# Table of Contents

**Article 2.** Officers ................................................................................................................................. 4  
Section 2-1 General Provisions .................................................................................................................. 4  
Section 2-2 Executive Branch .................................................................................................................... 5  
Section 2-3 President ................................................................................................................................. 5  
Section 2-4 Vice President .......................................................................................................................... 6  
Section 2-5 Business Manager .................................................................................................................. 6  
Section 2-6 Legislative Branch .................................................................................................................... 7  
Section 2-7 Senate Leadership ..................................................................................................................... 7  
Section 2-8 Senate President ....................................................................................................................... 8  
Section 2-9 Senate Vice President ............................................................................................................... 8  
Section 2-10 Senators ................................................................................................................................... 9  
Section 2-11 Senate Secretary .................................................................................................................... 10

**Article 3.** Personnel ............................................................................................................................... 11  
Section 3-1 MSU Compliance ..................................................................................................................... 11  
Section 3-2 Hiring ......................................................................................................................................... 11  
Section 3-3 Hiring Authority ....................................................................................................................... 12  
Section 3-4 Advertising ............................................................................................................................... 12

**Article 4.** Committees, Councils, Boards and Task Forces ...................................................................... 13  
Section 4-1 General Provisions .................................................................................................................. 13  
Section 4-2 Administrative Council ......................................................................................................... 13  
Section 4-3 Constitutional Audit Committee ............................................................................................ 14  
Section 4-4 Stipend Review Committee .................................................................................................... 14  
Section 4-5 Finance Board .......................................................................................................................... 15  
Section 4-6 Student Organization Funding Board ..................................................................................... 15  
Section 4-7 Day Care Advisory Committee ............................................................................................... 16  
Section 4-8 KGLT Advisory Committee .................................................................................................... 16  
Section 4-9 Leadership Institute Advisory Committee ................................................................................ 16  
Section 4-10 Streamline Advisory Committee .......................................................................................... 16
Section 4-11 Legal Services Advisory Committee................................. 16
Section 4-12 Outdoor Recreation Advisory Committee............................. 17
Section 4-13 Recreational Sports and Fitness Advisory Committee.................. 17
Section 4-14 Exponent Publications Board.................................................. 18
Section 4-15 ASMSU Task Forces................................................................. 18

Article 5. Senate Rules.................................................................................. 19
Section 5-1 Authority...................................................................................... 19
Section 5-2 Session......................................................................................... 19
Section 5-3 Voting.......................................................................................... 19
Section 5-4 Executive Session........................................................................ 19
Section 5-5 Quorum......................................................................................... 20
Section 5-6 Open Meeting.............................................................................. 20
Section 5-7 Yielding to Public........................................................................ 20
Section 5-8 Parliamentary Authority............................................................ 20
Section 5-9 Conduct......................................................................................... 20

Article 6. Programs....................................................................................... 21
Section 6-1 General Conditions and Definitions........................................... 21
Section 6-2 Student Programs......................................................................... 21
Section 6-3 Classified Programs..................................................................... 21
Section 6-4 Fee-Based Programs................................................................. 22
Section 6-5 Program Directors................................................................. 22
Section 6-6 Student Program Directors...................................................... 22
Section 6-7 Program Oversight...................................................................... 23

Article 7. Elections......................................................................................... 24
Section 7-1 Elections Authority..................................................................... 24
Section 7-2 Elections Committee................................................................. 24
Section 7-3 Candidacy................................................................................... 24
Section 7-4 Write-in candidates.................................................................... 24
Section 7-5        Elections Schedule...........................................................................................................24
Section 7-6        Voting..............................................................................................................................25
Section 7-7        Campaigning..................................................................................................................25
Section 7-8        Concurrent Terms..........................................................................................................25
Section 7-9        Results..............................................................................................................................25
Section 7-10       Special Elections............................................................................................................25
Section 7-11       Senate Districts...............................................................................................................25
Section 7-12       Allocation of Senate Seats................................................................................................26

Article 8.     Fiscal Policy..............................................................................................................................27
Section 8-1        ASMSU Fees.......................................................................................................................27
Section 8-2        ASMSU Funds ..................................................................................................................27
Section 8-3        President's Discretionary Fund........................................................................................27
Section 8-4        Reserve Fund...................................................................................................................27
Section 8-5        Operating Fund...............................................................................................................28
Section 8-6        Supplemental Fund.........................................................................................................28
Section 8-7        Annual Budgeting Procedures........................................................................................29
Section 8-8        Fund Use..........................................................................................................................30

Article 9.     Legislation and Resolutions ......................................................................................................31
Section 9-1        Bylaw Amendments..........................................................................................................31
Section 9-2        Resolutions........................................................................................................................31
Section 9-3        Student Fee Changes.........................................................................................................31
Section 9-4        Initiatives..........................................................................................................................31
Section 9-5        Referendums.......................................................................................................................31
Section 9-6        Ballot Measures.................................................................................................................32

Article 10.    Judicial Branch........................................................................................................................33
Section 10-1       General Provisions...........................................................................................................33
Section 10-2       Justices..............................................................................................................................34
Section 10-3       Chief Justice.......................................................................................................................34
Section 10-4       Judicial Council Rules.....................................................................................................35
Article 2. Officers

Section 2-1 General Provisions

A. Composition

1. ASMSU elected officers shall include the President, Vice President, 21 Senators, and Four Representatives.
2. Two of the Senators shall be appointed by the Senate to the Senate President and Senate Vice President positions.
3. Additionally, there shall be a hired Business Manager and a hired Senate Secretary.

B. Qualifications

1. All officer positions shall be filled by ASMSU members as defined in the Constitution.

C. Impeachment and Removal

1. The ASMSU Senate shall have the right of impeachment and removal of all elected officers. Impeachment shall occur by means of a Resolution. If the Resolution passes, there shall be an executive session of the ASMSU Senate with the officer in question. A vote shall occur at least one week following the executive session and removal shall occur if two-thirds of the total voting membership of the ASMSU Senate so orders.

D. Length of Term

1. All ASMSU officers shall serve a one year term. Officers appointed to a vacated seat serve the remainder of the vacated seat’s term.

E. Duties

All ASMSU officers shall:

1. Carry out the duties stated in the ASMSU Constitution and Bylaws;
2. Ensure a smooth transition for successor officers;
3. Delegate responsibility and authority as needed;
4. Attend all ASMSU Senate meetings unless required to be elsewhere in an official capacity; and,
5. Uphold integrity and professional values.

Multiple Positions

1. Officers shall not hold another position, paid or unpaid, in ASMSU.
2. The Senate may grant exceptions provided that the position is non-supervisory and non-policy making. Exceptions must be granted at the Senate meeting directly following election to Senate or hiring to another ASMSU position.
Section 2-2  Executive Branch

A. Composition

1. The Executive branch shall consist of the President, Vice President and Business Manager.

B. Election

1. The President shall be elected on the same ticket as the Vice President. They shall be elected in the spring election.

C. Installation and Term

1. The President and Vice President shall be installed and assume full official duties during the last Senate meeting of the spring semester.

D. Term Limits

1. A student shall be limited to a maximum of two terms as the ASMSU President and two terms as the ASMSU Vice President.

E. Vacancy

1. If the President position becomes vacant, the Vice President shall serve in that position until the next general election.
2. If the Vice President position becomes vacant, the President shall appoint a Vice President, subject to majority confirmation by Senate, to serve until the next general election.
3. If both the President and Vice President positions become vacant, there shall be a special election.

Section 2-3  President

A. Duties

The President shall:

1. Enforce the ASMSU Constitution and Bylaws;
2. Appoint student members to all MSU Committees;
3. Serve as a non-voting ex officio member on all ASMSU boards, committees and councils;
4. Recommend legislation to the ASMSU Senate as deemed to be in the best interests of ASMSU;
5. Preside over ASMSU personnel matters in consultation with the ASMSU Director of Operations.
6. Prepare, submit and present Executive Budget Recommendations to the Finance Board and Senate;
7. Serve as a member of the MSU Budget Council, University Council, President’s Executive Council, the Museum of the Rockies Board of Trustees and the Association of Shared Government Leaders (ASGL); or appoint ASMSU student representative to serve in your place.
8. Provide clear expectations for ASMSU staff;
9. Prepare and administer the Administration budget in conjunction with the Operations Manager;
10. Chair the SUB Advisory Board;
11. Chair the Administrative Council
12. Chair the Legal Services Advisory Board
13. Address all bills passed by Senate by either signing them into these Bylaws or vetoing them;
14. Hire and supervise all ASMSU student program directors and Business Manager; and,
15. Delegate authority as needed.
16. Prepare and deliver a weekly report to the Senate.
15. Distribute resolutions passed by Senate to appropriate recipients.

Section 2-4  Vice President

A. Duties

The Vice President shall:

1. Carry out those duties delegated by the ASMSU President;
2. Serve on the Administrative Council;
3. Chair the Day Care Advisory Board;
4. Facilitate meetings of the ASMSU program directors; and,
5. Recommend legislation to the ASMSU Senate as deemed to be in the best interests of ASMSU.
6. Prepare and deliver a weekly report to the Senate.

Section 2-5  Business Manager

A. Hiring

1. The President and the Vice President shall recommend for hire the Business Manager in conjunction with the Operations Manager. The recommended individual must then be confirmed by the ASMSU Senate with a two thirds majority required to overturn the recommendation for hire.

B. Term

1. The Business Manager shall be hired no later than two weeks before the final Senate meeting in the spring semester.
2. Following hiring and prior to the last senate meeting, the incoming Business Manager shall train with the outgoing Business Manager and the Operations Manager.
3. The term of the Business Manager shall begin immediately following the last senate meeting of the spring semester.

C. Duties

The Business Manager shall:
1. Assist the Executive Branch in preparing the Executive Budget Recommendations;
2. Devise and coordinate accountability and reporting procedures with the Operations Manager;
3. Track actual worked hours for ASMSU stipendiary positions;
4. Provide monthly financial reports to the ASMSU Senate and be prepared to provide financial information at all meetings;
5. Collect inventories of all ASMSU programs in conjunction with the Office Manager;
6. Attend all Finance Board meetings;
7. Meet bi-monthly or as necessary with student program directors;
8. Deposit payments into the appropriate accounts; and
9. Deposit all monies and acquire deposit slips for all student programs.

Section 2-6 Legislative Branch

A. Composition

1. The Legislative branch of ASMSU shall be composed of 21 Senators and four non-voting Representatives. Of these Senators, a Senate President and Senate Vice President shall be appointed.

Section 2-7 Senate Leadership

A. Composition

1. Senate Leadership shall consist of the Senate President and the Senate Vice President.

B. Appointment and Term

1. Senate Leadership shall be appointed by a ballot vote of the ASMSU Senate. The winner shall be decided by a simple plurality of present voting members.
2. Senate Leadership shall be appointed at the meeting during which the Senate is sworn in following the election and serve a one year term.
3. There is no limit to the number of terms a Senator may serve as the Senate President or Senate Vice President.

C. Vacancy

1. If the Senate President position becomes vacant, the Senate Vice President shall assume the responsibilities of the Senate President until a new Senate President may be appointed. The appointment of the new Senate President shall occur at the next regularly scheduled Senate meeting.
2. If the Senate Vice President position become vacant, the Senate shall appoint a new Senate Vice President at the next regularly scheduled Senate meeting in the same manner as the original appointment.
3. If both the Senate President and Senate Vice President positions become vacant, the President shall appoint a Senate President until the next Senate meeting, during which both positions shall be appointed.

**Section 2-8 Senate President**

A. Duties

The Senate President shall:

1. Preside over all ASMSU Senate personnel matters, including Senator vacancies;
2. Ensure that all Senators are carrying out their duties, including office hours;
3. Ensure the general fairness of Senate;
4. Provide legislative assistance to Senators;
5. Serve as the primary spokesperson for the Senate outside ASMSU;
6. Coordinate efforts to maintain the Senate website;
7. Update the Senate Orientation Packet over the summer for the upcoming session;
8. Conduct a mandatory orientation session for all new Senators within one week of the election or appointment;
9. Appoint Senate liaisons to all ASMSU programs;
10. Hold a minimum of 7 office hours during regular business hours; during these office hours, the Senate President should provide adequate support to ASMSU members and staff.
11. Convene and chair the ASMSU Senate meetings in fairness and good faith, maintaining order and enforcing decorum;
12. Establish the agenda for each Senate meeting;
13. Integrate bills passed by Senate into the Bylaws;
14. Notify all Senators of meetings and other relevant information;
15. Attend all meetings of the Administrative Council;
16. Prepare and deliver a weekly report to the Senate;
17. Ensure that monthly meetings with each Senator occur with a member of Senate leadership to discuss responsibilities and evaluate performance; and,
18. Conduct goal-setting sessions with Senators and support the completion of those goals.

**Section 2-9 Senate Vice President**

A. Duties

The Senate Vice President shall:

1. Hold a minimum of 7 office hours during regular business hours;
2. Attend all meetings of the Administrative Council;
3. Attend all meetings of the Senate, and assist as needed in the coordination of Senate meetings;
4. Chair the Finance Board;
5. Chair the Student Organization Funding Board; and,
6. Provide legislative assistance to Senators.
7. Prepare and deliver a weekly report to the Senate;

Section 2-10 Senators

A. Duties

Senators shall:

1. Attend all ASMSU Senate meetings. All partial or complete absences and the reasons for them, shall be reported to the Senate President. Two unexcused absences during a Senator's term, shall result in removal from Senate;
2. Serve on at least one MSU committee;
3. Serve as a liaison to at least two ASMSU programs. Senators shall provide a report at minimum once per month;
   . Hold at least 2 office hours per week in the ASMSU Office during the fall and spring semesters, between 8am and 5pm, to be available to work on ASMSU business;
4. Attend a mandatory orientation session and retreats; and
5. Report bi-weekly to the Senate with updates within their duties.

B. Election

1. Senators shall be elected during the spring election.

C. Installation

1. Senators shall be installed and assume full duties at the last Senate meeting in the Spring.

D. Vacancy

1. If an ASMSU Senate seat becomes vacated within 5 class days of the election of the seat, the candidate receiving the next highest vote total shall be awarded the seat.
2. If an ASMSU Senate seat becomes vacated after 5 class days of the election of the seat, the seat shall be filled following these rules:
   (i) The open position shall be advertised for 10 class days. Advertising shall be conducted by notifying the Dean's office of the applicable college or by additional advertising.
   (ii) Applicants shall submit a Senate appointment application complete with a reference. The reference shall not be an officer or employee of ASMSU.
   (iii) Consideration of the applicants shall occur at a regularly scheduled Senate meeting. Voting shall be conducted by ballot. The applicant with a simple plurality shall fill the vacated seat for the remainder of the term.
Section 2-11  Senate Secretary

A. Hiring and Supervision
   1. The Senate Secretary shall be hired and supervised by the Senate President.

B. Duties

   The Senate Secretary shall:
   1. Record and distribute minutes from Senate meetings; and
   2. Maintain an archive of all ASMSU Senate documents, including bills, resolutions, minutes and Senator contact information that may be accessed by all members of ASMSU.

C. Vacancy

   1. If the Senate Secretary position becomes vacant, the Senate President shall hire a new Senate Secretary.
Article 3. Personnel

Section 3-1 MSU Compliance

A. All matters of personnel within ASMSU shall be handled in compliance with MSU Personnel Policies and Procedures.

Section 3-2 Hiring

A. General Provisions

1. Each position shall have a written job description and written interview questions.
2. Each position should be open and advertised for a minimum of 10 class days.
3. When considering applicants for hiring, ASMSU shall not discriminate against any person on the basis of age, sex, color, race, origin, creed, religion, disability, sexual orientation, gender expression or identity, or political philosophy.

B. Student Program Directors

1. A hiring committee for each student program director position shall consist of:
   (i) One Senate liaison to the program;
   (ii) The President-elect or the Vice President-elect; and,
   (iii) A classified or professional employee of ASMSU.
2. The hiring committee shall recommend an applicant to the President-elect for final hiring selection.
3. Student program director positions must be opened and filled each year, even if there is an applicant who served in the position previously.
4. The hiring committee may choose the number of candidates to interview.
5. Advertising for the position shall be managed by the Office Manager.

C. Classified Program Directors

1. Upon vacancy in a classified position, there shall be a hiring committee of 3-5 members to identify candidates. The President or Vice President shall serve on this committee.
2. The hiring committee shall recommend 1-3 candidates to the President for final hiring.
3. The hiring committee shall follow the rules of hiring from the MSU Human Resources Department.

D. Program Employees
All employees supervised by program directors or by a classified employee shall be hired directly by that director or employee.

Section 3-3  Hiring Authority

A. The hiring authority for each position makes the final decision on hiring and
   firing.
B. Hiring authorities for each position are as follows:
   1. Position: Student and Classified Program Directors, Hiring Authority: ASMSU President
   2. Position: Program employees, Hiring Authority: Respective program director
   3. Position: Senate Secretary, Hiring Authority: Senate President
   4. Position: Business Manager, Hiring Authority: ASMSU President
C. The ASMSU President has ultimate hiring authority for all positions.
D. All hiring and termination decisions must follow MSU Personnel Policies and Procedures.
E. If any Program Director feels that they have been unfairly terminated, they may request a hearing of the ASMSU Senate to reconsider the termination.

Section 3-4  Advertising

A. Student Program Director positions shall be advertised for at least 10 days.
B. Advertising for Classified Employees shall be conducted in accordance with MSU Human Resources Department rules.
Article 4. Committees, Councils, Boards and Task Forces

Section 4-1 General Provisions

A. Definitions

1. Council – participates in governance
2. Committee – ongoing advisory function
3. Board – Decision-making function
4. Task Force – Specific charge to accomplish in a specified amount of time

B. Meeting Conduct

All ASMSU committees, councils, boards and task forces (CCBTs) shall follow the following rules:
1. The quorum shall be a majority of the voting members;
2. All meetings shall allow time for public comment; and,
3. The meeting shall be open to the public in accordance with MCA 2-3-203.

C. Chair’s Duties

The Chair of all ASMSU CCBTs shall:
1. Vote only to make or break a tie;
2. Ensure fairness and order; and,
3. Record and distribute meeting minutes of all formal meetings.

D. Executive Session

1. Executive session is closed to the public.
2. Prior to convening in executive session the chair shall announce the rationale that forms the legal basis for the executive session.
3. Executive session shall only be conducted to address confidential personnel issues. Executive session shall not be called if the person being discussed wishes to have an open meeting.
4. Any CCBT may go into executive session at any time.
5. No public record shall be kept of executive session business.
6. When executive sessions are contemplated, the meeting agenda should indicate the general topic of the contemplated executive session.

Section 4-2 Administrative Council

A. Meeting schedule

1. The Administrative Council shall meet weekly throughout the fall and spring semesters.
B. Composition

1. The voting membership of the Administrative Council shall consist of the President, the Vice President, the Senate President, the Senate Vice President, and the Business Manager. The Operations Manager, the Director of Operations and the Office Manager shall serve as non-voting members.

C. Duties

The Administrative Council shall:

1. Make all financial and policy decisions when the Senate is not holding weekly meetings, including during the summer. All financial and policy decisions must be presented to the ASMSU Senate at the next regularly scheduled meeting;
2. Assist the President in personnel matters and in executing the ASMSU budget;
3. Discuss general ASMSU issues as needed; and,
4. Provide a forum for discussion about all issues pertaining to ASMSU.

Section 4-3  Constitutional Audit Committee

A. Composition

1. The voting membership of the Constitutional Audit Committee shall consist of three Senators appointed by the ASMSU Senate. The Director of Operations shall serve as a non-voting member. The Senate Vice President shall serve as the non-voting chair.

B. Duties

The Constitutional Audit Committee shall:

1. Meet on a biannual basis;
2. Ensure that submitted bills and existing Bylaws do not conflict with the Constitution;
3. Continually review and update the Bylaws by submitting the proper legislation to the ASMSU Senate;
4. Make grammatical corrections to the Constitution and Bylaws; and,
5. Review all submitted bills for inconsistencies prior to first reading in Senate.

Section 4-4  Stipend Review Committee

A. Composition

1. The voting membership of the Stipend Review Committee shall consist of three Senators appointed by the ASMSU Senate, the ASMSU Vice President and the ASMSU Business Manager as non-voting members. The ASMSU Office Manager shall serve as a non-voting member. The Senate President shall serve as the non-voting chair.

B. Duties
The Stipend Review Committee shall:

1. Review stipends for all student employees during every odd year.
2. Submit a recommendation to the Executive Council for changes to the stipends prior to the budgeting process in the spring semester.

Section 4-5  **Finance Board**

A. Composition

The voting membership of the Finance Board shall consist of:

1. 3 ASMSU Senators, appointed by the ASMSU Senate;
2. 3 at-large students appointed by the ASMSU President;
3. The Vice President for Student Success or designee:
4. The Vice President for Finance and Administration or designee; and,
5. 2 faculty members appointed by Faculty Senate.
6. The Business Manager and the Operations Manager shall serve as non-voting members. The Senate Vice President shall serve as the non-voting chair.

B. Duties

The Finance Board shall:

1. Review and make recommendations regarding all budget requests to the Senate;
2. Review and make recommendations regarding the annual budget to the Senate; and
3. Recommend legislation regarding fiscal policy.

C. Executive Power

1. Supplemental requests under $250 will go to the Administrative Council to make a recommendation to Senate if Finance Board is not already meeting.

Section 4-6  **Student Organization Funding Board**

A. Composition

1. The voting membership of the Student Organization Funding Board (SOFB) shall consist of three Senators and 2 at-large students appointed by the President. The Senate Vice President shall serve as the non-voting chair. The Office of Activities and Engagement Director or designee shall serve as a non-voting advisory member.

B. Duties

1. The SOFB shall allocate the Student Organization Fee in accordance with the Funding Policies for Registered Student Organizations.

C. Funding Policies for Registered Student Organizations
1. The SOFB shall maintain a funding policy document to be amended by majority approval of the board.

**Section 4-7  Day Care Advisory Committee**

A. Composition

The Day Care Advisory Committee shall consist of:

1. 2 ASMSU Senate liaisons;
2. 4 parents of Day Care students;
3. 2 members from MSU staff or faculty;
4. Director of Auxiliary Services or designee; and,
5. The Vice President, who shall serve as the chair.
6. Additionally, the Director of the ASMSU Day Care shall serve as an ex-officio, non-voting member.

B. Duties

The Day Care Advisory Committee shall:

1. Assist in formulating policy governing the goals and objectives of the Day Care program;
2. Assist in the preparation and presentation of budget requests; and,
3. Ensure the priority of students in the benefits derived from the Day Care program.

**Section 4-8  KGLT Advisory Committee**

A. The Friends of KGLT shall serve as the KGLT Advisory Committee. The 2 Senate liaisons shall serve on this committee.

**Section 4-9  Leadership Institute Advisory Committee**

A. The Leadership Institute Advisory Board shall serve as the Leadership Institute Advisory Committee.

The 2 Senate liaisons shall serve on this committee.

**Section 4-10  Streamline Advisory Committee**

A. The Streamline Advisory Board shall serve as the Streamline Advisory Committee. The 2 Senate liaisons shall serve on this committee.

**Section 4-11  Legal Services Advisory Committee**

A. Composition

The Legal Services Advisory Committee shall consist of:

1. 2 ASMSU Senate liaisons; and,
2. The ASMSU President, who shall serve as the chair.
3. Additionally, the ASMSU Director of Operations shall serve as a non-voting, ex-officio member.

B. Duties

The Legal Services Advisory Committee shall:

1. Make recommendations for improving the Legal Services Program.

Section 4-12 Outdoor Recreation Advisory Committee

A. Composition

The Outdoor Recreation Advisory Committee shall consist of:
1. 2 ASMSU Senate liaisons, who shall serve as the board’s co-chairs;
2. 2 Outdoor Recreation student employees;
3. 2 student members appointed by the President;
4. 1 faculty representative selected by Faculty Senate;
5. 1 staff representative selected by the Staff Senate; and,
6. 1 professional staff representative selected by Professional Council.
7. Additionally, the Director of ASMSU Outdoor Recreation shall serve as an ex-officio, non-voting member.

B. Duties

The Outdoor Recreation Advisory Committee shall:

1. Assist in formulating policy governing the goals and objectives of the Outdoor Recreation program;
2. Assist in the preparation and presentation of budget requests; and,
3. Ensure the priority of students in the benefits derived from the Outdoor Recreation program.

Section 4-13 Recreational Sports and Fitness Advisory Committee

A. Composition

The RSAF Advisory Committee shall consist of:
1. 2 ASMSU Senate liaisons, who shall serve as the board’s co-chairs;
2. 1 faculty representative selected by Faculty Senate;
3. 1 staff representative selected by the Staff Senate;
4. 1 professional staff representative selected by Professional Council;
5. 1 graduate student selected by Graduate Studies;
6. 1 student representative from club sports selected by the Office of Activities and Engagement;
7. 1 student representative selected by the Office of Fraternity and Sorority Life;
8. 1 student representative selected by the Residence Hall Association;
9. 1 student representative from intramural sports selected by the Director of Club Sports, Intramurals, and Lifeguards;
10. 1 student representative from Fitness Services selected by the Fitness Service staff; and,
11. 1 RSAF student staff representative selected by the RSAF Facilities Coordinator.
12. Additionally, the director of ASMSU Recreational Sports and Fitness and the Director of Sports Facilities shall serve as ex-officio, non-voting members.

B. Duties

The RSAF Advisory Committee shall:

1. Be active in formulating policy governing the goals and objectives of the RSAF program;
2. Ensure that the students are the major beneficiaries of all programs and equipment; and,
3. Participate in the preparation and presentation of all annual and supplemental budget requests.

Section 4-14  Exponent Publications Board

A. The Exponent Publications Board will be the main governing body for the Exponent. 2 Senators will serve as liaisons to this board.

Section 4-15  ASMSU Task Forces

A. Purpose

1. A task force can make recommendations of any kind to the Senate.
2. A reason for creating a task force may include evaluation of possible changes to programs, initiation of new programs, or elimination of current programs.

B. Composition

1. A task force may consist of any Senators, at-large students, or others as deemed necessary.
Article 5. Senate Rules

Section 5-1 Authority
A. These rules shall apply only to meetings of the ASMSU Senate.
B. Senate rules can be suspended by a two-thirds vote of the Senate for the remainder of the meeting.

Section 5-2 Session
A. The Senate shall be in session beginning from the first meeting of the Fall semester until the last meeting of the Spring semester.
B. The first meeting of the session shall occur no later than the second full week of fall semester.
C. Meetings shall be held at least weekly during the instructional periods of fall and spring semester, not including the first full week of fall semester, the last full week of spring semester, and finals weeks.

Section 5-3 Voting
A. General Voting
   1. In all instances where a specific proportion of affirmative votes from the members of the Senate that are present at the meeting and voting shall be required, such proportion shall be calculated solely from the affirmative and negative vote counts, ignoring any abstentions entirely.
   2. In all instances requiring a specific proportion of affirmative votes from the entire membership of the Senate, or from all members of the Senate present, abstentions necessarily must be calculated as negative votes.
   3. The Senate President shall only vote to make or break a tie. This vote must be disclosed.
B. Ballot Voting
   1. Ballot Voting shall be used for all appointments of Senate Leadership, Senate vacancies, and CCBT's that require an appointment by Senate.

Section 5-4 Executive Session
A. Executive Session
   1. Executive session is closed to the public.
   2. Prior to convening in executive session the chair shall announce the rationale that forms the legal basis for the executive session.
3. Executive session shall only be conducted to address confidential personnel issues. Executive session shall not be called if the person being discussed wishes to have an open meeting. Senate may go into executive session at any time.

4. No public record shall be kept of executive session business.

Section 5-5  
**Quorum**

A. Quorum of the Senate shall consist of the presence of at least 50% plus 1 of the voting seats in the Senate.

B. In the absence of quorum, the Senate shall only:

1. Receive reports from Senators, program directors, and executives;
2. Conduct public comment;
3. Allow members to make announcements; and
4. Hear presentations.

Section 5-6  
**Open Meeting**

A. Senate meetings shall be open to the public in accordance with MCA 2-3-203.

B. Public comment regarding issues pertaining to ASMSU shall be allowed at the beginning of each meeting.

C. The amount of time allotted for public comment will be at the Senate President’s discretion.

Section 5-7  
**Yielding to Public**

A. Any member of the public can be yielded time by a Senator who has the floor for relevant input.

Section 5-8  
**Parliamentary Authority**

A. The latest edition of Robert’s Rules of Order Newly Revised shall govern all activities of the Senate in all cases to which it is applicable and does not conflict with the authorities listed in these Bylaws.

Section 5-9  
**Conduct**

A. All members of ASMSU shall adhere to the Montana State University Student Code of Conduct.
Article 6. Programs

Section 6-1 General Conditions and Definitions

A. ASMSU Programs exist to provide services to the Montana State University community, with priority given to students.

B. Organizations registered with the Office of Activities and Engagement are not governed by these policies.

Section 6-2 Student Programs

A. A student program has its annual operating budget funded by the Activity Fee and is directed by a student director.

B. The ASMSU student programs will be as follows:
   1. ASMSU Campus Entertainment
   2. ASMSU Arts and Exhibits
   3. ASMSU Films
   4. ASMSU Productions
   5. Latenight Streamline
   6. ASMSU Elections
   7. ASMSU Spirit
   8. ASMSU Student Political Action
   9. ASMSU Public Relations

Section 6-3 Classified Programs

A. A classified program has its annual operating budget funded by the Activity Fee and is directed by a classified employee.

B. The ASMSU classified programs will be as follows:
   1. ASMSU Day Care
   2. KGLT-FM Radio
   3. MSU Leadership Institute
   4. ASMSU Outdoor Recreation
   5. ASMSU Student Legal Services
Section 6-4  Fee-Based Programs

A. A fee-based program has its annual operating budget funded by a student fee other than the Activity Fee. Fee-Based programs can be directed by either a student or by a classified employee.

B. The ASMSU fee-based programs are as follows:
   1. ASMSU Exponent
   2. ASMSU Recreational Sports and Fitness
   3. Streamline
   4. MSU Office of Sustainability

C. These programs are funded by the Student Press Fee, the Intramural Fee, the Bus Fee and the Sustainability Fee.

Section 6-5  Program Directors

A. Duties

All program directors shall:

1. Prepare, submit and present the program’s annual, supplemental, and reserve budget requests to the Finance Board and Senate;
2. Maintain a current mission statement for the program;
3. Administer the program’s budget and account for all funds appropriated to and/or generated by the program;
4. Report regularly to the Senate;
5. Ensure program is in compliance with all federal, state and local regulations;
6. Ensure a successful transition to successor directors;
7. Coordinate, plan, advertise and administer program’s operations and events;
8. Hire and supervise staff when applicable;
9. Submit a year-end report to Administrative Council and Senate; and,
10. Keep the program’s website information current.

Section 6-6  Student Program Directors

A. Qualification

1. All student program directors shall be ASMSU members as defined in the Constitution.

B. Appointment and Term

1. The President shall hire all student program directors. The hiring process shall be administered by the incoming President and Vice President during the spring semester in accordance with the hiring guidelines.
2. Directors shall begin employment during the last month of the spring semester in which they are hired. Termination of employment shall occur at the end of the following spring semester.
3. Student program directors shall be hired no later than four weeks before the final day of class of the Spring semester.
4. During these last weeks the newly hired program directors shall train with the outgoing program directors.
5. All student program directors shall be required to sign a contract. Failure to fulfill the terms and obligations of the contract may result in termination of employment and/or forfeiture of unpaid and unearned stipend.
6. Hiring will take place as needed to fill vacancies. The position should be advertised for 10 business days.

Section 6-7  Program Oversight

A. All program directors shall report directly to the President.

B. The President, in conjunction with the Director of Operations, shall supervise the classified program directors.

C. The Vice President, in conjunction with the Office Manager, shall supervise the student program directors

D. The Senate may order any program director to report to Senate for any reason.
Article 7. Elections

Section 7-1 Elections Authority

A. Authority of all elections shall be vested in the Elections Committee.

Section 7-2 Elections Committee

A. Membership

1. The Elections Committee shall be composed of the Elections Director, the Office Manager, the Director of Operations and 2 Senators who are not running for a position in the upcoming election. The Elections Director shall be the chair of the Elections committee.

B. Duties

The Elections Committee shall:

1. Interpret the Elections Policies and Procedures Manual when necessary.

Section 7-3 Candidacy

A. Eligibility

All candidates, declared and write-in, shall meet the following requirements to be considered eligible for election:

1. Be an ASMSU Member as defined in the ASMSU Constitution.

B. Candidates shall be notified of their eligibility for candidacy within three days following the filing deadline.

Section 7-4 Write-in Candidates

A. Write-in candidates will be governed by the same rules as declared candidates as defined in the Elections Policies and Procedures Manual.

Section 7-5 Elections Schedule

A. Primary Election

1. A primary election will be held for the president and vice president ticket if more than two tickets have applied for and are eligible for candidacy.
2. No primary election will be held for Senate candidates.
3. The primary election will occur on the Wednesday two weeks prior to the general election.
B. General Elections

1. General Elections shall be held annually on the Tuesday and Wednesday before Spring Break.

Section 7-6 Voting

A. MSU-Bozeman students, as defined in the Constitution, may vote in ASMSU elections.
B. Students may vote only for Senators of the college in which they are enrolled.
C. All students may vote for candidates of At-Large positions, Executive positions, and all ballot measures.

Section 7-7 Campaigning

A. Campaigning shall be defined as the use of any written or oral presentation in the name of any candidate or ballot measure.
B. All candidates and sponsors of ballot measures shall not break any University, local, state, or federal laws, ordinances, rules or regulations while campaigning.
C. No candidate shall use ASMSU positions, funds, time, equipment or supplies to aid in their campaigning.

Section 7-8 Concurrent Terms

A. No person may hold ASMSU elected offices which have concurrent terms.

Section 7-9 Results

A. All election results shall be posted and made public within 2 days following the election.

Section 7-10 Special Elections

A. Special elections shall be elections called for by the proper authority, as designated in the ASMSU Constitution, for the purposes other than the election of officers or for the purpose of a run-off election.
B. Special elections shall be held when considered necessary by a majority vote of the ASMSU Senate or as a result of a valid student initiative.

Section 7-11 Senate Districts

A. The ASMSU Senate shall be composed of twenty-one student senators representing each of the Academic Colleges. The senate is also composed of four non-voting Representatives who
represent the Freshman class, the Honors College, the Graduate Studies College, and the Gallatin College.

B. Senators shall be elected by and represent either the students at-large or the students of the college in which they are enrolled. Any student enrolled in more than one college shall be eligible to represent the students of any of the colleges in which the student is enrolled.

Section 7-12  Allocation of Senate Seats

A. Using data from the Office of the Registrar, seats will be allocated to each college based on the number of students enrolled in that college.

B. The allocation process will be as follows:

1. The number of students in each college will be divided by the total number of students enrolled at MSU
2. The proportions will then be multiplied by 18
3. The product of the multiplications will be rounded to the nearest integer value using normal rounding practices. This result will be the allocation to each college.
4. The total number of seats allocated previously will be subtracted from 21. The result of the subtraction will be the number of at-large seats.

C. Each college will be guaranteed a minimum of one seat as long as at least 25 percent of the students in that college are eligible to vote in ASMSU elections. The allocation process may be modified in order to accommodate this requirement.

D. Reallocation of seats will take place in the spring of every odd year prior to the start of the election cycle. The Senate President and the Elections Director will work together to ensure that seats are allocated according to the Bylaws.

E. In the event that there are fewer candidates than available seats for any given position, the filing deadline for that position will be extended by three academic days. Any seats that cannot be filled in this time will become At-Large positions for that election only. If there are too few At-Large candidates for the resulting number of At-Large seats, the ASMSU Senate will appoint the appropriate number of At-Large senators within three regularly scheduled meetings following the election.
Article 8. Fiscal Policy

Section 8-1 ASMSU Fees

A. ASMSU allocates the ASMSU Fees paid by ASMSU members

B. The ASMSU Fees are:
   1. Bus Fee;
   2. Intramural Fee;
   3. Student Organization Fee;
   4. Student Sustainability Fee;
   5. Student Press Fee; and
   6. Activity Fee.

Section 8-2 ASMSU Funds

The Activity Fee is allocated to the:

1. President’s Discretionary Fund;
2. Supplemental Fund;
3. Operating Fund;
4. Reserve Fund;
5. Retirement Fund; and

Section 8-3 President’s Discretionary Fund

A. Definition
   1. The fund is comprised of 1% of the total projected annual Activity Fee revenues as defined in the Constitution.

B. Fund Use
   1. This fund is to be used as the current ASMSU President sees fit in accordance with MSU Procurement Policy and Procedure.

C. Excess Funds
   1. If the President’s Discretionary Fund is not depleted prior to the end of the ASMSU President's term, excess funds shall be placed into the Reserve Fund at the end of the fiscal year.

Section 8-4 Reserve Fund

A. Definition
1. The fund is composed of all collected revenues from the ASMSU Fees. It is used at the end of the fiscal year to cover all ASMSU expenditures during that fiscal year.

B. Composition

1. The Reserve Fund encompasses ASMSU Program Reserve Funds, earmarked for said Program.

C. Required Balance

1. The Reserve Fund shall be no less than 40% of the total projected annual Activity Fee revenues.

D. Deficiency

1. If the balance of the fund falls below 40% of the total projected annual Activity Fee revenues then ASMSU must replenish this fund within three years, making equal payments.

E. Excess Funds

1. All moneys exceeding 40% of the total projected annual Activity Fee revenues may be used for:
   (i) ASMSU purchases or expenditures as approved by the Finance Board and the Senate
   (ii) Large expenditures as defined by MSU Procurement Policy and Procedure Section 1700.00.

Section 8-5 Operating Fund

A. Definition

1. The fund consists of the total projected annual Activity Fee revenues, projected STIP interest revenues for the fiscal year, and ASMSU's proportion of the projected MSU Student Nursing Forum fee but not including the President's Discretionary Fund.

B. Allocation

1. The fund is to be allocated to ASMSU Programs and the Supplemental Fund through annual budgeting procedures by Administrative Council, Finance Board, and Senate. Only ASMSU Programs defined in these Bylaws are to receive allocations from the Operating Fund.

C. Excess Funds

1. If a program does not use all of their allocated funds at the end of the fiscal year, all excess funds will be put into the Reserve Fund.

Section 8-6 Supplemental Fund

A. Definition

1. The fund can be used to pay for unaffiliated sponsorships, unforeseen ASMSU Program expenses and unforeseen Administrative Council expenses.
B. Budget

1. The fund consists of a portion of the Operating Fund as allocated during Annual Budgeting Procedures for the upcoming fiscal year.

C. Allocation

1. Funds can only be allocated to ASMSU Programs for unforeseen expenses if that Program receives approval from the Senate.
2. Funds can only be allocated as unaffiliated sponsorships if the group requesting funds has the approval of an ASMSU Program or Administrative Council and has the approval of the Senate.
3. Funds can also be allocated to Senate and/or Administrative Council.

D. Registered Student Organization Funding

1. Supplement Funds can only be allocated to a Registered Student Organization if the funds are a sponsorship for a planned event. The RSO must receive funding from at least one other outside source besides the ASMSU Supplemental Fund in order to be eligible.

Section 8-7  

Annual Budgeting Procedures

A. Timeframe

1. Budgeting shall occur during the Spring Semester prior to the start of the upcoming fiscal year to be concluded at or before the last Senate meeting of the Spring Semester.

B. Budgets

1. Each ASMSU Program and the Administrative Council shall submit a budget to request appropriations from the Operating Fund for the next fiscal year.

C. Approval Process

1. Each budget shall be first reviewed by Administrative Council, Finance Board, and the Senate, in that order. Administrative Council is to present budget recommendations to Finance Board and Finance Board will make budget recommendations to Senate. Senate will make the final budgeting decision. In order to override a recommendation from Finance Board, a 2/3rds majority vote of all Senators present shall be required.

D. Finalizing the Budget

1. The ASMSU Senate shall not close the annual budget until the total projected annual Activity Fee revenues are appropriated. These appropriations shall be finalized in consultation with the Operations Manager.
Section 8-8  Fund Use

Funds designated for a specific function can be used for a different function as long as the same goal is met. Any change in the use of specifically designated funds will be reviewed and confirmed by the Finance Board and Senate.
Section 9-1  **Bylaw Amendments**

A. The Bylaws may be amended by a vote of the Senate, referendum or by power of initiative. B. All amendments shall take effect immediately following passage unless otherwise specified.

C. Amendments shall be read to be consistent with the existing Bylaws whenever possible. If a consistent reading is not possible, the most recent amendment shall take precedence.

Section 9-2  **Resolutions**

A. Resolutions are a formal expression of ASMSU and can be passed by a vote of the Senate, by referendum or by power of initiative.

Section 9-3  **Student Fee Changes**

A. Support or opposition to changes in student fees or the implementation of new student fees shall be expressed by resolution.

Section 9-4  **Initiatives**

A. The students of MSU may make changes to the Constitution or Bylaws and pass resolutions by power of initiative.

B. Initiatives may not deal with allocations of fee money.

C. Initiative petitions must contain the full text of the proposed measure, shall be signed by at least 5% percent of the qualified electors. Petitions shall be filed with the Elections director at least 3 weeks prior to the election at which the measure will be voted upon.

D. The sufficiency of the initiative petition shall not be questioned after the election is held.

Section 9-5  **Referendums**

A. The ASMSU Senate may refer to the student body any bylaw changes or resolutions. All changes to the Constitution shall be passed by referendum.

B. Appropriation of student fees may not be voted on by referendum.
C. Language calling for a referendum shall be included in the proposed resolution or bill.

**Section 9-6 Ballot Measures**

A. For bylaw changes and resolutions, a majority vote of the Senate to include the action on the ballot is necessary. For a change to the Constitution, a 2/3 vote of the Senate is required for its inclusion on the ballot. Votes shall be done by roll call vote.

B. Ballot measures must be approved by the ASMSU Senate at least 2 weeks prior to the week of the
Article 10. Judicial Branch

Section 10-1  General Provisions

A. Composition
   1. The ASMSU Judicial Council shall be comprised of five Justices, from whom a Chief Justice shall be appointed;
   2. The ASMSU Legal Services Intern shall serve as the Clerk and Recorder;
   3. The ASMSU Legal Services Attorney shall serve as a non-voting, ex-officio member; and,
   4. The MSU Dean of Students or designee shall serve as a non-voting, ex-officio member;

B. Qualifications
   1. All Judicial Council positions shall be filled by ASMSU members as defined in the ASMSU Constitution.

C. Appointment
   1. An appointment committee for each Justice position shall consist of:
      i. One Senator designated by the Senate Speaker;
      ii. The ASMSU President; and,
      iii. One Justice designated by the Chief Justice.
   2. The appointment committee shall recommend applicants to the President for nomination;
   3. In good faith, the President should diversify the composition of the Judicial Council to properly reflect the student body;
   4. Justices shall be appointed following nomination by the President and confirmation by majority vote of the Senate;
   5. Immediately following appointment, Justices shall be installed by the President and assume full duties; and,
   6. The following rules apply to recess appointments:
      i. When the Senate is out of session the President shall appoint Interim Justices in the cases of vacancies;
      ii. The appointment of Interim Justices and all associated acts must be confirmed or denied by the Senate once reconvened.

D. Vacancy
   1. If a Justice seat becomes vacated, the seat shall be filled by these rules:
      i. The open position shall be well advertised for a period of 10 class days;
      ii. Applicants shall submit a completed Judicial Council appointment application;
      iii. Consideration of the applicants shall occur after the expiration of the advertising period by the President; and,
      iv. The advertising period may be prolonged by majority vote of the Administrative Council.
E. Term
   1. Once appointed, Justices shall retain their position as long as they are an eligible ASMSU member, or until resignation; and,
   2. A Justice cannot seek election to another ASMSU office so long as they are a member of the Judicial Council.

Section 10-2 Justices

A. Duties
   Justices shall:
   1. Fulfill all duties defined in the ASMSU Constitution;
   2. Hold two office hours per week during business hours at the ASMSU Office, to be available to work on Judicial business;
   3. Attend all Judicial Council meetings. All absences, late arrivals, early departures, and reasons for them, shall be reported to the Chief Justice. The Judicial Council reserves the right to appeal decisions of the Chief Justice. Three unexcused absences shall result in automatic removal; and,
   4. Attend a mandatory orientation session and retreats.
   5. Serve on Appeal boards as needed.

Section 10-3 Chief Justice

A. Term
   1. The Chief Justice shall serve a one year term coinciding with the academic year; and,
   2. There is no limit to the number of terms a Justice may serve as Chief Justice.

B. Duties
   The Chief Justice shall:
   1. Fulfill all duties defined in the ASMSU Constitution;
   2. Establish the agenda for each Judicial Council meeting;
   3. Convene and chair all meetings of the Judicial Council, keeping fairness, maintaining order, and enforcing decorum;
   4. Hold five regular office hours per week during business hours at the ASMSU Office, to be available to work on Judicial business;
   5. Appoint Justices to MSU appeals boards as needed;
   6. In confidentiality, ensure all ASMSU officials are in compliance with eligibility requirements;
   7. Serve as a non-voting member of the Administrative Council;
   8. Issue or delegate a Judicial Ruling Report when determined necessary; and,
   9. Deliver a summary of the Judicial Ruling Report at the next scheduled Senate meeting.
Section 10-4  Judicial Council Rules

These rules shall apply only to the Judicial Council.

A. Authority

1. Constitutional Audit
   The Judicial Council shall
   i. Interpret and review the ASMSU Constitution and Bylaws;
   ii. Ensure that submitted bills and existing Bylaws do not conflict with the ASMSU Constitution;
   iii. Continually review and update grammar and syntax in the ASMSU Constitution and Bylaws; and,
   iv. Review all submitted bills and referendums for inconsistencies with the ASMSU Constitution prior to the second reading by the Senate.

2. Elections
   The Judicial Council shall
   i. Interpret and review the Elections Policies & Procedures Manual when necessary;
   ii. Enforce the elections in accordance with the Elections Policies & Procedures Manual;
   iii. The Elections Director shall sit as a non-voting, ex-officio member during elections hearings; and,
   iv. Have the authority to sanction and disqualify candidates for elections violations.

3. Student Personnel Appeals
   i. Any ASMSU member may appeal a hire/termination of student personnel to the Judicial Council on the basis of a direct violation of the ASMSU Constitution or Bylaws;
   ii. All appeals must be submitted to the Chief Justice within two weeks of the student hire/termination. The appeal must state how the hire/termination violated the ASMSU Constitution or Bylaws;
   iii. The Judicial Council reserves the right to make final decisions of appeal regarding student hire/termination on the basis of a direct violation of the ASMSU Constitution or Bylaws;
   iv. Appeal forms shall be made readily available by the ASMSU Office.

4. Resolution Appeals
   i. Any ASMSU member may appeal a resolution passed by the Senate to the Judicial Council on the basis of a direct violation of the ASMSU Constitution or Bylaws, with a petition bearing the signatures of one percent of the total ASMSU membership;
   ii. The appeal must state how the resolution is a direct violation of the ASMSU Constitution or Bylaws; and,
   iii. The Judicial Council reserves the right to make final decisions of appeal regarding resolutions on the basis of a direct violation of the ASMSU Constitution or Bylaws;
   iv. Appeal forms shall be made readily available by the ASMSU Office.
B. Session
1. The Judicial Council shall be in session beginning from the first meeting of the Senate in the fall semester until the last meeting of the Senate in the spring semester;
2. The first meeting shall occur no later than the second full week of the fall semester; and,
3. The Judicial Council shall not meet during public holidays, the last week of classes, or finals week, except in the case of special meetings.

C. General Meetings
1. The Judicial Council shall convene bi-weekly during the academic year;
2. The Judicial Council meetings shall be open to the public in accordance with MCA 2-3-203, with the exception of deliberation;
3. Deliberation of the Judicial Council shall be considered as Executive Session;
4. The latest edition of *Roberts Rules of Order, Newly Revised* shall govern meetings of the Judicial Council in all cases to which it is applicable and does not conflict with the authorities stated in the ASMSU Constitution or Bylaws; and,
5. A quorum of the Judicial Council shall be a majority of the total Judicial Council voting membership. In the absence of a quorum, the Judicial Council shall not vote.

D. Special Meetings
1. The Chief Justice may call a special meeting of the Judicial Council by informing all members 24 hours in advance; and,
2. A petition bearing the signatures of a majority of Justices and one ex-officio member, 24 hours in advance, shall satisfy the requirements for a special meeting.

E. Voting
1. The voting membership of the Judicial Council shall include four Justices and the Chief Justice. They shall vote according to seniority with the Chief Justice always the most senior;
2. All rulings of the Judicial Council shall require a majority of the present members;
3. Justices shall vote affirmative or negative. An abstention vote is permissible only in cases of a direct personal conflict of interest; and,
4. The Clerk and Recorder shall conduct all votes by roll call.
5. In the instance of a tie vote no action shall be taken by the judicial council.

F. Judicial Ruling Report
1. A Judicial Ruling Report must be issued on all external rulings of the Judicial Council;
2. The Chief Justice shall write or designate who writes the Judicial Ruling Report which shall include debriefings from both the majority and dissenting opinions;
3. The Judicial Ruling Report shall act as a precedent until changed by means of a Bill or Referendum; and,
4. The Judicial Ruling Report must be easily accessible by Officials to ensure swift and proper procedure.