

**Associate Students Incorporated
California State University, Long Beach**

**Senate Minutes
Meeting #32
Wednesday, April 26, 2006**

I. Call to Order

Vice President Okahana called the meeting to order at 3:35pm.

II. Invocation

There was no invocation.

III. Roll Call

Present

Mr. Brian Campos
Ms. Elaine Chau (Ar @ 3:55pm)
Mr. Kenneth Cooper (Dp @ 5:30pm)
Ms. Naomi Cruz
Mr. Guido D'Onofrio
Mr. Mike Emehiser
Ms. Elisa Herrera
Mr. Juancarlos Mariano
Ms. Shelena McClinton
Ms. Shefali Mistry (Ar @ 4:05pm and Dp @ 6:05pm)
Ms. Sandra Olmedo (Ar @ 3:40pm)
Ms. Zion Redie (Ar @ 3:55pm)
Mr. William Sanchez
Ms. Shauntel Smith (Dp @ 3:55pm)
Ms. Ashley Stanton (Ar @ 6:40pm)
Mr. Clint Sylvestre
Mr. Justin Todoroff
Ms. Jessica Vieira (Ar @ 3:50pm)
Mr. Kory Witt
Mr. Hironao Okahana

Voting Members Absent

Mr. Amin Km

Non-Voting Members Present

Dr Jeane Caveness (Dp @ 6:40pm)
Dr. Wayne Dick (Dp @ 4:50pm)

IV. Approval of the Agenda

Without objection the Chair stated that at the President's report is at 5:20pm and that, the Executive Director will not be reporting at this meeting.

Without objection, the Chair moved that the Senate invoke provision of the California Education Code and waive the Rule IV.J of the Senate and add S.Res. #2006-30 "Resolution to endorse and uphold the great American Boycott 2006 on May 1" as an action item, further the Chair moved that the Senate proceed to the item at the conclusion of the Consent Agenda.

Without objection the agenda stands as approved.

V. Approval of the Minutes from the last meeting

(M) Chau (S) Sylvestre moved to approve the minutes from Meeting #31 dated April 19, 2006.

VOTE ON MOTION

PASSES 15-0-1

VI. Public Comments

- a) Dr. Dick: He gave background information on Assembly Bill AB 422 regarding the requirements of Publishers. Publishers are now required to make e-text books, but they are charging high prices for the online books. Long Beach State is in the middle of this movement to make e-text books available to all students, including disabled students, because web technology has increased.
- b) Sumkio Braun: She encouraged the Board to participate in the walk-out on Monday, May 1st to show support.
- c) David Kirsten: He stated that he has been working on book reserves in the library for students to check out for three hours at a time. The problem is that to put books on reserve it takes 4-6 weeks. He wants the Board to help him and distributed a sign up sheet. He asked Dr. Dick how much money is saved from early text book requiem. Dick responded that the money saved is 20-40%.
- d) Dr. Caveness: She spoke about how honored she was to participate in the Gulf States Rebuild trip over Spring Break. She explained that it was a privilege to serve and Southern hospitality was wonderful. She hopes that Long Beach State will continue making a trip to help individuals each spring break, overseas or in the United States.

VII. Report from Chair

Distributed at the Senate Chambers.

VIII. Reports from the Senators

Distributed at the Senate Chambers.

IX. Consent Agenda

- A. Approval of Minutes from Subsidiary Boards
 - 1) Board of Control, Meeting #31 dated April 18, 2006
- B. Received minutes, communications, and reports
 - 1) Judiciary Minutes, Meeting #7 dated April 3, 2006

(M) Sylvestre (S) McClinton moved to approve the Consent agenda.

VOTE ON MOTION

PASSES 18-0-2

X. Introduction of New Business

- A. S.Res. #2006-30 "Resolution to endorse and uphold the great American Boycott 2006 on May 1, 2006"
Ms. Herrera introduced the resolution to the Board and explained why Senator Cruz and she wrote it.

(M) Herrera (S) Cruz moved to approve S.Res. #2006-30.

Cruz: She stated that there are over 2,000 undocumented students who attend Long Beach State. She told the Board that many students support the resolution. In her opinion, this will strengthen the bond between ASI and students on campus.

Without objection, the Chair opened the discussion to the Public.

Christian Lopez: He stated that he supports the resolution and wants it to pass.

Sean Duenser: He said that the progressive students want this resolution passed and the Board should vote to shut to USU down.

Christopher Chavez: He reminded the Board that they passed a Policy on Diversity and passing this resolution would be a positive move.

Without objection, the Chair waived the first reading on S.Res. #2006-30.

Cooper: He stated that he has a problem with the 2nd resolve because many people who work in the USU depend on the money.

(M) Cooper **(S)** Todoroff moved to close the USU from 12-2pm, which is during the rally.

Olmedo: Her suggestion was to only close the USU from 12-2pm and suggested keeping the 2nd resolve and adding that the USU will be closed from 12-2pm.

D'Onofrio: He feels that ASI should not be involved in political issues. Additionally, students who are against the resolution are alienated.

Emenhiser: He stated that the United States is a nation of immigrants. This is just another cycle of immigration in the United States. His suggestion is if the USU is going to be closed all day, the workers get paid for a day.

Cruz: She feels that closing the USU for the whole day is a major impact in the resolution.

Chau: She was wondering who controls the pay and compensation.

Todoroff: He asked Mr. Edwards what the financial cost for closing the USU for the whole day. Edwards stated that the loss would be approximately \$15,000.

Stanton: She asked the Board if only the USU is going to be closed or the entire school. Herrera responded that the Board only has jurisdiction over the USU.

Sanchez: He asked where the location of the rally is. Cruz responded that it was at the Speakers platform in front of the bookstore.

Vieira: She agreed that closing the USU from 12-2pm is a great idea. She reminded the Board that student organization events were planned during that time.

Dick: He told the Board to think about where the \$15,000 is coming from.

Copper: He asked Mr. Edwards how many students are employed by USU. Edwards stated approximately one hundred students. Edwards read the list of events that were occurring in the USU on Monday, May 1st. Also he told the Board that there is a written agreement with the University to keep it open.

Witt: The money is coming out of students pockets, so closing the Student Union is a waste of \$15,000.

Chau: She supports the Bill, however, people should not stop students from buying food in the USU.

Herrera: She told the Board that the food vendors will be boycotted. The ASI employees are still going to get paid.

Caveness: She told the Board that any event listed needs set-up time and access to the building is required.

Todoroff: He called to question. There was an objection from the floor.

(M) Witt (S) D'Onofrio to the close further debate on Cooper/Todoroff Amendment.

VOTE ON THE MOTION (to close debate on Cooper/Todoroff Amendment) FAILS 4-15-1

Cooper: He reminded the Board that organizations are charged a fee if they cancel an event after 72 hours.

Okahana: He is not concerned about money, but wondered whether students should be forced to support the rally because not all students feel this way about this issue.

Emenhiser: He calculated the total money the USU would lose for being closed a day, which was under 1%. He is still undecided on this issue because he has a problem with cancelling planned events.

Todoroff: Point of Order to the Chair- Each Senator can only speak two times in this debate.

Stanton: She supports this issue because of the impact it will have.

Campos: He stated it is not fair to close the USU because it will upset student organizations that use the building.

Mariano: He yielded his time to Mr. Emenhiser.

Emenhiser: He called the question.

**VOTE ON THE MOTION (on Cooper/Todoroff Amendment)
FAILS 3-12-2**

(M) Stanton (S) Cooper to strike the 2nd resolve.

Emenhiser: He suggested adding a stipulation that ASI employees get normal pay for the day.

Mistry: Her suggestion was to only shut down food vendors because this is a huge boycott. Her problem is forcing people out of the USU because some students will not support the Bill.

Todoroff: He stated that a motion was not made yet.

(M) McClinton (S) Stanton to close further debate on Stanton/Cooper Amendment.

**VOTE ON MOTION (to close further debate on Stanton/Cooper Amendment)
PASSES 17-2-1**

VOTE ON MOTION (on Stanton/Cooper Amendment)

FAILS 5-14-1

(M) Cruz (S) McClinton to add in the 2nd resolve that vendors will only be closed for the day.

Chau: The students who work for the food vendors still depend on their paycheck.

Caveness: She made the Board aware that the vendors would want compensation.

Witt: Yielded his time to Mr. Haller. Haller clarified for the Board that vendors would have to be reimbursed for their losses

Vieira: She stated that it is contradicting if ASI is opened, but the food vendors are closed.

Cooper: He asked why is the Board going to close the USU food vendors, if they are going to be reimbursed by AS.

Cruz: She told the Board what she meant by food vendors, which are Roundtable, Coffee Bean, Candy Counter, Carls Jr., Subways and Robeks.

Redie: She suggest just not buying food, instead of advocating closing vendors completely.

Sanchez: He called to question. There was an objection.

(M) Sanchez (S) Emenhiser to close further debate on Cruz/McClinton Amendment.

VOTE ON THE MOTION (to close debate on Cruz/McClinton Amendment)

PASSES 18-1-1

VOTE ON THE MOTION (on Cruz/McClinton Amendment)

FAILS 6-12-2

Okahana: He told the Board that there have been three friendly amendments. The Board just needs to agree on the overall concept.

(M) Chau (S) Herrera to change the 2nd resolve to inform students not to buy from food vendors in the USU.

Herrera: She liked the idea and suggested putting big signs on the door.

Edwards: He told the Board that putting signs on the door is a violation of State building regulations.

Herrera: She suggested to have the wording say that appropriate signage will be used for the posters.

Stanton: Her suggestion was to post signs by the doorways of the USU that are legal.

Mistry: She is in favor of the signage by all entrances to the USU.

Witt: He yielded his time to Mr. Haller. Haller pointed out that the last resolve states the same thing about the signage.

McClinton: moved to the previous question. Cooper objected and asked who will pay for the signs and who will make them.

Okahana: He told the Board that part of the programming funding can fund the posters.

Herrera: She asked the Board what the wording should be on the posters. D'Onofrio suggested having the pro/cons of the walk out and boycott.

Emenhiser: He yielded his time to Mr. Ntuk. The Chair ruled out of order with the basis that the public comments section has been expired and the individual has no relevancy or credential of providing expert comments or further information on pending matter.

(M) Emenhiser (S) Mariano to appeal the ruling of the Chair.
VOTE ON THE MOTION (to sustain the ruling of the Chair)
FAILS 0-14-4

Ntuk: He stated that this resolution is not worth passing unless the building is closed.

(M) Emenhiser (S) McClinton to close further debate on Chau/Herrera Amendment.

VOTE ON THE MOTION (to close debate on Chau/Herrera Amendment)
PASSES 17-1-1
VOTE ON THE MOTION (on Chau/Herrera Amendment) PASSES 11-7-2

Under the previous order, the Chair suspended the debate and the Senate proceed into the special order business.

XIII. Special Order of Business

- A. Report from the President of the Associated Students
Based on the seriousness of the debate on the floor, the President stated that she is going to e-mail the report. She added that it was crucial for the Board to attend the Multi-Cultural Festival on Thursday, April 27th at 12 noon in the ballrooms.

The Senate resumed the debate.

Emenhiser stated that he would be voting against this resolution even though he supports the boycott.

Herrera encouraged the Board to vote for the resolution.

VOTE ON THE MOTION (on the main motion as amended) PASSES 16-3-1

XI. Business Pending the Business Floor

- A. Resume consideration on motion to agree BOD-BOC-2006-11 "Fiscal year 2006-07 budget resolution"
Mistry stated that the Arts Commission should be given a total of \$3000 because CSULB has the best Arts program on the West Coast and the Commission should reflect that.

(Amendment #3 – Todoroff/Witt Amendment)

VOTE ON THE MOTION PASSES 18-0-1

(Amendment #4 – Witt/Mariano Amendment)

(M) Witt (S) Mariano to reallocate \$24,378 from the Union budget to the ASI Scholarship fund.

Witt stated that tuition is rising therefore students need all the help they can get from scholarship monies.

Mariano agreed that he had spoken with students and scholarship monies were very important to them.

Herrera opposed the motion and stated that no one has voiced a concern with the Union and no one has attended the Student media Board meetings.

Olmedo yielded her time to Mr. Haller. Mr. Haller stated that taking funds from the Union would lead to serious legal challenge as it would violate the 1st amendment . Similar cases have been filed before with other schools when student governments reallocated funding from the campus paper. The courts have consistently interpreted such actions as a form of censorship.

Mariano stated that the reallocation was a matter of priority of funds not censorship.

The Chair, given the Constitutional (of the United States) concern, ruled the amendment out of order.

(M) Mariano (S) Witt to appeal the ruling of the Chair

VOTE ON THE MOTION (to sustain the ruling of the Chair)

PASSES 10-6-3

(Amendment #5 – Vieira/Smith Amendment)

(M) Vieira (S) Smith to allocate \$2000 from the Entertainment Commission line item 727 to the Arts Commission line item 718

Vieira stated that the Arts Commission is doing a great job and more funding will make it even better.

Mariano stated that he was concerned that funding is lending towards a specific college.

Emenhiser stated that Art on this campus sucks and he does not like modern art therefore he will be voting against this motion.

VOTE ON THE MOTION

PASSES 13-1-4

(Amendment #6 – Todoroff/D'Onofrio)

(M) Todoroff (S) D'Onofrio to remove funds in the amount of \$27,000 from CSSA line item 748 to Scholarship funds.

Todoroff stated that CSSA is a good organization but the lobbying efforts are not for ASI. Senator D'Onofrio agreed.

Olmedo made a friendly amendment to reallocate some of the money (\$3,000) to the Cabinet for the Diversity program.

Herrera asked whether or not CSULB will be able to participate in CSSA once they stop paying dues. Vice President Okahana said yes the school can participate in conferences but they will not have a vote.

Mariano asked if any university has pulled out in the past. Mr. Haller answered yes, CSULB has pulled out several years ago and returned later.

Vice President Okahana stated that he does not oppose having more money available for scholarships, however, CSSA is a larger entity that allows for 400,000 students to be heard. He stated that CSULB need to have a vote to be heard on issue such as Cal Grants and he will be voting against this amendment.

Olmedo stated that she understands Okahana's concerns but as she is aware, CSULB will still have a voice at CSSA conference if they chose to attend.

Emenhiser ask Mr. Haller to share some history as to why CSULB stopped paying dues a few years ago. Mr. Haller stated that ASI was experiencing a budget crisis at the time, membership was costly, and the Board at that time felt the benefits of membership did not warrant the cost.

By unanimous consent agreement, the motion was modified to \$14,085.

Mariano called the question.

VOTE ON THE MOTION (as modified)
PASSES 10-7-1

(Amendment #7 – Olmedo/Emenhiser Amendment)
(M) Olmedo (S) Emehiser to allocate \$3000 to the Cabinet line 772 from CSSA line item 748.

Olmedo was concerned that the Board was not following the demands of the recently approved Policy on Diversity. Emehiser agreed.

VOTE ON THE MOTION **PASSES 11-0-5**

(Amendment #8 – Emehiser/Todoroff Amendment)
(M) Emehiser (S) Todoroff to move \$10,000 from CSSA line item 719 to Cabinet for System-wide Affairs rep lobbying expenses.

VOTE ON THE MOTION **PASSES 12-2-3**

Cruz: She brought to the Board's attention the Student Organization Grants. She pointed out that there are two graduations African American Graduation and the Latino Graduation which she felt were great events that deserved full funding.

(Amendment #9 – Cruz/Olmedo)
(M) Cruz (S) Olmedo to adjusting African American Graduation Celebration to \$10,000

Emenhiser: He stated that each time we take money that has not been for something else we are taking money from organizations for next year. Organizations can come to BOC next year and ask for more money from CYUF.

Witt: He agreed with Emehiser and felt that the money allocated the both graduations was sufficient.

D'Onofrio: He stated that the Board needs to take into account the financial situation and BOC spent a lot of time making sure that everything was balanced.

Olmedo: She stated that since AS doesn't have a way of rating the quality of events, there is no way for the Board to say whether an event is spectacular or not. She spoke on behalf of both organizations and said that they are spectacular events.

Todoroff: He stated that looking at financial situation the Board should add the two grants up and divide the funding in half so that they are equal. He did not feel that the Board needs to add any more funding to any of the organizations. BOC worked hard on funding organizations and the Board should keep it the way they recommended.

Emenhiser: He stated that there are a lot of organizations and BOC looked at everyone and these two organizations got more funding than most organizations. Therefore, they should come to BOC at the beginning of the year if they require more money and BOC is very receptive to student organizations.

VOTE ON MOTION

FAILS 3-7-6

(Amendment #10 – Cruz/Mariano Amendment)

(M)Cruz **(S)** Mariano to adjust 18th Annual Latino Graduation Celebration to \$8,673.

Chau: She stated that she felt they should go to BOC next year and ask for money.

Olmedo: She stated that graduations are expensive and each organization is not even asking for half and they do a lot of fundraising on their own.

VOTE ON MOTION

FAILS 4-6-4

(Amendment #11 – Olmedo/Mariano Amendment)

(M) Olmedo **(S)** Mariano to adjust Pilipino Graduation to \$2,675.

Olmedo: She stated that they are all graduation ceremonies and they are not even asking for half so it should be fully funded.

Mariano: He stated that this is a small amount so the Board should fund it.

Sylvestre: He stated that the Board didn't give the other organizations additional money so they should come to BOC next year and ask for an adjustment.

D'Onofrio called to question.

VOTE ON THE MOTION

FAILS 4-9-3

Haller: He clarified Senator Emenhiser's motion by stating that AS has to bring the budget into compliance with our policy which states that we must allocate \$15,000 to a diversity programs. If we are short, this should be pulled from retained earnings.

By unanimous consent agreement, the Budget resolution to be in compliance with the Policy on Diversity.

Olmedo: She asked where the employee for the Scholarship Center was funded.

Haller: He stated that Wayne Stickley-Smith is State employee and paid by the Division of Student Services. ASI only funds the operating expenses of the Scholarship Information Center.

Haller: He stated that this is administrative task and he can do it. He also stated that this needs to be done with the Elections Committee as well.

By unanimous consent, the budget heading for "Elections Commission" and "Beach Team" was reassigned under "Government Operations."

Olmedo: She had questions about the Development Office. She asked why was AS paying the employee \$35,000 to raise \$10,000. She also wanted to know what friend-raising is.

Haller: Explained that the employee raises over half a million dollars but it goes to the Child Development Center and other areas. Friendraising is finding different donors and encouraging people to donate to ASI, "wining and dining".

Todoroff: He stated that the Beach Team has a lot of potential and thinks that the program will excel next year.

(Amendment #12 – Todoroff/Sylvestre Amendment)

(M) Todoroff **(S)** Sylvestre to double each of the line items 718, 725, 772 to be each \$2,000 and reduce System-wide affairs line item 719 to \$1540

Emenhiser- He stated that he was against this motion. There is already a lot of money going to them and it would be 30% of what we allocated for lobbying.

Todoroff made a friendly amendment to increase their revenue line of The Union by \$3,000 and give the \$3,000 in to the Beach Team.

Jeff Klaus was recognized from the gallery: He stated that as a member of the Student Media Board he felt that it is a shame to have the Union increase the revenue which puts more stress and more work on the Union which has limited staff. The Union has been working hard and they are trying to produce something amazing for students.

Herrera: Stated that the Board should find where the money for all the ASI miscellaneous things comes from at take the funds from there.

Vieira: She stated that ASI is always trying to market more to students and by taking away funding for the miscellaneous items takes away from the marketing of ASI.

Todoroff: He stated that it is not a matter of where the money comes from but the amount of funding the Board gives the Beach Team to put on events and develop into the great leaders that ASI needs.

Olmedo: Yielded her time to Mr. Haller

Haller: He suggested that we increase the revenue for the Business Office by \$3,000 and change line item 521 under cashiering to \$25,400.

By unanimous consent,. \$3,000 to be reallocated by increasing the revenue under Cashier for the Business Office..

VOTE ON MOTION (as amended)

PASSES 10-3-3

Back to the main motion to agree on budget resolution as modified.

Olmedo- She wanted to add a stipulation that the scholarship funds cannot be touched until the documents are set and final.

VOTE ON MAIN MOTION (for final passage)

PASSES 15-0-1

XII. Business Referred to the Senate

A. BOD-USU-2006-01 'Fiscal Year 2006-07 USU Budget Resolution'

(M) Witt (S) Todoroff to postpone this item to the Special Meeting to be held Friday April 28th at 1pm in the Chambers.

Senators Mistry, Sylvestre, Emenhiser, Smith and Stanton stated that they will not be able to attend the Friday meeting.

VOTE ON THE MOTION

PASSES 9-7-3

XV. College Council Updates

College of the Arts: No Report

College of Business: No Report

College of Education: No Report

College of Engineering: Senator Sanchez stated that the Election Committee were finishing up elections.

College of Health and Human Services: Senator Witt reminded the Board about the Health and Safety Fair that is tomorrow, April 27th.

College of Liberal Arts: No Report

College of Natural Science and Mathematics: Senator Chau reminded the Board that the Mayfield event is tomorrow, April 27th.

XVI. Additional Statements

Campos: Reminded everyone of the Multicultural festival tomorrow in the USU Ballroom from 12-2.

Herrera: She reminded everyone about the May 1st Boycott. There is going to be a rally at 12-2 pm at the speakers platform in front of the bookstore.

Emenhiser- He thanked the senate for all the hard work that everyone put into budget.

D'Onofrio- Moved to adjourned. Todoroff objected.

Todoroff asked the Board when is the best time to meet on Friday. The Board agreed to 1pm.

XVII. Adjournment

Vice President Okahana adjourned the meeting at 7:35 pm.

RECORDED BY:

_____ Date: _____
Amy Hoekstra, Recording Secretary

APPROVED BY:

_____ Dated: _____
Hiro Okahana, ASI Vice President

_____ Dated: _____
Jamie Pollock, ASI President

_____ Dated: _____
Dr. Michael Hostetler
Associate Vice President for Student Services/Dean of Students

VETO OR WAIVED WITH VETO:

DATED: _____
