

Failed 8-8-5



SENATE BILL #2992

TITLE: Reformation of Committee of the Whole Voting Thresholds, Processes, and Procedures

DATE INTRODUCED: 4/16/2024

AUTHOR: Senators Keasling & Meiklejohn

SPONSORS: Senators Brown, Gomelsky, Grimm, Hulen, and Moore; First-Year Senators Hargett, Jackim, Mackenzie, Morales, and Shosh; Director of Policy and Analysis Meester; Ex-Officio Mahoney; Student-at-Large Sophie Morris

1. WHEREAS, the purpose of the Associated Students of the University of
2. Wyoming (ASUW) is to serve our fellow students in the best manner possible; and,
3. WHEREAS, the ASUW Rules and Procedures Article 6, Section 6.01, Clause 12
4. currently states that it takes a 4/5 majority vote to suspend the appropriate clauses for
5. ASUW to resolve into Committee of the Whole; and,
6. WHEREAS, Robert’s Rules of Order, Newly Revised 12th Edition, outlines that the vote
7. for Committee of the Whole is a simple majority to resolve into the committee; and,
8. WHEREAS, this high threshold has in the past and could continue to be used in an
9. attempt to prevent legislation with significant student support from being heard by the
10. Senate in a timely fashion; and,
11. WHEREAS, our duties as Senators as outlined in the ASUW Bylaws Article V, Section
12. 5.02, are to “objectively evaluate the opinions and views of others” and to “allow the
13. presentation of all views, however diverse, of any student, group of students, or student

14. organization(s) or subject, which may come before this governing body” and to “actively
15. promote open two-way communication between the ASUW leadership and the students
16. we serve” as in Addendum A; and,
17. WHEREAS, utilizing a high threshold to prevent legislation representing the opinions
18. and views of others, presenting opinions of students, coming with the written statements
19. of students resulting from two-way conversation between ASUW leadership and
20. students-at-large represents a violation of our Standards of Behavior and the purpose of
21. ASUW; and,
22. WHEREAS, this threshold allows a minority group of senators who may disagree with a
23. bill to abuse Committee of the Whole procedure and prevent student voices from being
24. heard; and,
25. WHEREAS, referring legislation to committee is the discretion of the Steering
26. Committee, as outlined in Addendum B; and,
27. WHEREAS, since Committee of the Whole is not defined in the bylaws under any other
28. alternate designation nor is given a classification by Robert’s Rules of Order as shown in
29. Addendum C; and,
30. WHEREAS, Committee of the Whole most closely operates as a Special Committee of
31. ASUW, given the definition of Special Committees in the ASUW Bylaws as shown in
32. Addendum D; and,
33. WHEREAS, no other committee requires a threshold vote to accept, deliberate, and vote
34. upon legislation directed to them by Steering; and,
35. WHEREAS, the only way to override Steering’s committee assignment of a bill or
36. resolution, according to Robert’s Rules of Order Newly Revised (RONR), 12th Edition

37. §13. Commit or Refer, is to make a motion to refer or recommit legislation, which
38. requires a simple majority of the Senate (in RONR); and,
39. WHEREAS, this procedure under Robert's Rules of Order is not found in the ASUW
40. Bylaws, has never been utilized by ASUW, and does not constitute ASUW precedent;
41. and,
42. WHEREAS, emergencies and contingencies may arise after Steering Committee's
43. meeting or as considered by individual Senators; and,
44. WHEREAS, the procedure of Committee of the Whole (COW) is unclear and procedure
45. has been inquired about many times; and,
46. WHEREAS, the ASUW Bylaws should have a clear procedure for COW proceedings.
47. THEREFORE, be it enacted by the Associated Students of the University of Wyoming
48. (ASUW) Student Government that the ASUW Bylaws be altered so that Article II,
49. Section 2.02, Subsection 10, Clause F, Subclause b be amended to include a specific
50. designation for Committee of the Whole to provide clarification as reflected in
51. Amendment E; and,
52. THEREFORE, be it further enacted that the ASUW Rules and Procedures be altered so
53. that Article 6, Section 6.01 Clause 12, outlines COW procedure clearly as reflected in
54. Addendum F; and,
55. THEREFORE, be it further enacted that ASUW Rules and Procedures Article 10,
56. Section 10.01 be amended as reflected in Addendum G; and,
57. THEREFORE, be it further enacted that these changes take effect immediately upon
58. passage of this legislation.

Failed 8-8-5

Referred to: PID, Steering

Date of Passage: _____ Signed: _____
(ASUW Chairperson)

“Being enacted on _____, I do hereby sign my name hereto and approve this
Senate action.” _____

ASUW President

Addendum A

ASUW Bylaws: Article V, Section 5.02, Subsection 1, Clauses A, B, C, D, and E

Section 5.02 Standards of Behavior

1. As an elected and/or appointed representative of the Associated Students of the University of Wyoming Student Government (ASUW):
 - A. I will not misuse my position as an elected representative or the resources of ASUW for personal gain.
 - B. and views on subjects brought before this governing body in a professional and civil manner and will respect and objectively evaluate the opinions and views of others.
 - C. I will not tolerate language or actions that may discriminate against or discredit any individual student, group of students, or student organization(s).
 - D. I will endeavor to allow the presentation of all views, however diverse, of any student, group of students, or student organization(s) or subject, which may come before this governing body.
 - E. I will actively promote open two-way communication between the ASUW leadership and the students we serve.

Addendum B

ASUW Bylaws: Article II, Section 2.02, Subsection 10, Clause F, Subclause b –

The ASUW Steering Committee Powers

Powers: The Committee shall refer proposed ASUW legislation to ASUW standing or special committees for specified action or recommendation prior to final consideration by the Senate.

Addendum C

Robert’s Rules of Order Newly Revised, 12th Edition, §50. Committees

Failed 8-8-5

50:3 Ordinary committees are of two types—*standing committees* (which have a continuing existence) and *special committees* (which go out of existence as soon as they have completed a specific task).

Addendum D

Article II, Section 2.02, Subsection 11, Clause A – Special Committees

- A. Special committees may be formed at the discretion of the ASUW Senate and shall operate until dissolved by the ASUW Senate and according to By-Laws approved by the Senate at the time of committee formation, as well as all rules established for standing committees.

Addendum E

Article II, Section 2.02, Subsection 10, Clause F, Subclause b –

The ASUW Steering Committee Powers

Powers: The Committee shall refer proposed ASUW legislation *for specified action or recommendation* (italicized portion moved for clarity) to ASUW standing or special committees **or to Committee of the Whole when it is determined that the legislation is emergent** prior to final consideration by the Senate.

Addendum F

Article 6, Section 6.01, Clause 12

Article 6, Section 6.01, Clause 12 ASUW Legislative Process

12. Committee of the Whole Procedure

- i. In the case of legislation being determined by the Steering Committee to be emergent and steered to the Committee of the Whole, a bill or resolution may be voted on in the meeting of its introduction in the Senate.
- ii. In the case of an emergency **not determined by Steering**, a bill or resolution may **bypass hearing in the committees to which it was steered and** be voted on in the meeting

of its introduction if the Senate, by a **two-thirds (2/3)** vote of its members present, shall vote to suspend the rules and resolve itself into Committee of the Whole ~~(as prescribed in the most recent edition of Robert's Rules of Order.)~~ with procedures continuing as described following (iii, iv, v). Should the two-thirds (2/3) vote not be achieved, the bill or resolution will continue to the committees to which it was steered according to standard operating procedure. ~~After such action, the proper committee shall be asked for its recommendation. This recommendation may have been prepared prior to the Senate meeting or the committee may meet in a special session during the Senate meeting if a quorum of the committee is present.~~

iii. Suspension for COW Vote: The Senate, by a three-fourths (3/4) majority vote of its members present, may vote to suspend the appropriate sections of the rules and procedures (Section 6.01, Subsection 3, 4, and 5)

iv. Entering COW Vote: Next, the Senate, by a two-thirds (2/3) majority vote of its members present, resolve itself into Committee of the Whole (as prescribed in the most recent edition of Robert's Rules of Order—except for the voting threshold, which is outlined above). Should the vote to dissolve fail to achieve a two-thirds (2/3) majority, an alternative time to meet prior to the next Senate meeting must be determined or a motion to recommit (meaning to re-steer) to different committee(s) (any Standing or Special Committees) must be made and pass by a two-thirds (2/3) majority prior to moving on to any further business.

v. Committee of the Whole shall be chaired by the President Pro-Tempore, shall proceed according to the normal rules of standing and special committees, and shall vote on a recommendation for Senate by a two-thirds (2/3) majority. The Committee of the Whole can meet and prepare a recommendation prior to the senate meeting. Should the Committee of the Whole meet during the same Senate meeting at which it was called, immediately upon closure of committee proceedings, the Marshal shall proceed with the second reading and the President Pro-Tempore shall give the committee's recommendation when asked. If the meeting of Committee of the Whole does not meet during the Senate meeting in which it was called, the second reading will occur at the next Senate meeting, at which time the President Pro-Tempore will give the committee's recommendation.

Addendum G

Article 10, Section 10.01, Clause 1

Article 10. Suspension Section 10.01 Suspension of the ASUW Rules and Procedures

Failed 8-8-5

1. These rules, or any portion thereof, may be temporarily suspended by a two-thirds (2/3) vote of the ASUW Senate with the exceptions of **Article 6, Section 6.01, Subsections 3, 4, and 5 (Committee of the Whole Suspension Vote)**, which require a three-fourths (3/4) vote and Article 10, Section 10.01, Clause 1, ~~and Article 6, Sections 2, 3, and 4~~, which require a four-fifths (4/5) vote.