

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
2. of the University of Wyoming that a "Minor Sports Committee"
3. shall be formed as a special committee of ASUW with the ~~the~~ ^{ADDITION to} ~~ASUW Constitution~~ ^{Bylaws} ~~Article~~ ^{TITLE II} ~~1~~
4. following change in the ASUW Constitution: Article ~~1~~ ^{1, 7, 8, 9}
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
9. of the Minor Sports Committee shall be: ARTICLE I. Name:
10. This ASUW Special Committee shall be called the Minor Sports
11. Committee. ARTICLE II. Purpose: The purpose of the Minor
12. 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
17. 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

22. shall be to secure input from each minor sport represented,
23. and thereby organize the minor sports program in such a way
24. that each sport is given proper recognition, playing rights,
25. and funds. The executive board shall allocate a designated
26. ASUW minor sports fund to those organizations where they
27. deem necessary. Funds may be designated for any purpose the
28. committee decides, in compliance with the University budgetary
29. policy. The executive committee shall present this budget
30. to the ASUW Finance Committee for approval. Section 2.
31. Membership: The Minor Sports Committee shall consist of the
32. Intramural Sports Director, the Sports Club Manager, and the
33. Presidents of each minor sport designated in Section Three.
34. One student Senator and one student at large per every three
35. sports clubs with a voting representation. These members
36. appointed by the President of ASUW and approved by the ASUW
37. Senate. All will have a vote in the club. The student members
38. appointed may not be affiliated with any sports club or
39. intercollegiate athletics. A. The Intramural Sports Director
40. shall be a faculty member in the University of Wyoming
41. Physical Education Department. The duties of the Intramural
42. Sports Director shall be: 1. He shall be an ex-officio mem-
43. ber of the Executive Board without vote; 2. He shall be
44. responsible for interviewing and hiring the Sports Club
45. Manager. B. The Sports Club Manager shall be a graduate
46. student at the University of Wyoming, selected by the
47. Intramural Sports Director before April, subject to approval
48. 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

gymnastics
minor sports
for membership

By this Board

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.

1st Reading 10/4/77

Referred to:

Do-PASS
10/4/77
Constitution Comm.

10/11/77 in Constitution

Date of Passage: _____

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, unconstitutional, 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

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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 permanance 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