**Associated Students of Colorado State University**

**Forty-Fourth Senate**

**Ninth Session**

**October 22nd, 2014**

**Agenda**

1. Call to Order
2. Pledge
3. Roll Call
4. Gallery Input
5. Consent Agenda
   * 10.15.14 Minutes
     1. Bondi: I move to approve the consent agenda.
        1. 18.0.0
6. Guest Speakers
7. Ratification & Swearing in of New Members
   * Kevin Walsh, Associate Senator CVMBS
   * Michelle Sogge, Senator Health and Human Sciences
   * Alyxandra Van Doren, Senator of Business
   * Brandon King, Associate Senator Engineering
8. Executive Reports
   * Whitesell: Notice and respond training is next Thursday from 6:30-8pm. You need to RSVP to the front desk by Monday. This is the suicide prevention training. We are going to put together a suicide awareness and prevention panel that is about men and veterans. Panelists will come in and we can open up a dialogue. Monday Nov 10th from 4-5pm in the grey rock room.
   * Wester: Student task force is meeting next week. We are allowing people to apply for the next couple weeks. We are working with CU to implement a sick day policy for students. We will keep you updated on that.
   * Whitesell: University of Wyoming was going to come tomorrow but we are rescheduling it for next Thursday.
   * Ricketts: Today is the deadline for being on an external and internal committee. You need to come talk to me or Deanna today to get on a committee.
   * Christensen: ASCSU roundtable on Nov 3. 4:30-6. Discussion between CSU admin, city council and students. Let me know if you want to go to that. City council repealed the plastic bag ban.
   * Maher: Thank you for everyone who supported me in homecoming week. It was hard to get participation because it wasn’t very well known. Having a large majority of you participate meant a lot to me. We are moving forward with analyzing homecoming week and how to make it better and what went well. We are hoping to make it a tradition. We are looking for something in the spring semester. We used to work a great deal with our student groups and we are looking to get together with college councils.
9. Judicial Reports
   * Jordan: Last Thursday we received our first request for opinion form.
   * SUPREME COURT OF THE ASSOCIATED STUDENTS OF COLORADO STATE UNIVERSITY CONTESTATION OF BILL #4406: CONSTITUTIONAL AMENDMENT: THE $10M CAP. DEPUTY CHIEF JUSTICE JORDAN delivered the opinion of the Court. When examining this bill, we were given two areas of concern by the requester, Andrew Bondi Senate Recruitment & Retention Officer. He defined these areas as the following: “If referendums, specifically used by Bill #4406, are constitutional as per the ASCSU Constitution specifically pertaining to view point neutral criteria required by the CSU BOG Institutional Plan for Student Fees and Charges…” and “The ASCSU Senate’s ability to control the SFRB’s bylaws.” After reviewing the legislation, the court developed two questions we decided needed to be answered: if the survey called for by Bill #4406 constitutes a referendum, and if the ASCSU Senate has the ability to dictate the bylaws of an organization such as the Student Fee Review Board (SFRB). We first want to address why it is important if the survey outlined in Bill #4406 is a referendum. I reference the Associated Students of Colorado State University (ASCSU) Constitution, Article VII, Section 7: “Referenda shall not deal with any aspect of student fees.” Thus if the survey in question is a referenda then it is in violation of the ASCU Constitution. This survey being a referendum is problematic for multiple reasons. First, a select (and often unfortunately small) number of people vote in the ASCSU elections. Second, this group is not necessarily representative of the student body. Third, this group may not be fully informed of all the factors behind the student fee increase. Fourth, in the US Supreme Court Case Board of Regents of the University of Wisconsin System v. Southworth, the US Supreme Court decided that a referenda of students was not a viewpoint neutral manner for determining student fees, and CSU Board of Governor’s Institutional Plan for Student Fees and Charges requires the SFRB to make its recommendations in a viewpoint neutral manner. In a 6-0 decision, the ASCSU Supreme Court decides that the survey does constitute a referendum. We hold that by placing the survey within the context of the elections, it puts the members of the SFRB in an awkward position. If any of these members vote against what the survey puts forward, they may be persecuted, or have this decision held against them in the future, even if their own constituents felt the measure was necessary, or the member themselves felt the increase’s positives out-weighed its negatives. Essentially, while the survey is technically nonbinding, in effect it would be binding on the members of the SFRB. By being a referendum, the survey this bill calls for is unconstitutional. Secondly, we need to address the ASCSU Senate’s ability to control the SFRB’s bylaws. Bill #4406 calls for a constitutional amendment to the ASCSU Constitution that would modify the SFRB to have its bylaws be “within the boundaries set forth by the Constitution of ASCSU.” This would give the ASCSU Senate the ability to decide operations of SFRB with constitutional amendments. In a 6-0 decision, the ASCSU Supreme Court decides that the ASCSU Senate does not have the ability to dictate the bylaws of the SFRB. The SFRB exists as an entity outside of ASCSU. It is not a part of ASCSU. If the ASCSU Senate were to set boundaries for an organization that exists outside of it, this sets a precedent allowing the Senate to set boundaries on other organizations that exist outside of ASCSU and the ASCSU Senate does not have this ability. If this were to happen in the context of SFRB it is especially problematic considering that the SFRB also approves the student fee for ASCSU. While Bill #4406 may not make any mention of the ASCSU Fee, it does allow for constitutional amendments to be made that could make changes in ASCSU’s favor. We considered this situation to be a conflict of interest that should not occur. Article VIII, section 12 states: “The Student Fee Review Board shall have the power to establish its own Bylaws, rules of order, plan of procedure and fiscal rules as its members deem necessary.” There is a reason that this clause exists in the constitution. It could be assumed that the SFRB would have this power, but it is stated in order to tell the rest of ASCSU that it does not hold power over the SFRB. Thus, the premise of this bill—to require the SFRB to change its bylaws—is unconstitutional. Finally, we wanted to express our worry that a bill such as this survived in the ASCSU Senate for as long as it did. The ASCSU Senate holds “the power to initiate and enact legislation” per Article II, section 1, this power includes the power to vote down bills that may not be favorable; this includes the ability to end debate and vote down a bill that is contentious, but disliked by most. We trust in the ability of the ASCSU Senate to use this power in the future.
10. Senator Reports
    * Bondi: 1 seat open in college of engineering. Agricultural sciences is full. Natural resources is open 1 seat. Natural sciences has 3 open seats. Business is filled. Intrauniversity is hoping to have one filled. Health and Human Sciences ratified one tonight and another one and now have 2 seats open. Liberal arts there has a seat open. 1 seat open in grad school. Regarding diversity, PJ Seel and I have been working to make a new bill with director of diversity, VP and President in Tony Frank’s cabinet. October 29th, we will be bringing our bill forward. The original bill will also not be tabled anymore. In regards to voting on the LSC, I have the list of everyone that wants to be involved in that.
    * Laffey: I attended the committee on intercollegiate athletics about their concerns about the facilities, advising, training, academics, diversity, team culture, they have similar concerns we do.
11. Associate Senator Reports
12. Confidence Business
13. Committee Reports
    * Internal Affairs
      1. Open nomination for chair.
         1. Laffey: Nominate PJ Seel.
            1. Seel: I would like to have this position to be able to train my skills in being a leader in senate. I want to be able to work on senate issues and be able to help others and build a more efficient and welcoming senate. Through this committee, I feel like I would be able to do that. I appreciate everyone’s nominations.

King: Are you currently the vice chair?

Seel: Yes.

Bondi: Do you have aspirations of VP next year?

N/A

* + - * 1. Bondi: I move to previous question.

Vote: 19.0.1

* + - * 1. Bondi: I move to conduct a placard vote. (passed)
      1. Vote: 18.1.1
    1. Seel: The current hours of when we meet work for now. Right now, we seem to be having some membership issues. If they’d like to talk to me if hours would better that would be great. Right now they are on Thursday at 3pm. You can email me at [pseel3@yahoo.com](mailto:pseel3@yahoo.com). We also discussed one of the bills written by Bondi as well as discussing preliminary discussion about the upcoming diversity bill. For tomorrow’s meeting, we are discussing the diversity bill entirely.
  + External Affairs
    1. Crites: We met this week and had great discussions. I think the Bill #4406 the $10M Cap got summarized already. I am waiting to hear back from the teaching and learning committee.
       1. Laffey: Did the committee release it from the committee?
          1. Crites: No because we didn’t know what we know now.
  + University Issues
    1. Gurau: We looked at two bills, one written by Senator Laffey and Ryan Brookes discussing new associate senator of finance. I move to add it to the new business agenda tonight.
       1. Bondi: Is this bringing this up to speak about it right now or new business?
          1. Li Puma: New business.
       2. Vote: 17.0.3
       3. Vote: 17.2.1
    2. Gurau: I move to bring the diversity bill to the floor.
       1. Ozekin: PJ’s or Kwon’s?
          1. Li Puma: Senator Yearby’s Bill.
       2. Vote: 11.6.4
    3. Gurau: I move to add the resolution 4411 on new business.
       1. Watson: What is it called?
          1. Li Puma: Office hour database.
       2. Vote: 14.2.5
    4. Crites: I move to release bill 4406 and place it in old business.
       1. Vote: 15.0.6

1. Old Business
   * Bill #4405 The Diversity Bill
     1. Bondi: I move to adopt bill 4405.
     2. Bondi: I request unanimous consent to read title (no dissent). We seem to be debating about the same thing for almost 7 weeks now. I feel there is unease about how this bill is written. Considering there is a new bill being brought to the floor, I urge a no vote.
     3. Gurau: This bill is illegal under the constitution. I’m all for diversity but there are new and more ideas in the senate. Voting this down does not mean you are against diversity just that you’d like to see it in a better way.
     4. Hansen: There are 2 representatives in the room right now. I am urging a no vote and move to previous question.
        1. Vote: 18.2.1
     5. Vote: 0.14.7
   * Bill #4406 The $10 Million Cap.
     1. Bondi: I move to adopt bill 4406.
     2. Bondi: I request unanimous consent to read the title. (no dissent)
     3. Crites: Now that we have heard the Supreme Court’s ruling, we need to vote on it.
     4. Bondi: Under the advisement of the Supreme Court and utilizing the ability to vote, I move to previous question.
        1. Vote: 20.0.1
     5. Vote: 1.19.1
2. New Business
   * Resolution #4408 Endorsers are Sponsors
     1. Bondi: I move to adopt resolution 4408.
     2. Bondi: The bill speaks for itself.
        1. Jefri: If you are going to ask for endorsements, why can’t you do both?
           1. Bondi: You can’t be endorsers and sponsors at the same time.

Li Puma: Endorsers mean you agree with therefore clauses and would like to see it brought to the floor while sponsors mean you don’t agree with the therefore clauses but want it to be brought to the floor.

* + - 1. Bondi: I request that some language would change on this and that it will be put on expedited status.
    1. Laffey: I move to place this bill on expedited status.
       1. Vote: 20.0.1
    2. Bondi: I move to amend my bill with added PJ Seel before internal affairs committee chair and then replace “states that” with “shall be amended to read as”.
       1. Vote: 18.0.3
    3. Bondi: I move to previous question.
       1. Vote: 16.1.4
    4. Vote: 13.3.5
  + Resolution #4409 Senate Ratification Information
    1. Bondi: I move to adopt resolution 4409.
    2. Bondi: Senator King approached me 3 or 4 weeks ago in the concern that the same question was being asked over and over while ratifying people and it got out of hand at times. If this info is collected and sent out prior to senate, it gives senators info on the candidates before this. This will also put more pressure on these people that they make sure they do their diligence prior to this happening.
       1. Jefri: Part of asking questions is to see how they react. Being a part of cabinet, you want to see their reaction. I don’t see the point of why you are trying to minimize interaction.
          1. Bondi: These four questions gives us an idea of who the individual is and we can ask more in depth questions. If someone said they wanted to do something specific if ASCSU, you can ask specific questions regarding those initial answers. This gives senators a heads up of that they will be prepared to handle these questions. Last year we had someone cry because this is intimidating.
    3. Seel: I think that when it comes to amending this bill, it should be sent to all the college councils so that senators can be given a sheet with this on it.
    4. Nolan: I think that’s a great idea. I like this bill as a survivor of the ten hour session we had. We went on the same ground over and over and having these questions or questions like these can give us a better idea of who these people are. I would encourage a yes vote when this happens.
    5. Laffey: I am hesitant to have this attached to senators, associate senators, and cabinet. We do not vote on associate senators. I am concerned about privacy issues. I am worried the information may not be wanted to be presented to 60 people. I would like to see work done on this committee.
       1. Li Puma: You would write no comment on that occasion.
    6. Jefri: I echo previous speaker because they are being questioned by college councils.
    7. Laffey: Did we just ask any questions to any associate senators or senators that were just sworn into this body, why would we do it now?
    8. Bondi: The amendment says that associate senators aren’t ratified but only sworn in. Their request for information would not be for associate senators and senators.
    9. Bondi: I move to send this to external affairs.
  + Resolution #4410 Student Voice Survey for the CSU Stadium
    1. Bondi: I move to adopt resolution 4410.
    2. Laffey: I wrote this thinking about how we have had a survey two years ago for this issue, this will be very beneficial as we are nearing the end of this decision so they can get a taste of how the CSU population of students to see what they think and what they want to do and which of the four options they like best. We intend to put the statements that are similar to the ones of Tony Frank’s and continue them on from there. These have been looked at for biasedness already.
       1. Seel: Have you checked about feasibility about getting it out in a month?
          1. Laffey: We will have this going within two weeks.
          2. Ricketts: It’s something we are looking at rolling out in two weeks. I will be meeting to talk about this getting put out as we want a good sample size.
       2. Gallery: Are you going to add any other possible solutions other than the four options?
          1. Laffey: I haven’t discussed this at length and was waiting to see that there can be positive and negatives in this. An open box for other responses would maybe provide a lot of responses saying they don’t want the stadium for a similar reason he listed. The committees are made up of Dr. Frank and include a variety of people and staff members. This can be found on colostate.edu/stadium.
       3. Bondi: I know that the agenda for board of governors meeting is set a month in advance. Do you honestly think it is feasible to be sent out in time before the meeting?
          1. Laffey: I do believe it is entirely possible and I will do everything in my power to do so. The findings will be in and distributed before then. I would prefer to talk to President Guinn about this.
       4. Bondi: Saying that you are giving 4 options, is that a statement of the questions being provided or a statement of the results you are hoping to get?
          1. Laffey: Both.
       5. Bondi: Do you honestly believe a student survey can produce an unbiased result with little education on this?
          1. Li Puma: This is a random sample size so is not a referendum.
          2. Laffey: This is not a part of ASCSU elections cycle and not technically done by ASCSU but done by CSU admin using an off campus site.
       6. Laffey: I would love to have this move to expedited status.
    3. Bondi: I wish Mike Ellis was here because he would probably agree with me when I say this, the LSC governing board put on 19 education meetings to learn about the different options of the LSC renovation. When they went through with this process, they asked what the best option was and with students involved, they did want renovation but the most extensive and expensive renovation. He got overwhelming results that students were opposed for this. They wanted no change at all. There is historical evidence that students don’t like spending money. I learned about the stadium that is available to multiple venues and other sports to host concerts and guest speakers and such. I had no idea bout that because now I know because of how long it’s been around.
    4. Jefri: I was involved in governing board, we did do that information session and we did seek out student opinion but it is comparing apples to oranges. It was a significant fee increase and it was so important and we needed to explain why this was happening and this one is more of a situation where student fees are not included in this. A survey would give feedback for what students want. It’s not the right thing to give a survey if students know nothing about it. We did get the same response that allowed people to not be educated about the LSC. A lot of students didn’t know about it but they still voted yes.
    5. Nolan: I move to put it on expedited status.
       1. Vote: 20.0.0
    6. Bondi: When the request for the alumni donations were put out, did we meet the requirements to make a new stadium?
       1. Li Puma: No
       2. Laffey: We have reached over 30 million dollars. We are short of 120 million dollars we needed to get.
       3. Bondi: Do you have any idea where the cost would come from if it wasn’t through donation?
          1. Laffey: No comment.
    7. Jefri: Whether we want to vote yes or no, we need to vote tonight.
    8. Vote: 19.0.1
  + Bill #4407 Creation of Assistant Director of Finance
    1. Laffey: I move to adopt bill 4407.
    2. Brookes: We want to give the finance department a hand. It gets quite demanding for sending out emails and taking care of things in the office. They will have voting rights on BSOF but cannot sign off of request forms.
    3. Laffey: I see this more as a mentoring position so they can get institutional knowledge.
    4. Brookes: I had no idea what I was picking up from the last administration but if we had an assistant, they could maybe help educate next year’s director if they don’t become it, itself.
       1. Bondi: I know it’s been a pain for individuals to have access to spend the money, do you believe you will give access even though they are unpaid?
          1. Brookes: If we can’t give them full access, we will have them learn and take notes and that’s a decision higher than me. As soon as the position is solidified I can start working on that.
       2. Bondi: They would be a voting member on BSOF, would that be an addition to the exec member or replacement?
          1. Brookes: Addition, there will be 11 members on BSOF now.
       3. Seel: Are you hoping to tradition that the position will be younger students?
          1. Brookes: We are hoping to but if no one applies, a senior is okay.
          2. Laffey: Depends on the department and if they would rather have a volunteer position. It is on the incoming admin to hire these positions. Once the director is ratified, it is his duty to recruit associates and deputies.
       4. Seel: Job Description would be posted on ASCSU website?
          1. Laffey: I have no idea. I would hope that we can put them on now.
       5. Carrillo: Who would this position be open to?
          1. Brookes: Preferably finance students but anyone willing to work in finance department.
       6. Nolan: Did you have someone in mind?
          1. Brookes: We do have someone that has been helping, her name is Gabby.
       7. Crites: Do you expect associate director to move on to be the next director?
          1. Brookes: We expect them to apply but not give them the expectation if they don’t want.
       8. Jefri: It’s not a paid position?
          1. Brookes: No
       9. Seel: Was the motivation for making it non-paid position so that you can make it happen this year?
          1. Laffey: You could do whatever you want but the current structure of cabinet will not work if it was paid.
    5. Gurau: I move to amend that the title is a clerical error
       1. Jefri: Cannot change the title of the bill.
    6. Bondi: I have spent a lot of time in the office of finance. I know that Director Brookes is constantly under water with the stuff he has to take care of. There may be a lot of help later but not right now. This position would be very helpful. I would like this to go to internal affairs.
    7. Laffey: I move to send this to external committee. (denied)
    8. Jefri: I move to send this to internal committee.
       1. 19.0.1

1. Announcements
   * Bondi: Senate leadership has finished the green and gold book and have heard good things thus far. We are ready to push it out. Everyone will be receiving an email that will have the green and gold book in it. We will be moving forward to enforce all the rules in the bylaws. It is anticipated that you will be held to those since you have read them. There will be a check in system with the front desk maybe for office hours. Internal chairs have been told to send minutes and attendance to Speaker Pro Tempore Earle. We are doing the same with external committees. We will be releasing individuals to open up seats if they don’t follow these criteria. Voting in LSC, currently a trend on whether or not to allow LSC to be a voting area for off seasons but just as a drop off. It is too much of a hassle. Request that polling locations will be reduced as well. I will send an email to all of you who are interested in being a part of this.
   * Laffey: Monday Oct 27th 6:30-8pm in LSC grand ballroom Mary Robinson is coming to speak about human rights issues. You can get tickets at CSU box office.
   * Seel: For the 10 million dollar cap, I understand why we voted no on that, I was mildly saddened on the face that we struck it down today especially because the bill next week is going to be a competition of that. We need to consider if the authors are going to be here and it is more respectful and what the context of the bill is being discussed later on.
   * Balster: Oct 30 and 31st is the veteran symposium. Alvs.colostate.edu is the website you can sign up on. Veterans 5k is coming up on Nov 7th, 25 dollars to register on the day off or at the office.
   * Bondi: Parking, we always have problems with it. I want everyone to be aware that there is a lot of movement in parking services.
     1. Crites: Nick and I are on that committee, we will be meeting on Nov 12 and we will be meeting as a student part of the committee at another time.
     2. Olson: If you want more info, contact me, I’m getting everyone together.
     3. Laffey: Any vacancies?
        1. Olson: Might be one.
     4. Bondi: Oct 29th 9-10:30am Cherokee park ballroom break out session involving parking services and talk about master plan of university as a whole.
   * Ricketts: Senators I called the names of need to come talk to me today.
   * Earle: Contact me for name placard. No yay box tonight. Hopefully getting these printing by next week. Name badge talk to front desk. Next Wed from 5-6 ASCSU is having a mixer with CSU admin which should include Tony Frank in Longs Peak room. Next Thursday is ASCSU notice and respond training from 6-30pm.
2. Roll Call
3. Adjournment