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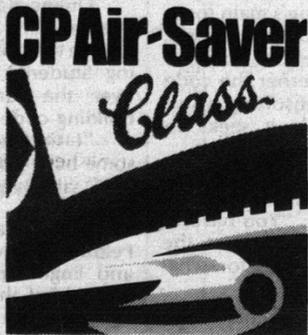
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Board rules not to rule

by Gilbert Bouchard

A law student's challenge to the Students' Council Speaker's ruling calling for a simple majority in a pivotal vote at the January 10 meeting of the Council remains unresolved after a hearing with the Discipline, Interpretation and Enforcement (DIE) Board last Sunday.

"Because proper notice was not given, two-thirds majority was required," said Law student Pat Mahoney in reference to a motion passed January 10 to rescind a previously passed motion to call for a new CFS referendum.

DIE Board ruled that it did not have the jurisdiction to deal with this interpretive question.

"The Board contends that Students' Council is a self-governing entity whose interpretation on such matters as the interpretation of *Roberts Rules of Order* are to be dealt with by Students' Council," said DIE Board Chair Shah Pemberton, in a written decision released Monday morning.

Mahoney feels that Council rushed through the motion to squelch opposition to it. "If you allow people to rescind motions with only one day's notice, you're short circuiting *Robert's Rules*," said Mahoney.

This lack of notice removes people's rights to properly lobby and prepare themselves for important issues, contends Mahoney.

The controversy began when Students' Council Speaker and special witness to Sunday's DIE Board hearings Kris Farkas ruled on January 10th that the Students' Council's usual practice of distributing the meeting agendas the day before council meetings was proper notice of motion and proper call to meeting.

Farkas added that when the original objection to her ruling was brought forward at the January 10 meeting, council supported her with a large majority.

"If people had felt that they hadn't been given proper notice, they could have voted to table the motion or could have voted to defeat my interpretation of call to meeting. As it was I was supported 21 to 7," said Farkas. "It was almost a non-issue."

Mahoney replied that one day's notice was not sufficient notice and in this case a two-thirds majority would have been needed. "Gord Stamp and his friends could just wait till Greenhill and his friends are out of town and take over Students' Council. Fudge the rules if you want to, but you're opening a real can of worms," concluded Mahoney.

"The motion to rescind failed because 17 out of 28 was not enough, and because of this the motion to rescind failed. The original motion (to hold a second CFS referendum) still stands," added Mahoney.

But Farkas warned that DIE Board meddling into Students' Council's affairs was not only unjust but perhaps unconstitutional. "Students' Council is elected. If they don't follow the bylaws, then they'll be smashed politically. DIE Board can only ask Students' Council to reconsider its motion."