

Senate Steering Minutes
Date: November 6, 2006
3:30PM – HUB 204N

I. Call to Order and Roll Call

Meeting called to order at 3:35pm.

Hala Dillsi – present.
Mikhail Smirnov – present.
Charles Cadwallader - present.
Alex Gwozda- present.
Sam Al-Khoury - present.
Erin Shields - present.
Rene Singleton – proxy by Phil Hunt
Cullen White – present.
Jessica Kang - present.
Jono Hanks – present.
Stephanie Adler – present.
Melissa Aar – not present.
Selma Dillsi – present.
Jon Solomon – present.

II. Approval of the Agenda

Jono moved to put General Discussion after Officer's Report. *Seconded. Passed without objection.*

Sam moved to approve agenda as amended. *Seconded. Passed without objection.*

III. Chair's Report

Hala passed around copies of the rules and by-laws for each member. She asked members to keep Steering meeting packets that include agendas in their binders. She said Steering should not be kept past 5 o'clock most days. She reminded Committee Chairs that the by-laws say they need to have one office hour per week. She asked chairs to send their office hour to **Hala** by the next Steering. She said she is supposed to meet with each committee chair twice a quarter, and passed around her schedule. She hopes that the emails are helpful, and asked for any questions.

IV. Officers' Reports

Mikhail said he talked with **Cullen** about getting in touch with **President Emmert**. He said we do not have a public forum this week, but a lot to get done nevertheless. He said that some people have suggested that they disagree with **Mikhail's** treatment of the

Organic Acts and may have skepticisms of him in his role as Vice Chair. He invited anyone to talk to him if they have concerns.

Alex said that currently the online forum requires a UW NetID, and the ASUW tech specialist, **Josh**, explained it would involve a lot of coding for each board software revision to maintain a public-viewable but ASUW NetID-postable webboard.

Hala asked about other options

Alex said he does not know of any that are practical.

Sam asked for clarification about difficulty.

Alex clarified that it would be difficult to have public board viewability while still having UW NetID restricting posting.

Charles asked committee chairs to tell him if a member has no placard. He said he had five more commuter senators approved, but only one turned in a seat renewal form so far. He said he will be uploading a plain spreadsheet of members for now.

General Discussion

Hala asked about Wednesday afternoon for future steering meetings.

Jon Solomon said Hall Caucus is 4:30 on Wednesdays.

Hala noted this.

Hala said the committee Vice Chair can automatically take the place of chairs.

Hala asked for ideas about encouraging participation in committees.

Stephanie said her committee was great, but it would be helpful if they can read over legislation beforehand.

Selma asked for legislation to be sent out before committee for them to read beforehand and bring to committee.

Jono said all four of his senators talked, because there were so few.

Jon said it went fairly well, and could all face each other in a circle. He said it was good when some knew more than others about the legislation and could explain to each other. Senate social events got people excited.

Hala emphasized that it should be fun, and it would be good if they had some knowledge about legislation beforehand.

Jono said one senator approached him about possible legislation about on-campus food.

Hala said they have very dedicated people who will stay a long time for the meeting, because people tend to leave about 7. But **Hala** said instead of ending when voters leave, committee chairs should motion to adjourn when they sense when people are leaving. **Hala** said people will feel more ownership if they don't start something without finishing. **Hala** encouraged objection if they feel there is interest in continuing.

V. Legislative Referral

2nd Readings: OA-13-2: An Act to Implement Constitutional Amendment Procedure

Hala said they will read Pro's and Con's before the Senate.

Rod said he was sorry about causing problems with his legislation, but he entertains a motion to watch his presentation on the complicated issue.

Stephanie moved to watch the presentation. *Seconded. Passed without objection.*

Presentation by Rod Palmquist

Rod said last year the Senate was given the power to propose amendments to the ASUW Constitution. He said the judicial committee shall "review" ballot titles and recommend changes if necessary. **Rod** said "review" is not defined in the constitution when applied to Senate. He said interaction between Senate and Judicial Committee is not defined in Articles 13 & 14 about elections and by-laws.

He said the problem is that Senate has the power to approve constitutional amendments, but it does not specifically define the process. He said the by-laws do not elaborate.

He said they should look directly at the constitution, since information is not in the by-laws or Senate by-laws. They could mimic Judicial's interaction with the Board of Directors, although those interactions do not refer at all to Senate. He said the ballot included statements explicitly stating that Senate initiative amendments "would not be subject to amendment or veto by the Board of Directors."

He says that the Constitution does say that Judicial shall "verify that all actions and decisions of the ASUW comply" with ASUW Articles, Constitution, and Bylaws.
[Article X, Section 2 B 4.d]

Rod said one way Judicial can comply with the Constitution is by not placing initiative amendments on the ballot if they aren't properly phrased.

He said it is appropriate that a mechanism for Senate and Judicial interaction be created in the Senate by-laws. He says, then, that an Organic Act must be written amending the Senate By-laws to create such a mechanism.

He said his first proposition (OA 13-2) should not be considered and he feels it is lacking. He said he was going off a constitution copy that was outdated. He asked which of two other plans would be better.

He said he also thinks OA-13-4 has flaws, and said OA-13-2 does not address how to interact with judicial. He said in a That clause, any amendment proposed by the ASUW senate should be proposed to Judicial for review. Nothing in the act says what to happen if Judicial rules that it is improperly phrased. He said there's no mechanism for how this should be resolved.

He said OA-13-4 adds key aspects of how to interact with Judicial Committee.

He said OA-13-4 addresses problems with Judicial and addresses concerns of publicity.

He concluded that steering should present OA-13-4 along with OA-13-2, that steering should strike OA-13-3 Whereas and That clauses and replace with OA-13-4's content, and then Steering should table OA-13-4 indefinitely. He said he said he wrote this to be in the better interest of Judicial.

Hala said they now would review OA-13-2.

Charles said in clarification that if OA-13-3 were replaced with OA-13-4 content, it would demand Pro's and Con's today.

Hala said it cannot be tabled after being moved to be reconsidered.

Mikhail moved to consider OA-13-2 and OA-13-3 informally, without minutes, for a couple minutes. He said during informal consideration they could not make amendments. *Seconded; second withdrawn.*

Rod asked if they'd consider OA-13-3 as-is or as it may be.

Rod asked if OA-13-4 could be tabled indefinitely during informal consideration.

Charles said he thinks they can table it until the end of the meeting.

OA-13-2

Rod asked if it's possible to temporarily move to 13-3.

Hala said yes if someone makes the motion.

Mikhail moved to consider OA-13-2,-3,-4 informally side-by-side for 20 minutes, for which minutes are not taken since it is informal.

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Jon moved to exhaust speaker's list in informal discussion.

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Rod asked if he can respond to something dealing with OA-13-3.

Hala said no.

Rod said it would be a general comment.

Hala consented.

Rod said he remembered reading that Senate has sole authority over their by-laws, and the point is that the by-laws are based on the constitution.

Hala called **Rod** out of order on discussion.

Laura strongly encouraged someone to figure out a way to not send this to the floor, because she is worried about multiple pieces of legislation going before Senate. She asked if there can be just one of the several presented to Senate.

Hala said by-laws could not be suspended.

Erin said from Senate rules that no committee may suspend the rules.

Erin asked **Mikhail** about OA-13-2. She asked if the by-laws say that it has to be reviewed by Judicial, she is concerned that nothing in the rules talks about the Judicial committee.

Mikhail said he was under the impression that every amendment to the Constitution would go through the exact same process. He wants to create a simple process.

Erin said that part would be amended in Senate by-laws that proposing initiatives by 3/4s and to judicial for approval, but there is no process about details of when this process takes place.

Laura agreed that whatever approach will be taken to refer to Judicial should be laid out in Senate's rules.

Mikhail said that after an amendment has been proposed, it then goes to Judicial. He said after Senate proposes an amendment, it then follows Constitutional rules. He said

that the interaction with Judicial while the proposal is still being formed is good, but should not be mandatory for it can cause problems.

Travis Grandy said his concern is that Steering is debating the merits of the act.

Jon asked which Organic Acts are going to the floor tomorrow.

Hala said both, with Steering's Pro's and Con's.

Erin said it should be stated when in the process Judicial is consulted.

Rod said he wanted to stress that going back and forth with Judicial before the proposal is formed can cause problems. He said he disagrees that all Constitutional amendment proposals should go through Board of Directors and Judicial, and this raises the huge issue of the independent power of Senate. He said a consistent reading shows that the constitutional phrase "with signatures" does not refer to Senate.

Laura said there needs to be further research to help formulate a process within the by-laws and rules to consistently create a process. **Laura** said last year's Senate constitutional Amendment had this recommendation, but said the amendment doesn't reflect the recommendation: it said it would not be subject to amendment by Board of Directors. She said she thinks it would be easier to bring through as a Senate Board bill. She highly recommended getting a process discussed and worked out before considering legislation.

Hala said in many places things are inconsistent in the rules and by-laws. She encouraged all to be forward-thinking in the effects on ASUW committees. She said for the Legislative Agenda there was no procedure for the Board of Directors and Senate to effectively meet on amendments, but this year we have a process.

Mikhail made a motion to assign a previous vote.

Mikhail said it essentially would 'reconsider' something done at a previous meeting, not the current meeting.

Rod said article 10 sect 5 of by-laws may allow this.

Mikhail said it requires a majority vote.

Erin said that rule 11 says that Steering may neither table nor fail an organic act in the second reading of Steering.

Charles said that since Sturgis says "tabling" means indefinitely, but tabling for a definite time may be in order.

Mikhail said this motion only allows further consideration. He said it may not be perfectly within the spirit of the rules, but he believes it is in order.

Jon asked for clarification.

Mikhail said it would nullify the previous decision.

Rod says Sturgis says that one should act in the spirit of the rules.

Hala said she thinks it's out of order that once she passes it for the first time, it is out of Steering's hands.

Mikhail appealed the decision of the chair. He said it would require 2/3rd vote.

Jon asked for clarification about appealing.

Hala explained that she called **Mikhail's** motion out of order to reconsider last week's Steering referral to itself. She said the presiding officer states a reason for ruling, and there is discussion then vote on appealing the presiding officer's decision.

Mikhail's appeal seconded.

Hala read Senate Rules XI. Section 2, B.3. She said that Rules override Sturgis, and that Mikhail's motion is against the spirit.

Mikhail said that they have obtained new information, and said under Sturgis or even Roberts, has the option to reconsider. He said after new information, this should be in order. He said there is nothing about being able to reconsider or reverse a previous vote. He said it is not a motion to table or fail.

Rod asked about new information that was had.

Mikhail said submission of new organic act and related information from Judicial.

Melissa said everyone is in agreement that we all want to discuss it again, and Mikhail has found a way for us to continue discussion.

Travis said that the spirit of the rule was to prevent the Steering committee from taking too long on an Organic Act, and to enforce accountability of Steering to Senate to follow through once they have decided it reconsiderable. He said these rules override Sturgis, and it precedes the ability to reconsider. He said tomorrow there can be a motion to send back to Steering.

Rod said that he would not like it to go to the floor, however, the rules and by-laws indicate this process. He agreed that someone in Senate might be able to suspend rules for Steering.

Mikhail said if Senate voted to send it back to Steering, he asked if the first readings consideration would be started all over again.

Sam asked if it's a suspension of rules to send back to Steering. He said it can be said that in the suspension of the rules it could be stated to say what form it will go back in.

Hala said yes.

Erin said there was the issue last year as well, but she said if it is reconsidered it could potentially be tabled or failed, which is potentially in violation of the rules. She said last week they mistakenly suspended the rules. Erin said it should be reconsidered in a proper way.

Sam moved to close debate. *Seconded.*

The chair's call of Mikhail's motion as out of order is sustained.

Sam reminded Steering that they have yet to decide a Pro or Con. He said if we wouldn't mind suspending the rules, we could all get more time. He would entertain a motion to start Pro's and Con's on OA-13-2.

Hala said amendments are in order automatically.

Jono moved to amend in the That clause Sect 1 b.2 to add "Should Judicial return the amendment due to issues with phrasing or constitutionality, Senate shall reconsider it as soon as possible, and amend as needed." *Seconded. Passed without objection.*

Travis entertained a motion to amend to strike "a Special Election or" in the last That clause.

Erin moved to amend as per **Travis'** recommendation. *Seconded. Passed without objection.*

Rod said he is definitely interested in amending if this is to be considered

Laura asked if these are going to floor to be returned, why we are amending.

Hala said it is not assured that Senate will put it back to Steering.

Sam said he is worried that we are making the Organic Acts perfect to pass, whereas our goal is not to do that but make it ready for Senate ready to look at and amend.

Mikhail moved to amend OA-13-2 in accordance with Judicial recommendations except for point 3. *Seconded. Passed without objection.*

Erin moved to close debate on amendments and move to Pro's and Con's. *Seconded. No objections.*

Hala said we'll consider Pro's and Con's separately.

Melissa asked how Pro's or Con's should be demonstrated to the floor.

PROs

+ It creates a process for Senate to propose amendments to the constitution.

CONs

- It is incomplete because there needs to be a specific procedure for Senate to interact with Judicial committee.

- It may be more appropriate to use a special Senate Order.

2nd Readings: OA-13-3: An Act to Classify Senate Proposals to Amend the ASUW Constitution as Senate Orders

Erin moved to amend to replace all with Whereas and That clauses of OA-13-4. *Seconded. Objection.*

Erin said he does not want OA-13-3 language to be considered, and this allows indefinite tabling of the current OA-13-4.

Jono said OA-13-4 has not been considered by this body, and is hasty to amend with wording that has not been debated by Steering.

Charles said it would be foregoing merit discussion of OA-13-4, so he feels is out of order.

Sam said last week it was voted to go to the floor as it currently stands, and said he does not think it is appropriate. He agrees we have not considered Oa-13-4 for merit.

Erin said the intent of the sponsor was that the language of OA-13-3 is not acceptable, and so the issue is with the language of the similar legislation.

Mikhail said it would be hypocritical of Steering to replace fully with content on legislation that had not been considered.

Melissa said it would not show the process we have gone through on OA-13-3, and it would look bad to cover it up. She said we should let Senate know there are other options we are considering.

Hala said it is within purview of Steering to do the motion to replace with OA-13-4 content, as it is an amendment. She said it is within the rules, so we should debate whether or not we want to do this, not whether it is allowable.

Rod said OA-13-3 was based on some faulty information. He said both OA-13-2 and OA-13-4 leave things out. He said the spirit of the last Steering meeting's decision was to look at both of these.

Jon moved to close debate. *Seconded. Objection.*

Hala said there were 5 people on the speaker's list.

Division was called. Motion to close debate fails.

Jono said the debate is not whether it's within the power of Steering, but rather a debate about the spirit of the rules. He said OA-13-4 is longer and has much material that has not yet been considered as a group working to understand it.

Sam said he agreed, and it is not something transparent. He said OA-13-4 is a completely different legislation, and should be considered as such.

Mikhail said that their rules state that the first meeting examines the merits and then send for further consideration. He said it is against the spirit of those rules.

Erin said we can either adopt language from OA-13-4 as a whole, or amend individually as the sponsor or she intends to do. She said she feels we can save time, since the legislations ultimately intend to do the same thing.

Rod said his organic act does contain new material. He asked why this body chose to consider the first legislation in the first place, and asked if they went through every point.

(Cullen leaves and Laura serves as his proxy.)

Charles said that perhaps we have already violated the spirit of the rules by beginning with discussion of merits.

Laura said when Judicial gets a referral from a group, she said they've already reviewed OA-13-3. She said there's no guarantee that Judicial could accept another referral of the same legislation, but she will have to look into that.

Hala said there was no recommendation on OA-13-3 from Judicial.

Sam moved to close debate on the amendment to accept OA-13-4 language. *Seconded. Without objection.*

Motion to amend fails.

Sam moved to consider Pro's and Con's immediately and simultaneously. *Seconded. Without objection.*

PROs

+ The definition of constitutional initiative amendments is consistent with Senate Orders as defined in Senate by-laws.

CONs

- It no longer accurately represents the intent of the author.
- The system of interaction between Judicial and Senate is not completely laid out.

1st Readings: OA-13-4: Another Organic Act Attempting to Classify Proposed Initiative Amendments to the ASUW Constitution as Senate Orders

Jono moved to table for one week to wait for results of OA-13-2 and OA-13-3.

Hala said we have to decide from this meeting what to do for next week or table indefinitely.

Charles said we have to have a vote for consideration.

Mikhail said we can table, and then by a majority be reconsidered at a later date.

Hala said she did not want to debate rules, and wanted to continue, calling **Jono's** motion out of order.

Sam moved to consider the legislation next week. *Seconded. Objection.*

Jono said he does not think Steering has considered it yet. He said he is in support of first seeing it is worthy of consideration.

Melissa said no matter what we do, there is going to be a lot of discussion next week. She said it is valid to look at.

Erin moved to close debate. *Seconded. Without objection.*

The motion to consider next week passes.

VI. Senate Committee Appointment

Hala said we have five new senators.

Hala read aloud the number of senators currently in each committee:

AA 16
Campus 15
FAA 15
General Affairs 16
Membership 8
Off campus 13
Publicity and Outreach 13

Hala read her committee appointment proposals:

Valerie Balch into Academic Affairs

Margitte Kristjansson into Campus

Tyson Johnston into FAA

Holly Jones into General Affairs

James Ypma into Publicity and Outreach

Erin moved to approve committee appointments as read by **Hala**. *Seconded. Passed without objection.*

VII. Agenda for Senate of 11-7-2006

Mikhail asked about the order of New Business.

Erin moved to amend to put old business before new business, and edit “financial aid” to “financial education”.

Jon said he was concerned we would lack quorum if legislation is placed that late in the meeting.

Hala said Senate officers had agreed that New Business should be first consistently.

Sam said that we should discuss at the next Steering meeting.

Stephanie said R-13-5 was a time-sensitive issue then, but no longer now.

Hala said that should be brought up after completion of the current motion.

Mikhail said we never finished things when Old business was after New business.

Erin asked if Senate can send a legislation back to Steering before the agenda is approved.

Sam said it's a suspension of the rules.

Hala said in the rules unfinished business is before new business, which is before old business. She said last year unfinished business was not effective.

The motion to place old business before new business and change to Financial Education Taskforce passes.

Stephanie moved to place OA-13-2 on first readings as a, and OA-13-3 as b, and reletter accordingly.

Stephanie said if we want to get it referred back to Steering, so she wants to be sure there is quorum in able to send it back if needed at that point.

Mikhail said that we would send them back when are approving the agenda. He said if senators do not send it back, they should be considered in order of consideration.

Hala said R-13-2 was tabled two meetings ago because the sponsor was not there.

Mikhail said last meeting Senate did not get to it.

The motion to reletter new business passes.

Sam moved to approve the agenda as amended. *Seconded. Without objection.*

VIII. General Discussion

IX. Approval of the Minutes Senate of 10-31-2006

Jono moved to approve Senate minutes. *Seconded. Without objection.*

X. Adjournment

Sam moved to adjourn. *Seconded.*

Adjourned at 6:45pm.