.



Student Political Action

RESOLUTION TO FILE AN AMICUS CURIE IN THE MONTANANS FOR RESPONSIBLE GOVERNMENT SUIT

Whereas, Montanans for Better Government have suspended the state income tax increase, forcing a special session of the Legislature to cut as much as \$72 million from the state budget, and...

Whereas, it is likely there will be significant cuts to the University System which will be passed on to students in the form of increased tuition and reduced educational resources, and...

Whereas, Montanans for Responsible Government are defendants in a suit before the Montana Supreme Court questioning the constitutionality of this use of the petition process, and...

Whereas, a ruling by the court allowing the state to collect the tax until the general vote next November would allow the Legislature more flexibility in funding the University System, which could benefit students, and...

Whereas, ASMSU and ASEMCA have joined the suit and ASUM have also been invited to join the suit as defendants, and...

Whereas, Natelson and Montanans for Better Government have initiated a second suit against the Board of Regents seeking to bar student governments from using their funds to enter lawsuits or for other political activities, and...

Whereas, this other lawsuit is an attack against ASUM's ability to safeguard and further student interests through legal action or other actions that might be considered political, and...

Whereas, by not joining the lawsuit as defendants for financial reasons some persons might assert that the ASUM Senate does not believe it should assert its right to undertake actions to protect the interests of students, does not stand in solidarity with ASMSU and other supporters of higher education, and is not interested in trying decrease financial hardship to students due to cuts to the University Systems, and...

Whereas, some clarification of the ASUM Senate's intention is in order, and by filing an amicus curie the Senate could make a public declaration without becoming defendants

Therefore Be It Resolved:

That while the Associated Students of the University of Montana are not joining the suit as defendants at this time for monetary reasons, we stand in agreement along with Montanans for Responsible Government, the Associated Students of Montana State University and the Associated Students of Eastern Montana College on the principles involved in this lawsuit. Moreover, the Associated Students of the University of Montana stand in solidarity with their fellow student governments on the principle that student governments should be able to use their funds to pursue legal redress in the interest of student wellbeing. Therefore should the case reach the Supreme Court ASUM direct Legal Services to file an amicus curie with the court to this effect.

Yes _____

No _____

Abstain _____

October 29, 1993

**RESOLUTION TO KEEP SENATE MEETING AGENDA AND SENATE BILLS AT THE
SENATE TABLE ON WEDNESDAYS**

Whereas students at large must be kept informed about the senate meeting
businesses;

Whereas senate table in U.C. on Wednesdays is not serving the purpose of
communicating with students at large;

Whereas students should be given some time to think about senate bills before they
express their opinion (during public comments) in the senate meeting;

Therefore be it resolved that copies of Senate Meeting Agenda and all the introduced
senate bills (old business) are kept at the senate table on wednesdays from
10:00 am to 2:00 pm.

Sponsored by
Mohammad Farooqui
J.P. Betts

100

RESOLUTION TO SUPPORT VETERANS DAY

WHEREAS Approximately ten percent of Univrsity of Montana students are veterans, and

WHEREAS Veterans day is the one day within the UM school year on which to show our support of veterans, and

WHEREAS Veterans day is a national holiday.

BE IT RESOLVED that ASUM supports the reinstatement of Veterans day as an official University of Montana holiday *and*
Columbus Day is the first choice to be replaced by Veterans Day.

Sponsored By: Teresa Schlosser
Jon Lindsay
10-29-93

Resolution Supporting
Amended Policy on Sexual Assault
and Rape

Whereas The University of Montana Policy on Sexual Assault and Rape has undergone significant revision, and

Whereas most of the language within the original policy which was not compatible with the University's identity as an institution of higher learning have been altered or excised,

Be It Resolved that the ASUM Senate does approve of this policy in its present form.

Sponsored by Ben Reed
29 Oct 93