

LSG Senate Minutes

Thursday, August 21, 2014

CR 5, William S. Richardson School of Law, 2515 Dole Street,
Honolulu, HI 96822

5 p.m. – 7 p.m.

I. Call Meeting to Order

II. Roll Call (2 min)

Matt Tsujimura, 1L Senator
Raven Sevilleja, 1L Senator
Mariss Agena, 2L Senator
Z Aki, Ulu Lehua Senator,
David Stapp, 1L Senator
Jordan Inufuku, 2L Senator

Present By Proxy:

Justine Chmielewski, Ulu Lehua Senator
Sarah Sheffield, 2L Senator

Guest:

Nadine Ortega, FLSA

Absent, not voting: 3

Nahelani Webster, Part-Time Senator
Courtney Takara, Part-Time Senator
Jennifer Cha , Part-Time Senator

Roll Call September 5, 2014

Raven Sevilleja, 1L Senator
Z Aki, Ulu Lehua Senator
Jordan Inufuku, 2L Senator
Matt Tsujimura, 1L Senator
David Stapp, 1L Senator
Justine
Mike Wingfield, Part Time Senator

Present By Proxy:

Sarah Sheffield, 2L Senator
Marissa Agena, 2L Senator

Guests:

Nadine Ortega, FLSA
Randy Reese, 1L Part Time Student
Tom Michener, Richardson LSG Justice

Tim Vandevveere, 1L Part Time Student
Tatiana Robinson, 1L Student
Derek Brow, 2L Library Committee Rep

Absent, not voting:

Nahelani Webster, Part-Time Senator
Courtney Takara, Part-Time Senator

III. Chair Report (3 min)

IV. New Business (115 mins)

A. Adopt William S. Richardson School of Law LSG Senate Rules of Order (<http://goo.gl/G6FQhU>)

Discussion Regarding “Rule I. Declaration of Purpose”: None

Discussion Regarding “Rule II. Rules of Order”: None

Discussion Regarding “Rule III. Definitions”: Jordan Inufuku, 2L Senator, suggests the Senate definition be refined to “means the Law School Government Senate.” The definition is Amended as such.

Discussion Regarding “Rule IV. Senate Offices”: Jordan Inufuku, 2L Senator, recommends the Vice Chair selection be made from the Senate Chair’s “caucus” instead of “class” so that there is no confusion for the Part-Time Students. Z Aki, Ulu Lehua Senator, does not believe a selection of an Ulu Lehua to the position of Senate Chair would cause an issue for replacement of an Ulu Lehua Senator. The Rule is amended to reflect the change to “caucus”.

Discussion Regarding “Rule V. Resolutions”: None

Discussion Regarding “Rule VI. Meeting Notices”: (Timeframe and Testimony) Jordan Inufuku, 2L Senator, objects to the 72 hour notice requirement and 24 hour requirement for testimony. He believes it should be uniform across the By Laws and Rules of Order and that there should be no notice requirement for testimony. Mariss Agena, 2L Senator, and David Stapp, 1L Senator, agree that the notice requirement should be uniform across the board. Marissa Agena, 2L Senator, recommends 48 hours notice to allow the Senate Chair to call short notice meetings if necessary, but also allows the Senate Chair to receive and review written testimony. The Rules are amended to reflect a 48 hour notice requirement.

Discussion Regarding “Rule VI. Meeting Notices”: (Definitions) David Stapp, 1L Senator, believes “public notice” should be defined. The definition is added as follows, “means an email to the entire SBA membership and the LSG faculty advisor. The notice

shall include an agenda that lists all of the items to be considered at the forthcoming meeting and the date, time, and place of the meeting. No item shall be voted on in the meeting without appropriate notice.”

Discussion Regarding “Rule VII. Testimony”: Jordan Inufuku, 2L Senator, objected to the 24 hour notice requirement for oral testimony. Marissa Agena, 2L Senator; Raven Sevilleja, 1L Senator; and Matt Tsujimura, 1L Senator, agree that there should not be a notice requirement for oral testimony. The Rule was amended so that written testimony notice requirement was reduced to 12 hours and no sanctions would be imposed if the deadline for missing the 12 hour deadline.

Discussion Regarding “Rule VIII. Voting Record”: None

Discussion Regarding “Rule IX. Electronic Presence”: David Stapp, 1L Senator, objects to the electronic presence at LSG Senate meetings as he believes it will decrease in person participation by the Senate. Mariss Agena, 2L Senator, explains that the purpose is to ensure part time students that wish to participate, but who cannot attend in person due to their jobs, still have a voice in the voting. Raven Sevilleja, 1L Senator, also suggests the electronic presence will allow for more work to be completed over the summer. The Rule is not amended.

Discussion Regarding “Rule IX. Electronic Presence”: David Stapp, 1L Senator, re-objects to the electronic presence. Mariss Agena, 2L Senator, argued on behalf of the part-time students. The Rule is not amended.

Discussion Regarding “Rule X. Electronic Voting”: Mariss Agena, 2L Senator, objects to electronic polling as she believes it will decrease participation and responsibility of the Senators as “the pressure would be off to speak your vote in front of constituents”. The Rule was amended with a requirement that voting records are published to ensure the voting record of the electronic voting is made public to increase accountability for the Senators.

Discussion Regarding “Rule XI. Proxies”: David Stapp, 1L Senator, also objects to proxy votes. The Rule is not amended.

Discussion Regarding “Rule XII. Minutes”: None

Discussion Regarding “Rule XIII. Senate Committees”: The notice requirement is amended to 72 hours to allow the Committee to file notice of a meeting and allow the Senate Chair to distribute notice to the entire SBA within the 48 hour timeframe.

Discussion Regarding “Rule XIV. Long Range Planning”: None

Discussion Regarding “Rule XV. Senate Meetings”: Matt Tsujimura, 1L Senator, believes the dates should be set for the Senate meetings. Raven Sevilleja, 1L Senator, believes at least four calendar dates should be set for the Senate. Marissa Agena, 2L Senator, believes that would be difficult due to scheduling issues and that the meetings should be sure to accommodate the part-time Senators. Matt Tsujimura, 1L Senator, and Raven Sevilleja, 1L Senator, recommend the Senate Chair set two Senate meetings two weeks prior to the semester, at least one day and one night, allowing potential Senators to plan their schedules accordingly. The Rules are amended as such. David Stapp, 1L Senator, thinks requiring set dates would cause too much conflict. The Rule was amended to require at least two set Senate meetings per semester, with one to be during the day and one at night, to be set 3 weeks before the beginning of the semester.

Discussion Regarding “Rule XVI. Dues”: At Jordan Inufuku’s, 2L Senator, suggestion, the “within (30) days of the fall elections” clause is moved to “Rule XV” and the clause “at the first Senate meeting of the fall semester” replaces it.

Discussion Regarding “Rule XVII. Class Party Planning”: Mariss Agena, 2L Senator, and Jordan Inufuku, 2L Senator, had concerns with the class party planning rule of order. The Rule was no amended.

Discussion Regarding “Rule (UnNumbered). Emergency Meetings for Health, Safety, and Welfare”: Jordan Inufuku, 2L Senator, suggests removing the Health, Safety, and Welfare Rule as the LSG has no police powers anyway, so this rule does not necessarily work for the LSG Senate. The Rules are amended with the Health, Safety, and Welfare Rule removed.

Discussion Regarding “Rule (UnNumbered). Voidability”: David Stapp, 1L Senator, and Jordan Inufuku, 2L Senator, think the “Voidability” Rules should be struck in favor of the By Laws and because the Rule refers to the Judiciary in the Senate Rules of Order. The Voidability Rule is removed from the Rules.

Matt Tsujimura, 1L Senator, thanks Raven Sevilleja, 1L Senator, for drafting the Senate Rules of Order.

MOTION TO ADOPT THE RICHARDSON LSG SENATE RULES OF ORDER:
Matt Tsujimura, 1L Senator, moves to adopt the William S. Richardson School of Law LSG Senate Rules of Order with technical amendments to be added. Raven Sevilleja, 1L Senator, Seconds.

Ayes: 9 of 12

Matt Tsujimura, 1L Senator
Raven Sevilleja, 1L Senator
Jordan Inufuku, 2L Senator
Sarah Sheffield, 2L Senator

Mariss Agena, 2L Senator
Z Aki, Ulu Lehua Senator
Justine Chmielewski, Ulu Lehua Senator
David Stapp, 1L Senator
Katherine Vessels, Senate Chair

Absent, not voting: 3

Nahelani Webster, Part-Time Senator
Courtney Takara, Part-Time Senator
Jennifer Cha, Part-Time Senator

Katherine Vessels puts the Senate in recess until Friday, August 29 at 11:15 in LIB 118.

B. Adopt William S. Richardson School of Law LSG By-Laws (<http://goo.gl/8KMZo4>)

Matt Tsujimura, 1L Senator, moves that the Robert's Rule of Order that requires the Senate Chair to concede the Chair until the measure has passed in order to speak on the measure be suspended during the discussion of the By Laws. None of the Senators wished to forego their speaking privileges and the Senate Chair/Vice President must speak to provide the reasoning of the Executive Board for the proposed By-Laws. Z Aki, Ulu Lehua Senator, seconds.

Vote: Seven (7) in favor, two proxy votes counted as absent. Total absent, non-votes: 5. The Rule of Order is suspended for the duration of the discussion on the By Laws.

Discussion Regarding "1.0 Declaration of policy and intent": Add "Hereafter LSG" and Hereafter SBA and Mike clarification on intent. Mike clarification liberally construed

Discussion Regarding "2.0 Definitions": Mike Wingfield and Jordan Inufuku recommend changing "Agency" to "body" to better sync with the rest of the document. Body is defined as: "the the senate, executive, and judiciary, and standing committees under article 7 of constitution" Final action: "agency" is changed to "body" and the definition of body is added.

Discussion Regarding "3.0 Members of the Law School Government": None.

Discussion Regarding "4.0 Open Meetings": None.

Discussion Regarding "5.0 Notice": Tom Michener posed the question: "Why include the judiciary?" David Stapp recommended the judiciary be exempt from having to give notice of meeting. Jordan Inufuku recommended changing the "less than" to "at least 24 hours". Final action: Judiciary is removed and section is amended from "less than" to "at least 24 hours."

Discussion Regarding “6.0 Emergency meetings for Health, Safety, or Welfare”:

Jordan Inufuku recommends this be removed IAW discussion from the Senate Rules of Order that the Senate has no issues or enforcement powers here. Final action: removed.

Discussion Regarding “7.0 Emergency Meeting for Unforeseen Event”:

Jordan Inufuku recommends the section be amended to reflect the rules in the Senate Rules of Order and include the other branches and bodies of the LSG. Final action: amended as recommended.

Discussion Regarding “8.0 Minutes”:

Jordan Inufuku recommends changing division to body and make the provision only applicable to publication of minutes. Final action: amended as recommended

Discussion Regarding “X.0 Voidability”: Struck. Not applicable due to 5.B.

Discussion Regarding “X.0 Enforceability”:

Jordan Inufuku asks: “What can the judiciary do to enforce their rulings?” The 3Ls (currently recognized as 2L Senators) would rather limit the judiciary’s powers strictly to the wording in the Constitution and use the bylaws to enumerate the judiciary’s responsibility and powers. The question was also raised by the 2L Senators why the ByLaws had to be passed as they were. David Stapp recommended the Senate not ratify on the ByLaws at this meeting, but that the conversation should continue so that future LSG Senates have the legislative history.

Discussion Regarding “X.0 Dues”:

Matt Tsujimura recommends this section be removed and that the dues should be determined by resolution in the Senate each year. Final Action: Provision removed because the Senate will set the dues by resolution each year. If the dues are set in the By-Laws, they could only be changed by $\frac{2}{3}$ vote.

Discussion Regarding “X.0 Budget”:

Section removed. Matt Tsujimura does not think that the executive needs \$1000. Justine Chmielewski does not like the fact that students have to pay for the water and coffee because they have already paid through their dues. Jordan Inufuku does not believe the LSG should profit from the students. David Stapp thinks each branch needs a small budget in case of emergency. Matt Tsujimura suggests that if the LSG requires the student organizations to budget, then the LSG should have to budget as well. No final action taken.

Discussion Regarding LSG Training by the Judiciary:

Tom Michener: believes there is a separation of powers issue with “X.0 Training”. He asked the Senate to consider to what extent can Senate define Judiciary duties? Section 5.5 of the Constitution says the Judiciary must ensure training, but gives no timeframe.

Discussion on Bin Storage:

Oral Testimony from Nadine Ortega: Voices FLSA concerns with bin rental and storage fees. She is willing to compromise.

Mariss Agena, 2L Senator, objects to the bin rental and storage fees as well and believes there should be a Student Lounge cleaning option in lieu of fees.

Matt Tsujimura, 1L Senator, believes the dues should be yearly and in conjunction with the cleaning of the Student Lounge.

Katherine Vessels, Senate Chair, explains the reasoning behind the charges for the bins. They are as follows: (1) to ensure the storage space is only used by the SBA and paying student organizations, (2) to ensure student organizations are not abusing the storage bin area [forcing a student organization to pay \$20/semester will require them to examine whether they need to continue storing their equipment, or could use and replace as needed] (3) to ensure the initial and maintenance costs of the bins are covered (4) to raise funds for the SBA.

David Stapp, 1L Senator, and Z Aki, Ulu Lehua Senator, are concerned with the bigger student organizations paying instead of also doing service.

Mariss Agena, 2L Senator, believes \$20 per semester is too costly and that the SBA should not be profiting from the student organizations.

Z Aki, Ulu Lehua Senator, and Nadine Ortega, Guest, want the student orgs to buy their own bins.

Jordan Inufuku, 2L Senator, recommends the SAC and Secretary make the cleaning week during the fundraising. "All about them" week. For weeks not involving a fundraiser, the Student orgs will clean on Friday, the Secretary will check the lounge after cleaning, and the Secretary will enforce sanctions if the lounge is not cleaned. Sanctions would be as follows: no funding from the finance committee for the rest of the academic year, no bin for the rest of the year and the next academic year, and no fundraising in the courtyard.

Z Aki, Ulu Lehua Senator, and David Stapp, 1L Senator, are okay with a one time fee and service.

Jordan Inufuku, 2L Senator, thinks the fees should cover the SBA in case a bin breaks and recommends \$5 annually.

The By Law is amended as follows:

David Stapp, 1L Senator, and Matt Tsujimura, 1L Senator, had to leave to prepare for OCIs tomorrow. The Senate chair put the Senate in recess.

Oral Testimony from Derek Brow: No payment of storage bins.

MOTION TO ADOPT THE LAW SCHOOL GOVERNMENT BY-LAWS: Matt Tsujimura, 1L Senator, moves to adopt the William S. Richardson School of Law LSG Senate Rules of Order with technical amendments to be added. David Stapp, 1L Senator, Seconds.

All in Favor: 0

All Opposed/Nays: 10 of 12

Matt Tsujimura, 1L Senator
Raven Sevilleja, 1L Senator
Jordan Inufuku, 2L Senator
Sarah Sheffield, 2L Senator
Mariss Agena, 2L Senator
Z Aki, Ulu Lehua Senator
Justine Chmielewski, Ulu Lehua Senator
David Stapp, 1L Senator
Katherine Vessels, Senate Chair
Mike Wingfield, Part-Time Senator

Absent, not voting: 2

Nahelani Webster, Part-Time Senator
Courtney Takara, Part-Time Senator

VII. Adjournment

Katherine Vessels, Senate Chair, adjourned the meeting at 12:55 pm.