SENATE BILL #1220

Title: Minor Sports Committee

Codification Number:

Introduced: October 4, 1977

Thesis: To organize officially recognized minor sports into a minor sports organization in order to better coordinate and fund minor sports activities.

Sponsors: Becky Becker, Bill Weber

1. Be it enacted by the Student Senate of the Associated Students of the University of Wyoming that a "Minor Sports Committee"

3. shall be formed as a special committee of ASUW with the following change in the ASUW Constitution: Article I

5. (Legislative Branch) Section 7: B. Special Committees:

6. 3. Minor Sports Committee: The responsibility of the

7. Minor Sports Committee shall be to organize and coordinate

8. the minor sports at the University of Wyoming. The By-Laws of the Minor Sports Committee shall be: ARTICLE I. Name:

10. This ASUW Special Committee shall be called the Minor Sports Committee. ARTICLE II. Purpose: The purpose of the Minor Sports Committee shall be to serve the varied interests of

13. UW minor sports by planning, and coordinating their activities.

14. Goals shall be: A. To recognize and promote the importance

15. of minor sports at the University of Wyoming. B. To centrally

16. organize the activities of separate minor sports clubs in order that each receives proper recognition. C. To better coordinate

18. playing schedules, playing fields, or sporting areas, and

19. referee assignment to respective minor sports organizations.

20. ARTICLE III. The Minor Sports Committee Executive Board

21. Section 1. Purpose: The purpose of the Executive Board
shall be to secure input from each minor sport represented, and thereby organize the minor sports program in such a way that each sport is given proper recognition, playing rights, and funds. The executive board shall allocate a designated ASUW minor sports fund to those organizations where they deem necessary. Funds may be designated for any purpose the committee decides, in compliance with the University budgetary policy. The executive committee shall present this budget to the ASUW Finance Committee for approval. Section 2.

Membership: The Minor Sports Committee shall consist of the Intramural Sports Director, the Sports Club Manager, and the Presidents of each minor sport designated in Section Three.

One student Senator and one student at large per every three sports clubs with a voting representation. These members appointed by the President of ASUW and approved by the ASUW Senate. All will have a vote in the club. The student members appointed may not be affiliated with any sports club or intercollegiate athletics. A. The Intramural Sports Director shall be a faculty member in the University of Wyoming.

Physical Education Department. The duties of the Intramural Sports Director shall be: 1. He shall be an ex-officio member of the Executive Board without vote; 2. He shall be responsible for interviewing and hiring the Sports Club Manager. B. The Sports Club Manager shall be a graduate student at the University of Wyoming, selected by the Intramural Sports Director before April, subject to approval by the ASUW Senate and the Minor Sports Committee.
49. He shall be paid a salary determined by ASUW. The duties
50. of the Sports Club Manager shall be: 1. He shall work with
51. and assist sports club presidents in: a. preparing budgets;
52. b. ordering equipment and supplies; c. keeping records of game
53. schedules and officials; d. keeping track of practice and
54. game space; e. promotion of club activities; f. itemizing
55. and maintaining records on club equipment. 2. He shall be
56. chairman of the Executive Board; he shall not vote except in
57. case of a tie. 3. He shall act as the official representative
58. of the Minor Sports Committee. 4. He shall plan agendas for
59. and call meetings of the Executive Board. 5. He shall give
60. weekly committee reports to the ASUW Senate. 6. He shall
61. file a comprehensive report of minor sports' operations and
62. activities, to aid in the continuation of the program and to
63. offer a clear picture of the position to his successor.
64. Section 3. Powers and Duties: A. The Executive Board shall
65. establish funding priorities for all minor sports included in
66. the committee, as specified by ASUW finance policy. This
67. budget shall be subject to the approval of the ASUW Finance
68. Committee. (Minor sports under the jurisdiction of the
69. Executive Board shall be Hockey, Soccer, Rugby, and Tennis,
70. (not listed in order of importance).) These organizations have
71. been chosen by the ASUW Senate on the basis that they have
72. consistently proved themselves to be viable minor sports.
73. Any other minor sports organizations wishing to be considered
74. in this category must first submit an application to the
75. Minor Sports Committee; then to be placed on a 1 year
76. probationary period, in order to prove themselves capable
77. of one year of competition. The ASUW Shall give an amount,
78. budgeted to the Minor Sports Committee, that the Executive
79. Board may divide among member clubs as they see fit.
80. The Executive Board shall be responsible for resolving
81. conflicts that may arise among various minor sports clubs.
82. The Board shall be responsible for behavior of the member
83. clubs and may have the authority to punish or fine according
84. to degree of misconduct. Section 4. The Executive Board shall
85. meet monthly. Special meetings may be called when necessary.
86. A. A quorum of the Executive Board shall consist of 2/3
87. of the voting members. B. Unless otherwise stated, all
88. matters shall be decided by a majority vote of the board.

Referred to: Constitution Comm.

Date of Passage: 10/4/77
Signed: ASUW Senate Chairperson

"Being enacted on _____________, I do hereby sign my name hereto
and approve this Senate action. ____________________ ASUW President."
October 18, 1977

TO: Owen L. Stone, President, ASUW
FROM: Jeffery N. Luthi, Executive Assistant for Student Rights
SUBJECT: Senate Bill #1220

Feeling duty bound by virtue of my position as an Executive Assistant to offer counsel to you on matters of grave import, I most respectfully submit to you my official opinion that Senate Bill #1220 as passed by the ASUW Senate at the Session held on October 18, 1977, is, in its present wording, un-constitutional, and in the least, a violation of the By-Laws of the ASUW.

My reasoning for this opinion is based on a strict construction of the ASUW Constitution. Under Article IV, Section 7. "...the following committees are established... Subsection B. Special Committees: 1. Student Lobby Committee... 2. University Activities Council..." There is no provision in the Constitution for the creation of Special Committees (or Standing Committees for that matter) short of a formal amendment to the document.

The purpose of an organization when establishing a constitution is to assure itself of a uniform code protected from passing whims of a segment of the population or of a branch of the government. Hence, the difficulty of the amending process.

If it were possible to make committee additions in an area where the constitution is specific by a mere act of the legislative branch, (as the Senate has done in this case) what is to prevent that branch from striking or otherwise altering the committees specified by the Constitution?

In reference to the violation of the By-Laws of the ASUW, I direct you to Title II, Article I, 1.7, Sections A and B, which states "Standing committees shall be: Academic Affairs, Constitution, Elections, Employee Review, Finance, Student Living, Survey, and Steering...B. Special committees shall be: Student Lobby and the University Activities Council...." It is more than mere coincidence that these committees are identical to those mentioned in the ASUW Constitution. It is obviously the intent to offer these committees the protection not only of the By-Laws but also of the Constitution.

The provision for the creation of new committees under the By-Laws is found in Section C of Title II, Article I, 1.7. This section provides the only tool for the formation of committees; those being Executive-Legislative Committees, a provision which recognizes the need of the Executive and Legislative to create lesser committees to facilitate the operations of these branches.

Therefore, because the only provision for committee creation is strictly limited to Executive-Legislative Committees, and since the Standing Committees and Special Committees stated in the By-Laws are verbatim (those listed in the Constitution) it is obviously intended to provide those committees with constitutional protection. Since the only proper way to add to committees so protected is through formal amendment and since the Senate has failed to proceed in its proper course in this matter, I would urge you, in accordance with your oath of office to uphold the Constitution and protect the By-Laws of the
Associated Students of the University of Wyoming, to veto this piece of legislation.

So as not to destroy the intent of this bill, I would further recommend the creation of a Committee under Section C, as aforementioned, so that the structure of Senate Bill #1220 may remain intact in content; and I further recommend that action be immediately initiated to secure the permanence of the intent of #1220 through the means provided by our Constitution, that is, by adding through amendment to the ASUW Constitution Article IV, Section 7, B, a paragraph number three (3), thus creating a special Minor Sports Committee.

Respectfully,

Jeffery N. Luthi
Executive Assistant to the President for Student Rights

Copy: Dean Tom Mattheus
Senators