

STUDENTS' COUNCIL VOTES & PROCEEDINGS

Tuesday December 6, 2005
3-06 Students' Union Building

VOTES & PROCEEDINGS (SC 2005-17)

- 2005-17/1 CALL TO ORDER
- The Speaker called the meeting to order at 6:08 p.m.
- 2005-17/2 SPEAKER'S BUSINESS
- 2005-17/2a Announcements – The next meeting of Students' Council will take place on January 10, 2006.
- 2005-17/3 APPROVAL OF THE ORDERS OF THE DAY
- LEWIS/CROSSMAN MOVED TO approve the orders of the day.
- KIRKHAM/SCHNIEDER MOVED TO amend the main motion by adding the Late Additions.
- Amendment to Main Motion: CARRIED
- LEWIS/SCHNEIDER MOVED TO make item 7e (ix) a special order.
- Motion to make item 7e (ix) a special order: DEFEATED
- Main Motion: CARRIED
- 2005-17/4 PRESENTATIONS
- 2005-17/4a JOHNSON/KEHOE MOVED TO postpone item 4a to the next meeting of Students' Council.
- Motion to postpone: CARRIED
- KIRKHAM/SCHNEIDER MOVED THAT Students' Council take a 2-minute break.
- Motion to recess: CARRIED
- 2005-17/5 NOMINATIONS

2005-17/5a **LEWIS/COUNCILLOR MOVED THAT** Students' Council appoint a member to the Bylaw Committee.

BLAIS nominates SCHNEIDER: SCHNEIDER accepts.

Councillor Schneider appointed to the Bylaw Committee.

KIRKHAM/PAYNED MOVED THAT Students' Council make Question Period a Special Order.

Main Motion: DEFEATED

2005-17/6 **REPORTS**

2005-17/6a Graham Lettner, President

2005-17/6b Samantha Power, Vice President (External)

2005-17/6c Justin Kehoe, Vice President (Students Life)

2005-17/6d Mathieu Johnson, Vice President (Academic)

2005-17/6e Jason Tobias, Vice President (Operations & Finance)

2005-17/6f Adam Cook, Undergraduate Board of Governors Representative

2005-17/7 **BOARD AND COMMITTEE REPORTS**

Speaker makes item 7e (i) a Special Order.

2005-17/7e (i) **KIRKHAM/SCHNEIDER MOVED THAT** Students' Council approve the following petition question upon the recommendation of Bylaw Committee.

Do you support that Students' Union bars offer a side of salad with food items in lieu of french fries at no additional cost?

Point of Order: Letter – "Bad Faith"

Speaker: Point of Order not well taken.

Main Motion: CARRIED

Speaker makes item 7e (ii) a Special Order.

2005-17/7e (ii)

KIRKHAM/BLAIS MOVED THAT Students' Council approve the following petition question upon the recommendation of Bylaw Committee.

Do you support that the Students' Union boycott goods and services from the People's Republic of China to protest its human rights* and environmental record subject to the following conditions?

1. The goods and services that shall be subject to this boycott will be those
 - a. made in the People's Republic of China; or
 - b. with at least 25% of their value originating from the People's Republic of China.
2. The tenants of all premises owned or operated by the Students' Union would be required to adhere to the boycott upon the renewal of their existing lease or the creation of a new lease.

* United Nations Universal Declaration of Human Rights

Point of Order: Khanna – “Legality”

Speaker: Refrains from ruling on the point of order. Question given to the assembly.

Point of Order: DEFEATED

Main Motion: CARRIED

Speaker makes item 7e (iv) a Special Order.

2005-17/7e (iv)

KIRKHAM/SCHNEIDER MOVED THAT Students' Council approve the following petition question upon the recommendation of Bylaw Committee.

Do you support the elimination of the Centre for Student Development?

Main Motion: CARRIED

Speaker makes item 7e (v) a Special Order.

2005-17/7e (v)

KIRKHAM/SCHNEIDER MOVED THAT Students' Council approve the following petition question upon the recommendation of Bylaw Committee.

Do you support that the Students' Union raise awareness of the need for accessible and affordable education by conducting a tuition demonstration on November 5 of each year that shall include fireworks and a bonfire?

Main Motion: CARRIED

Speaker makes item 7e (iii) a Special Order.

2005-17/7e (iii)

KIRKHAM/LEWIS MOVED THAT Students' Council approve the following petition question upon the recommendation of Bylaw Committee.

Do you support that Power Plant, RATT, and L'Express serve kosher and halal meals?

COUNCILLOR MOVED TO amend the main motion by replacing “serve” with “have” and add “available” at the end of the question.

Amendment to the main motion: FRIENDLY**Main Motion: CARRIED***Speaker makes item 7e (vi) a Special Order.*

2005-17/7e (vi)

KIRKHAM/LETTNER MOVED THAT Students' Council approve the following petition question upon the recommendation of Bylaw Committee.

Do you support that the Students' Union discontinues the sale of tobacco products?

Main Motion: CARRIED*Speaker makes item 9f a Special Order.*

2005-17/9f

KUSTRA/KIRKHAM MOVED THAT Students' Council order the Executive Committee seek a legal opinion regarding the legality of the following proposed petition question:

Do you support that Students' Union bars charge \$2.00 for all pints* of draught beer effective March 1, 2006 through April 30, 2007 subject to the following conditions?

1. Draught beer will be sold in pint* volumes whenever alcohol is served.
2. Other volumes of draught beer may be sold at any price.
3. The existing selection of draught beer will continue to be carried.
4. Where the wholesale price of a pint* of draught beer is in excess of \$2.00, its price will be set at wholesale cost rounded up to the nearest dollar.

*A pint is 16 fluid ounces (473 ml).

Amendment to the main motion by striking the word "March" and replacing with the word "May"**Amendment to the main motion: FRIENDLY****Main Motion: CARRIED***Speaker makes item LA7e(xii) a Special Order.*

2005-17/7e (xii)

LEWIS/KIRKHAM MOVED THAT upon the recommendation of the Bylaw Committee, Students' Council approve the proposed petition question:

Do you support that Students' Union bars charge \$2.00 for all pints* of draught beer effective May 1, 2006 through April 30, 2007 subject to the following conditions?

1. Draught beer will be sold in pint* volumes whenever alcohol is served.
2. Other volumes of draught beer may be sold at any price.
3. The existing selection of draught beer will continue to be carried.
4. Where the wholesale cost of a pint* of draught beer is in excess of \$2.00, its price will be set at wholesale cost rounded up to the nearest dollar.

*A pint is 16 fluid ounces (473 mL)

LEWIS/LETTNER MOVED TO postpone the main motion until the next meeting of Students' Council.

Point of Order: Kirkham – "You cannot reconsider motions in separate Council sessions".

Speaker: Point of order well taken, but it's not relevant anyways.

Motion to postpone: CARRIED

Speaker makes item LA 7e (xiii) a Special Order.

2005-17/7e (xiii) **LEWIS/KIRKHAM MOVED THAT** upon the recommendation of the Bylaw Committee, Students' Council approve the proposed petition question:

Do you support that the Students' Union adopt the stance that tuition should be free?

Main Motion: CARRIED

Speaker makes item LA 7e (xiv) a Special Order.

2005-17/7e (xiv) **LEWIS/KIRKHAM MOVED THAT** upon the recommendation of the Bylaw Committee, Students' Council approve the proposed petition question:

Do you support that the Students' Union adopt the stance that membership in and fees levied for the Students' Union should be optional, and that the Students' Union should lobby the provincial government for the relevant changes to provincial legislation?

Main Motion: CARRIED

Speaker makes item LA 7e (xv) a Special Order.

2005-17/7e (xv) **LEWIS/KIRKHAM MOVED THAT** upon the recommendation of the Bylaw Committee, Students' Council approve the proposed petition question:

Do you support that the Students' Union establish a Reactionary Speakers Series?

Main Motion CARRIED

Speaker makes item 7e (ix) a Special Order.

LEWIS/SCHNEIDER MOVED TO suspend Standing Order 36e1 for the purpose of Bill #15.

Motion to Suspend: CARRIED

2005-17/7e (ix) **KIRKHAM/PAYNE MOVED THAT** Bill # 15 (*Critical Changes to Plebiscite and Referenda Process*) be read a second time.

**Bill #15 - Critical Change to Plebiscites and Referenda Petition Process
(sponsor; KIRKHAM)**

Principles (from first reading)

1. A member shall submit a signed paper copy of the intent of a petition question to the Chief Returning Officer along with their name, faculty, and student identification number.
2. The member shall indicate whether or not their intent of this petition question is to be a plebiscite or referendum.
3. The intent of any petition question shall include a \$25.00 deposit.
4. Upon receipt of an intent of a petition question and collection of the deposit, the Chief Returning Officer shall immediately forward the question to the Bylaw Committee.
5. The Bylaw Committee shall draft and approve a question within fourteen (14) days of receiving the intent of a petition question from the Chief Returning Officer
6. Where a member submits a petition containing the signatures of at least five percent (5%) of the total membership of the Students' Union, then that member's deposit shall be refunded.
7. The term "Students' Union law" will be replaced with "Students' Union Bylaw" and the term "Federal or Provincial statute or regulation" will be replaced with "federal or provincial law" for clarification in Bylaw 2400 (4)(b).
8. Changes will be retroactive to any previously approved or currently outstanding petition questions with respect to collection of a deposit and declaration of a plebiscite or referendum.
9. Changes will come into effect immediately upon passage of second reading.

Main Motion: CARRIED

Speaker makes item 7e (x) a Special Order.

2005-1/7e (x)

LEWIS/PAYNE MOVED THAT Bill #20 be read a first time.

Bill #20 Non-Academic Fee Principles (sponsor; LEWIS)

Principles (first reading)

1. Plebiscites or referenda pertaining to non-academic fees levied on SU members by the University must reflect a control corresponding to the financial contribution.
2. A permanent advisory committee will be created to oversee and direct all aspects of the use of the non-academic fee.
3. The composition of this advisory committee will reflect the financial contribution by Students Union members in the form of a proportional number of voting seats.
4. Any facility or service funded by the non-academic fee must provide universal access to any SU member contributing to that fee.

KIRKHAM/SCHNEIDER MOVED TO amend the main motion by adding point 5 "This bill will come into effect May 1, 2006."

SCHNEIDER/KIRKHAM MOVED THE previous question.

Motion to move the previous question: CARRIED

Amendment to the main motion: CARRIED

Main Motion: CARRIED

Speaker makes item 7e (xii a) a Special Order.

2005-17/7e (xii a) LETTNER/SCHNEIDER MOVED THAT Bill #16 Direct Democracy be read a second time.

Bill #16 Direct Democracy (sponsor; TOBIAS)

Principle (from first reading)

1. Where a referendum or plebiscite question would cause Students' Council to be in breach of its fiduciary responsibility to the Students' Union, such a question may be ruled out of order.

The principles of this bill will apply retroactively to all referenda or plebiscite proposed for the 2006 general election.

CHAPMAN/KIRKHAM MOVED TO refer Bill #16 back to the Bylaw Committee.

Motion to Refer: DEFEATED

KIRKHAM/SCHNEIDER MOVED TO postpone the main motion indefinitely.

Motion to Postpone: DEFEATED

Main Motion: CARRIED

Speaker makes item 9c a Special Order.

2005-17/9c KIRKHAM/LETTNER MOVED THAT Students' Council read Bill #18 a first time.

Bill #18 Changes to Referendum Process (sponsor; TOBIAS)

Principles (first reading)

1. The proponents of a referendum shall bear the onus of demonstrating, to the bylaw committee, how the referendum falls within the power of the Students' Union under the Post-Secondary Learning Act.
2. Where the referendum proposes a compulsory fee, the proponent must demonstrate how that new fee would serve the object of the "maintenance of the" Students' Union as required under section 95(2)(e).
3. Referenda questions shall be limited to questions of principle, such that only questions establishing the creation and purpose of fees and their repeal are permitted.
4. In drafting a proposed referendum question, the bylaw committee shall also report to Council whether or not the proposed question is valid under the mandate of Student Associations in the Post-Secondary Learning Act.
5. The report in principle 4 will take into account the submissions made by the proponents of a referendum under principle 1.
6. In considering the question, the bylaw committee may seek legal opinion.
7. Should Students' Council disallow a question on the basis that it falls outside the mandate of Student Associations, as defined in the Post-Secondary Learning Act, such decision may be appealed to DIE Board.
8. The principles of this bill will apply retroactively to all referenda proposed for the 2006 general election.

BERGHOFF MOVED TO amend the main motion by replacing the words "proponent" and "proponents of" with "member submitting"

KIRKHAM/PAYNE MOVED TO refer the amendment to the Bylaw Committee.

Motion to refer amendment: DEFEATED

KIRKHAM/SCHNEIDER MOVED TO consider it seriatim.

Motion: DEFEATED

LETTNER/KELLY MOVED TO adjourn.

Motion to adjourn: CARRIED.

ATTENDANCE (SC 2005-17)

Faculty/Position	Name	1 st Roll Call	2 nd Roll Call
President	Graham Lettner	✓	✓
VP Academic	Mathieu Johnson	✓	✓
VP External	Samantha Power	✓	
VP Finance	Jason Tobias		
VP Student Life	Justin Kehoe	✓	
BoG Undergrad Rep.	Adam Cook	✓	✓
Agriculture, Forestry and Home Economics	Miranda Baniulis	✓	✓
Agriculture, Forestry and Home Economics	Amanda Rajotte	✓	✓
Arts	Catrin Berghoff	✓	✓
Arts	John Chandler		
Arts	Michelle Kelly	✓	✓
Arts	Bryce Kustra	✓	✓
Arts	Cameron Lewis	✓	✓
Arts	Tim Schneider	✓	✓
Arts	Shad Thevenaz	✓	✓
Arts	Al-Amyn Sumar	✓	✓
Augustana	Jonathan Friesen		
Business	Chris Young	✓	✓
Business	Ryan Payne	✓	✓
Education	Lillian Patz		
Engineering	Brian Ceelen	✓	

Engineering	James Crossman	✓	✓
Engineering	Prem Eruvs		
Engineering	Jamaal Montasser		
Law	Kyle Kawanami	✓	✓
Medicine and Oral Health Sciences	Suneil Khanna	✓	✓
Native Studies	Matt Wildcat		
Nursing	Nadia Ickert	✓	✓
Faculté Saint-Jean	Joseph Blais	✓	✓
Open Studies	Sabine Stephan		
Physical Education and Recreation	Philip Goebel		
Science	Sheena Aperocho	✓	✓
Science	Jack Gordon	✓	
Science	Abbeir Hussein		
Science	Stephen Kirkham	✓	✓
Science	Sylvia Shamanna		
Science	Omer Yusuf	✓	✓
Science	Yuan Hao		
Science	Chris Le	✓	✓
Science	Theresa Chapman	✓	✓
General Manager	Bill Smith		
Speaker	Gregory Harlow	✓	✓

Guests of Council:

Position	Name
Chief Returning Officer	Rachel Woynorowski