

ASMSU

BYLAWS



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Article 2. Officials

Section 2-1 General Provisions

A. Composition

1. ASMSU elected officials shall include the President, Vice President and 21 Senators,
2. Two of the Senators shall be appointed by the Senate to the Senate Speaker and Senate Speaker Pro Tempore positions.
3. A Business manager, ASMSU Secretary, 5 Justices, and one Chief Justice shall be appointed as defined in these Bylaws.

B. Qualifications

1. All official 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 ASMSU officials. Impeachment shall occur by means of a Resolution. If the Resolution passes, there shall be an executive session of the ASMSU Senate with the official in question. A vote shall occur at least one week following the executive session and removal shall occur if three-fourths of the total voting membership of the ASMSU Senate so orders.

D. Length of Term

1. The President, Vice President, Business Manager, Senate Speaker, Senate Speaker Pro Tempore, Chief Justice, Senators, and ASMSU Secretary shall serve a one-year term.
2. Justices shall serve as long as they remain eligible ASMSU members as defined in the Constitution or until resignation.

E. Duties

1. All officials shall:
 - (i) Carry out the duties stated in the ASMSU Constitution and Bylaws;
 - (ii) Ensure a smooth transition for successor officers;
 - (iii) Delegate responsibility and authority as needed. All delegation of authority stated in the Constitution and Bylaws shall be announced at the next scheduled Senate meeting; and
 - (iv) Uphold the ASMSU mission statement, and serve with integrity and professionalism.

F. Multiple Positions

1. Officials 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 President and two terms as the 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

1. The President shall:
 - (i) Enforce the ASMSU Constitution and Bylaws;
 - (ii) Act as the ultimate supervisory authority of the Executive Branch;
 - (iii) Appoint student members to all MSU Committees;
 - (iv) Serve as a non-voting ex officio member on all ASMSU boards, committees and councils as needed;

- (v) Attend all meetings of the Senate unless required to be elsewhere in an official capacity;
- (vi) Participate in an ASMSU summer internship;
- (vii) Recommend legislation to the Senate as deemed to be in the best interests of ASMSU;
- (viii) Preside over ASMSU personnel matters in consultation with the Director of Operations;
- (ix) Prepare, submit and present Executive Budget Recommendations to the Finance Board and Senate;
- (x) 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);
- (xi) Provide clear expectations for ASMSU staff;
- (xii) Prepare and administer the Administration budget in conjunction with the Director of Operations;
- (xiii) Chair the SUB Advisory Board;
- (xiv) Serve as a member of the Administrative Council;
- (xv) Chair the Administrative Council;
- (xvi) Address all bills passed by Senate by either signing them into these Bylaws or vetoing them; and,
- (xvii) Act as the hiring and firing authority over all student-hired positions, with the exception of the Business Manager, who shall be hired as outlined in these bylaws and removed only through impeachment.

Section 2-4 Vice President

A. Duties

1. The Vice President shall:
 - (i) Carry out those duties delegated by the President;
 - (ii) Serve as a member of the Administrative Council;
 - (iii) Serve as a member of the PACE Board;
 - (iv) Recommend legislation to the Senate as deemed to be in the best interests of ASMSU;
 - (v) Attend all meetings of the Senate unless required to be elsewhere in an official capacity.
 - (vi) Facilitate meetings of ASMSU Program staff;
 - (vii) Oversee the day-to-day operations of all Student Programs, ensuring the accountability and success of each program; and
 - (viii) Serve as the supervisory authority of student program directors, providing training, assistance, and guidance as necessary.

Section 2-5 Business Manager

A. Appointment

1. The President-elect shall select the Business Manager in consultation with the Director of Operations and Vice President-elect.
2. The President-elect shall recommend a single candidate to the incoming Senate for confirmation at their first meeting in the Spring Semester.

B. Term

1. The Business Manager shall be selected no later than the first meeting of the incoming Senate in the spring semester.
2. Following confirmation and prior to the end of the academic year, the incoming Business Manager shall train with the outgoing Business Manager and Operations Manager.
3. The term of the Business Manager shall begin immediately following majority confirmation by the incoming Senate at their first meeting in the spring Semester and terminate upon the swearing in of the next Senate.
4. If the position becomes vacant before the end of the term, the position shall be advertised for a minimum of ten academic days, after which period appointment shall proceed in the same manner as outlined in these Bylaws.

C. Duties

1. The Business Manager shall:
 - (i) Coordinate and facilitate the annual budgeting process in conjunction with the Director of Operations.
 - (ii) Assist the President in preparing the Administration budget
 - (iii) Assist all programs funded by the Student Activity fee in preparing their budgets.
 - (iv) Provide financial and budgetary training to student officials and student program directors.
 - (v) Devise and coordinate fiscal accountability and reporting procedures with the Operations Manager;
 - (vi) Fulfill duties as delegated by the President and Operations Manager.
 - (vii) Track actual worked hours for ASMSU stipendiary positions;
 - (viii) Attend all meetings of the Senate unless required to be elsewhere in an official capacity;
 - (ix) Provide quarterly financial reports to the Senate and be prepared to provide financial information at all meetings;
 - (x) Collect an inventory of all ASMSU Student and Classified Programs annually
 - (xi) Conduct an informal audit of all Student Activity Fee-funded accounts monthly to ensure correctness;
 - (xii) Ensure that ASMSU's operating and reserve accounts are managed properly,
 - (xiii) Attend all Finance Board meetings;

- (xiv) Serve as a member of the Administrative Council;
- (xv) Oversee the financial operations and fiscal accountability of all Student Programs, and meet with all directors regularly;
- (xvi) Perform weekly deposits; and
- (xvii) Serve as an ex-officio non-voting member on the Budget Oversight Committee.

Section 2-6 **Legislative Branch**

A. Composition

1. The Legislative branch of ASMSU shall be composed of 21 Senators, from which a Senate Speaker and Senate Speaker Pro Tempore shall be appointed.

Section 2-7 **Senate Leadership**

A. Composition

1. Senate Leadership shall consist of the Senate Speaker and the Senate Speaker Pro Tempore.

B. Appointment and Term

1. Senate Leadership shall be appointed by a ballot vote of the ASMSU Senate. The appointment shall be decided by a majority vote of the ASMSU Senate.
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 Speaker or Senate Speaker Pro Tempore.

C. Vacancy

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

Section 2-8 Senate Speaker

A. Duties

1. The Senate Speaker shall:

- (i) Preside over all Senate personnel matters, including senator vacancies;
- (ii) Ensure that all senators are carrying out their duties, including office hours;
- (iii) Ensure the general fairness of Senate;
- (iv) Provide legislative assistance to senators;
- (v) Serve as the primary spokesperson for the Senate outside ASMSU;
- (vi) Coordinate efforts to maintain the Senate website;
- (vii) Update the Senate Handbook over the summer for the upcoming session;
- (viii) Conduct a mandatory orientation session for all new senators before the first Senate meeting of the fall semester;
- (ix) Appoint Senate liaisons to all ASMSU programs;
- (x) Hold a minimum of 7 office hours during regular business hours and outside of meetings;
- (xi) Convene and chair the Senate meetings in fairness and good faith, maintain order and enforcing decorum;
- (xii) Chair the Senate Judiciary Committee
- (xiii) Establish the agenda for each Senate meeting;
- (xiv) Integrate bills passed by Senate into the Bylaws;
- (xv) Distribute resolutions passed by Senate to appropriate recipients;
- (xvi) Maintain an archive of all Senate documents, including bills, resolutions, minutes, and senator contact information that may be accessed by all members of ASMSU.
- (xvii) Notify all Senators of meetings and other relevant information;
- (xviii) Update the ASMSU website to include the most current revisions of the Constitution and Bylaws, most current agendas, and all meeting minutes.
- (xix) Serve as a member of the Administrative Council;
- (xx) Prepare and deliver a weekly report to the Senate;
- (xxi) Meet with each senator to discuss responsibilities and evaluate performance as needed;
- (xxii) Conduct goal-setting sessions with senators during Senate orientation and continually as needed; and
- (xxiii) Chair the Budget Oversight Committee.

Section 2-9 **Senate Speaker Pro Tempore**

A. Duties

1. The Senate Speaker Pro Tempore shall:
 - (i) Carry out those duties delegated by the Senate Speaker;
 - (ii) Hold a minimum of 7 office hours during regular business hours outside of meetings;
 - (iii) Serve as a member of the Administrative Council;
 - (iv) Attend all meetings of the Senate, and assist as needed in the coordination of Senate meetings;
 - (v) Chair the Finance Board;
 - (vi) Chair the Registered Student Organization Funding Board; and,
 - (vii) Provide legislative assistance to senators as needed.

Section 2-10 **Senators**

A. Duties

1. Senators shall:
 - (i) Attend all Senate meetings. All absences, late arrivals, and early departures, and the reasons for them, shall be reported to the Senate Speaker. More than two unexcused absences shall result in removal from Senate;
 - (ii) Serve on at least one MSU committee;
 - (iii) Serve as liaison to at least one ASMSU programs. Senators shall provide a report at minimum once per month;
 - (iv) 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;
 - (v) Attend a mandatory orientation session and retreats; and,
 - (vi) Report regularly to the Senate with updates within their duties as a senator.

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 semester.

D. Vacancy

1. If a Senate seat becomes vacated before the installment of the elected senator, the candidate receiving the next highest vote shall be awarded the seat.
2. If a Senate seat becomes vacant after the installment of the elected senator, the seat shall be filled following these rules:
 - (i) The open position shall be advertised for 10 academic days. Advertising locations shall include, but not be limited to, the ASMSU website, the ASMSU office and the buildings occupied by the college of the vacant seat.
 - (ii) Applicants shall submit a Senate appointment application.
 - (iii) Consideration of the applicants shall occur at a regularly scheduled Senate meeting. Voting shall be conducted by ballot. The applicant with a simple majority shall be installed for the remainder of the term.
 - (iv) If after the appointment process a seat remains open it shall remain open to the given college for an additional three academic days, after which the seat shall be opened as an At-Large seat until the next senate is sworn into office. If that appointed senator vacates their at-large seat within the same term, the seat will return to its original college.

Section 2-11 **Senate Secretary**

A. Appointment

1. A selection committee for the ASMSU Secretary shall consist of:
 - (i) The Senate Speaker;
 - (ii) The President; and,
 - (iii) The Chief Justice.
2. The Selection committee shall recommend one candidate to the president for nomination.
3. The ASMSU Secretary shall be nominated by the President and confirmed by a majority vote of the Senate.
4. If the ASMSU Secretary position becomes vacant, a new Secretary shall be appointed as described above.

B. Duties

1. Prepare and distribute meeting agendas for Senate, Administrative Council, and Supreme Court at the discretion of the Senate Speaker, President, and Chief Justice, respectively.
2. Record and distribute minutes from meetings of the Senate, the Administrative Council, and the Supreme Court.
3. Schedule and coordinate ASMSU retreats and trainings.

Section 2-12 **Judicial Branch**

A. Composition

1. The Supreme Court shall be comprised of seven Justices, from whom a Chief Justice shall be appointed;
2. The MSU Dean of Students, or designee, and an ASMSU Legal Services Attorney shall serve as non-voting, ex-officio members;

B. Qualifications

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

Section 2-13 **Chief Justice**

A. Appointment

1. The Chief Justice shall be appointed from among currently installed Justices by the President and confirmed by a majority vote of the Senate.

B. 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.

C. Duties

1. The Chief Justice shall:
 - (i) Fulfill all duties for each Supreme Court meeting;
 - (ii) Establish the agenda for each Supreme Court meeting;
 - (iii) Convene and chair all meetings of the Supreme Court, keeping fairness, maintaining order, and enforcing decorum;
 - (iv) Hold five regular office hours per week during business hours at the ASMSU office, to be available to work on Judicial business;
 - (v) Appoint Justices to MSU appeals boards as needed;
 - (vi) In confidentiality, ensure all ASMSU officials are in compliance with eligibility requirements;
 - (vii) Serve as a non-voting, ex-officio member of the Administrative Council;
 - (viii) Issue or delegate a Judicial Ruling Report when determined necessary; and,
 - (ix) Deliver a summary of the Judicial Ruling Report at the next scheduled Senate meeting.

Section 2-14 **Justices**

A. Appointment

1. An appointment committee for each Justice position shall consist of:
 - (i) One Senator designated by the Senate Speaker;
 - (ii) The 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 Supreme Court 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 cases of vacancies;
 - (ii) The appointment of Interim Justices and all associated acts must be confirmed or denied by the Senate once reconvened.

B. 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 Supreme Court 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 the majority vote of the Administrative Council.

C. Term

1. Once appointed, Justices shall retain their positions as long as they are an eligible ASMSU member, or until resignation; and,
2. A Justice cannot seek election or seek to be hired to another ASMSU office so long as they are a member of the Supreme Court.

D. Duties

1. Justices shall:
 - (i) Fulfill all duties defined in the Constitution;
 - (ii) Hold two office hours per week during business hours at the ASMSU office, to be available to work on Judicial business;

- (iii) Attend all Supreme Court meetings. All absences, late arrivals, early departures, and reasons for them, shall be reported to the Chief Justice. The Supreme Court reserves the right to appeal decisions of the Chief Justice. More than two unexcused absences shall result in automatic removal;
- (iv) Attend a mandatory orientation session and retreats; and,
- (v) Serve on appeals boards as needed.

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 or the Vice President; and,
 - (iii) A classified or professional employee of ASMSU.
2. The hiring committee shall recommend an applicant to the President 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. When there is a 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
- C. All hiring and termination decisions must follow MSU Personnel Policies and Procedures.

Section 3-4 **Advertising**

- A. Student program director positions shall be advertised for at least 10 academic days.
- B. Advertising for classified employees shall be conducted in accordance with MSU Human Resources Department rules.

Article 4. Councils, Boards, and Committees

Section 4-1 General Provisions

A. Definitions

1. Council – Participates in governance
2. Boards – Decision-making function
3. Committee – Ongoing advisory function
4. Special Committee – Specific charge to accomplish a task in a specified amount of time
5. Task Force – Informal group created to accomplish a specific task

B. Meeting Conduct

All ASMSU councils, boards, and committees (CBCs) shall adhere to 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 CBCs shall:

1. Vote only to 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 CBC may go into executive session at any time.
5. No public record shall be kept of executive session business.
6. Executive session shall be conducted according to MCA 2-3-203.
7. MCA 2-3-203 shall supersede Section 5-4 in case of conflict with these Bylaws.

E. Appointments

1. Initial senatorial appointments to ASMSU boards and committees shall take place during the fall semester.
2. Initial At-Large appointments to ASMSU boards and committees shall take place during the fall semester.

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 Business Manager, the Senate Speaker, and the Senate Speaker Pro Tempore.
 - 2. The Chief Justice and ASMSU classified staff shall serve as non-voting, ex-officio members.
- C. Quorum
 - 1. Quorum shall consist of a majority of the voting members with at least one member of the Senate leadership present.
- D. Duties
 - 1. The Administrative Council shall:
 - (i) Make all financial and policy decisions when the Senate is not in session; and
 - (ii) Assist the President in personnel matters and in executing the ASMSU budget; and
 - (iii) Discuss general ASMSU issues as needed; and,
 - (iv) Provide a forum for discussion about all issues pertaining to ASMSU.

Section 4-3 **Senate Judiciary Committee**

- A. Composition
 - 1. The voting membership of the Senate Judiciary Committee shall consist of three Senators appointed by the ASMSU Senate. The Senate Speaker shall serve as the non-voting chair and will vote only to break ties.
- B. Duties

The Senate Judiciary Committee shall:

 - 1. Continually review and update the Bylaws and Constitution by submitting the proper legislation to the ASMSU Senate;
 - 2. Review all submitted bills for inconsistencies and grammatical errors, and correct the inconsistencies and errors prior to the first reading in Senate.
 - 3. Review all submitted resolutions for grammatical errors, and correct the errors prior to the 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 Senate. The Vice President and the Business Manager shall serve as non-voting members. The Senate Speaker shall serve as the non-voting chair.

B. Duties

The Stipend Review Committee shall:

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

Section 4-5 **Finance Board**

A. Composition

1. The membership of the Finance Board shall consist of:
 - (i) Three Senators, appointed by the Senate;
 - (ii) Three at-large students, appointed by the President and confirmed by the Senate;
 - (iii) The Vice President for Student Success or designee, who shall serve as a non-voting, ex-officio member;
 - (iv) The Vice President for Finance and Administration or designee, who shall serve as a non-voting, ex-officio member;
 - (v) The Business Manager, who shall serve as a non-voting ex-officio member; and,
 - (vi) The Senate Speaker Pro Tempore, who shall serve as the chair and will vote only to break ties.

B. Duties

1. The Finance Board shall:
 - (i) Review and make recommendations regarding all budget requests to the Senate;
 - a) Reallocation of monies within an existing budget does not constitute a budget request, as long as the amount for reallocation stays within three percent of the program's total allocated budget, or three thousand dollars, whichever is lower.
 - (ii) Review and make recommendations regarding the annual budget to the Senate; and
 - (iii) Recommend legislation regarding fiscal policy.

C. Executive Power

1. Supplemental requests under \$500 will go to the Administrative Council to make a recommendation to Senate if Finance Board is not already meeting.

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

A. Composition

1. The voting membership of the Registered Student Organization Funding Board (RSOFB) shall consist of three Senators and two at-large students appointed by the Senate. The Senate Speaker Pro Tempore shall serve as the non-voting chair. The Assistant Director of the Office of Student Engagement or designee shall serve as a non-voting advisory member.

B. Duties

1. The RSOFB 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 RSOFB shall maintain a funding policy document to be amended by majority approval of the board.

Section 4-7 **Club Sports Funding Board**

A. Composition

1. The voting membership of the Club Sports Funding Board (CSFB) shall consist of four Club Sports representatives nominated by the Club Sports Council, one ASMSU Senator appointed by Senate, two at-large students appointed by Senate, one Recreational Sports & Fitness (RSF) student employee appointed by an application process and selected by Club Sports Council. Club Sports Council will nominate a non-voting chairperson. A staff member from Recreational Sports & Fitness or designee shall serve as a non-voting advisory member.

B. Duties

1. The CSFB shall allocate the designated fees as determined by the Club Sports Funding Board in accordance with the Club Sports Funding Policies.

C. Funding Policies for Registered Student Organizations

1. The CSFB shall maintain a funding policy document to be amended by majority approval of the CSFB.

Section 4-8 **ASMSU Preschool Advisory Committee**

A. Composition

The Preschool Advisory Committee shall consist of:

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

B. Duties

The ASMSU Preschool Advisory Committee shall:

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

Section 4-9 **PACE Board**

A. Composition

1. The PACE Board shall consist of

- (i) The ASMSU Vice President, a voting member of the Board;
- (ii) One PACE Board Chair, who shall chair all meetings of the board, be advised by the Student Engagement and Leadership Advisor, and report to the ASMSU Admin Council weekly;
- (iii) Three PACE Board Directors
- (iv) Three PACE Associates
- (v) Three Senate liaisons

B. Duties

1. The PACE Board shall

- (i) Plan, facilitate, and evaluate student activities and events
- (ii) Lead events as budgeted by the Senate
- (iii) Meet at least once a month regarding events and budgets
- (iv) Report to Senate via liaisons at least once a month regarding events and budgets

Section 4-10 **KGLT Advisory Committee**

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

Section 4-11 Leadership Institute Advisory Committee

A. The Leadership Institute Advisory Board shall serve as the Leadership Institute Advisory Committee. The two Senate liaisons shall serve on this committee.

Section 4-12 Streamline Advisory Committee

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

Section 4-13 Legal Services Advisory Committee

A. Composition

The Legal Services Advisory Committee shall consist of:

1. Two ASMSU Senate liaisons; and,
2. The ASMSU President, who shall serve as the chair.
3. Additionally, employees of ASMSU Legal Services shall serve as non-voting, ex-officio members.

B. Duties

The Legal Services Advisory Committee shall:

1. Make recommendations for improving the Legal Services Program.

Section 4-14 Outdoor Recreation Advisory Committee

A. Composition

The Outdoor Recreation Advisory Committee shall consist of:

1. Two ASMSU Senate liaisons, who shall serve as the committee's co-chairs;
2. Two Outdoor Recreation student employees;
3. Two student members appointed by the President;
4. One faculty representative selected by Faculty Senate;
5. One staff representative selected by the Staff Senate; and,
6. One professional staff representative selected by the 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 4-15 **Recreational Sports and Fitness Advisory Committee**

A. Composition

The Recreational Sports and Fitness Advisory Committee shall consist of:

1. Two ASMSU Senate liaisons, who shall serve as the committee's co-chairs;
2. One faculty representative selected by Faculty Senate;
3. One staff representative selected by the Staff Senate;
4. One professional staff representative selected by Professional Council;
5. One graduate student selected by the Graduate School;
6. One student representative from club sports selected by the Club Sports Council Executive;
7. One student representative selected by the Office of Fraternity and Sorority Life;
8. One student representative selected by the Residence Hall Association;
9. One student representative from intramural sports selected by the Intramural Sports Director;
10. One student representative from Fitness Services selected by the Fitness Service staff; and,
11. One 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 4-16 **Exponent Publications Board**

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

Section 4-17 **Special Committees**

A. Commission

1. A special committee shall be commissioned only by resolution.

B. Purpose

1. A special committee may be commissioned to research and recommend any legislation on any issue the Senate deems necessary.

2. A special committee can make recommendations of any kind to the Senate.

C. Composition

1. A special committee may consist of any Senators, at-large students, or others as specified by resolution.

Section 4-18 **Budget Oversight Committee**

A. Composition

1. The voting membership of the Budget Oversight Committee shall consist of three senators, appointed by Senate. The Business Manager shall serve as a non-voting, ex-officio member. The Senate Speaker shall serve as the chair and vote only to break ties.

B. Duties

The Budget Oversight Committee shall:

1. Meet as needed to review student program and classified program expenditures and ensure budget alignment; and
2. Hear proposed reallocations of monies allocated to directors and vote on their approval; and
3. Recommend action to the Senate via resolution in response to deviation of the fiscal budget as allocated by the Senate; and
4. Have the ability to order a meeting with the director of the program in question. The President and Business Manager shall have the right to be present at the meeting; and
5. Recommend any legislation and proceedings deemed necessary to rectify the situation.

Article 5. Senate Rules

Section 5-1 Authority

- A. These rules shall apply only to meetings of the ASMSU Senate.
- B. The most recent edition of *Robert's Rules of Order, Newly Revised* shall serve as the authority on conduct and procedure in all matters pertaining to the Senate when not in conflict with the authorities of the Constitution or these Bylaws.

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.
- D. Meetings of the Senate can be cancelled only by a three-fourths majority vote of the Senate and must be voted on at the meeting immediately preceding the cancelled one. The Senate Speaker may cancel a meeting only if a risk exists to members' well-being.

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 Speaker shall only in the case of a tie vote. This vote must be disclosed.
- B. Ballot Voting
 - 1. Ballot Voting shall be used for all appointments of Senate Leadership, Senate vacancies, committees, councils, boards, and taskforces 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.
 - 5. Executive session shall be conducted according to MCA 2-3-203.
 - 6. MCA 2-3-203 shall supersede Section 5-4 in case of conflict with these Bylaws.

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. Hear presentations; and,
 - 4. Allow members to make announcements.

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 discretion of the chairperson.

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 **Conduct**

- A. Each year, following taking office, the Senate will affirm a code of expectations for the upcoming year.

Section 5-9 Meeting Materials

A. All meeting materials (i.e. agenda, legislation, etc.) shall be distributed electronically to senators and other interested parties by the Senate Speaker no less than 48 hours prior to the scheduled senate meeting time.

B. If, for any reason, a senator or other interested party would not like to receive meeting materials electronically, they may request a physical copy from the Senate Speaker which be made available in a timely manner.

Section 5-10 Electronics Usage

A. Senators may only use electronic devices when their participation in Senate meetings requires it.

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 Student 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 Arts and Exhibits
 - 2. ASMSU Films
 - 3. ASMSU Productions
 - 4. Latenight Streamline
 - 5. ASMSU Elections
 - 6. ASMSU Student Political Action
 - 7. ASMSU Public Relations and Marketing
 - 8. ASMSU Diversity and Inclusion
 - 9. ASMSU Health and Wellbeing
 - 10. Programming, Activities, and Campus Events Board (PACE)
 - 11. Student Engagement Global Ambassadors (SEGA)

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 Pre-School
 - 2. KGLT-FM Radio
 - 3. ASMSU Student Legal Services
 - 4. ASMSU RISE 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
5. MSU Leadership Institute
6. ASMSU Outdoor Recreation

C. These programs are funded by the Student Press, the Intramural, the Bus, the Sustainability, the Student Leadership, and the Outdoor Recreation Fees.

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 future 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.
11. Evaluate and reallocate, as needed, changes and variations in account codes up to three percent of their total allocated budget, or three thousand dollars, whichever is lower. Such reallocations shall require an affirmative vote from the Senate Budget Oversight Committee. Changes and variations exceeding three percent of their total allocated budget, or three thousand dollars, whichever is lower, shall be brought before Finance Board and Senate.

Section 6-6 **Student Program Directors**

A. Qualification

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

B. Exception

1. An ASMSU lobbyist shall be hired in advance of the Montana Legislative Session. The lobbyist shall be a current activity-fee paying student at Montana State University, or a former activity-fee paying student that has graduated from Montana State University within 12 months of the Montana Legislative Session.

C. Employment

1. The President shall hire all student program directors. The hiring process shall be administered by the incoming President during the spring semester in accordance with the hiring guidelines.
2. Regularly hired 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 for all directors hired by the outgoing president.
3. Student program directors, hired under normal circumstances, shall be hired no later than the final regularly scheduled Senate meeting.
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 as created by voluntary termination, involuntary termination or new program creation.

Section 6-7 **Program Oversight**

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

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

C. The Vice President 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 Supreme Court in consultation with the Elections Director.

B. Ballot Approval

1. Initial allocation of eligible seats within ASMSU student government elections must be conveyed to the Chief Justice following finalization.
2. Any elections ballot must be approved and signed off on by the Chief Justice prior to release for the student body to vote on.

Section 7-2 **Policies and Procedures**

- A. The Elections Policies and Procedures Manual
 - 1. The policies and procedures of elections shall be contained in the elections Policies and Procedures Manual.
- B. Amending Policies and Procedures
 - 1. The President shall have the responsibility of editing and updating the Elections Policies and Procedures Manual as needed.
 - 2. Any changes to the Elections Policies and Procedures Manual shall be subject to a majority approval by the Senate.

Section 7-3 **Candidacy**

- A. Eligibility
 - 1. All candidates shall be ASMSU members as defined in the Constitution.
 - 2. Students must be enrolled in a major in the college for which they are holding candidacy.
 - 3. Any student enrolled in a major in more than one college shall be eligible to represent the students of the colleges in which they are enrolled.
 - 4. Candidates should be notified of their eligibility for candidacy within three school days following the filing deadline.

Section 7-4 **Write-in candidates**

- A. Write-in candidates shall be governed by the rules defined in the Elections Policies and Procedures Manual.

Section 7-5 **Elections Schedule**

- A. Primary Election
 - 1. A primary election shall 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 shall 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 preceding the penultimate meeting of the outgoing Senate.

Section 7-6 **Voting**

- A. All MSU-Bozeman students may vote in ASMSU elections.

- B. Students may vote only for senators of the college in which they are enrolled, At-Large positions, Executive positions, and ballot measures.

Section 7-7 **Campaigning**

- A. Campaigning shall be defined as the use of any written or verbal 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 candidates for Executive Team shall spend more than \$400 on campaign related expenses as a complete ticket; no candidate for Senate shall spend more than \$100 on campaign related expenses.
 - 1. Candidates for Executive Team will be eligible to receive reimbursement from ASMSU, not to exceed \$200; Candidates for Senate will be eligible to receive reimbursement from ASMSU, not to exceed \$50.
- D. ASMSU funds, time, equipment, or supplies shall not be used in campaigning for or against any candidate or ballot measure, except where expressly defined in the ASMSU Bylaws.
 - 1. A statement of personal opinion shall not be construed as a use of ASMSU time (while promoting for a candidate or ballot measure.
- E. Rules will be enforced as defined in the Elections Policies and Procedures Manual.

Section 7-8 **Concurrent Terms**

- A. No person may hold candidacy for 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 called for by the proper authority for purposes other than the election of officers or 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 Senate shall be composed of twenty-one student senators representing each of the Academic Colleges with the exception of the Graduate School, Honors College, and Gallatin College.

Section 7-12 **Allocation of Senate Seats**

- A. Using data from the Office of the Registrar, seats shall be allocated to each college based on the number of students, undergraduate and graduate, enrolled in that college.
- B. The allocation process shall occur as follows:
 1. The number of students in each college shall be divided by the total number of students enrolled at MSU
 2. The proportions shall then be multiplied by 18
 3. The product of the multiplications shall be rounded to the nearest integer value using normal rounding practices. This result shall be the allocation to each college.
 4. The total number of seats allocated previously shall be subtracted from 21. The result of the subtraction shall be the number of at-large seats.
- C. Each eligible district shall be guaranteed a minimum of one seat. The allocation process may be modified in order to accommodate this requirement.
- D. Reallocation of seats shall take place in the spring of every year prior to the start of the election cycle using the enrollment headcount of the previous fall. The Senate Speaker and the Elections Director shall work together to ensure that seats are allocated per the Bylaws.
- E. In the event that there are fewer candidates than available seats for any given position, the filing deadline for that position shall be extended by three academic days. Any seats that cannot be filled in this time shall become At-Large positions for that election only, with the exception of single-seat colleges. If there are too few At-Large candidates for the resulting number of At-Large seats, the Senate shall appoint the appropriate number of At-Large senators within three regularly scheduled meetings following the election.
 1. If there is a vacant single-seat college at the time of the election, the seat will be filled by appointment at the start of the following fall semester.

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 Leadership Fee;
 - 6. Outdoor Recreation Fee;
 - 7. Student Press Fee; and
 - 8. Activity Fee.

Section 8-2 ASMSU Funds

- A. The Activity Fee is allocated to the:
 - 1. President's Discretionary Fund;
 - 2. Vice President's Discretionary Fund;
 - 3. Supplemental Fund;
 - 4. Operating Fund;
 - 5. Reserve Fund;
 - 6. Retirement Fund; and
 - 7. Senate Discretionary Fund.
- B. Any marketing, sponsorship, or events that utilize ASMSU funds must display the ASMSU logo in equal print size as the office of Student Engagement logo or trademark(s).

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.
 - 2. All remaining funds at end of President's term will be transferred to the incoming President.

Section 8-4 Vice President's Discretionary Fund

- A. Definition
 - 1. The fund is comprised of 0.3% 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 Vice President sees fit in accordance with MSU Procurement Policy and Procedure.

Section 8-5 Reserve Fund

- A. Definition
 - 1. The fund is composed of all collected revenues from the ASMSU Fees. It is used 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 between 25% and 75% of the total projected annual Activity Fee revenues.
- D. Deficiency
 - 1. If the balance of the fund falls below 25% 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 25% 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 8-6 **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 8-7 **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 from an ASMSU Program or Administrative Council and has the approval from 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 8-8 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 8-9 Fund Use

A. 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. Any reallocation requests for up to three percent of a program's total allocated budget, or three thousand dollars, whichever is lower, will be reviewed and confirmed by the Budget Oversight Committee only.

Section 8-10 Budget Variations

- A. If the Budget Oversight Committee finds material discrepancies in the program budgets, it will send a written notice to the Program Director and meet with that director to discuss any discrepancies that were found.
- B. There will be a two-week evaluation period for the Director to respond to and resolve any discrepancies in the budget.
- C. If after the two-week period, the Director fails to resolve the issue, it shall be brought before Senate as a motion to freeze the budget.

Section 8-11 **Budget Freezing and Unfreezing**

- A. Any motion to freeze a budget must have been approved by the Budget Oversight Committee before being presented to the Senate.
- B. Any motion to freeze a budget shall pass with a 2/3 majority from the Senate.
- C. In order for a budget to be unfrozen, a motion must be presented to Senate by the Budget Oversight Committee and passed with a 2/3 majority from Senate.

Article 9. Legislation and Resolutions

Section 9-1 Bylaw Amendments

- A. The Bylaws may be amended by a vote of the Senate, referendum or by power of initiative.
 - 1. A bill requires sponsorship by at least twenty percent of the voting members of the Senate to be discussed on the Senate floor.
 - 2. Only voting members of the Senate may sponsor a bill.
 - 3. Senators must necessarily vote affirmative for any bill of which they are a sponsor. If a sponsor is not present for debate on their sponsored bill, their sponsorship shall be stricken.
- 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.
 - 1. A resolution requires sponsorship by at least two sponsors to be brought before the Senate.
 - 2. Only voting members of the Senate may sponsor a resolution.
 - 3. Senators must necessarily vote affirmative for any resolution of which they are a sponsor. If a sponsor is not present for debate on a resolution, their sponsorship shall be stricken.

Section 9-3 Sponsorship

- A. Adding and removing sponsors
 - 1. Senators may add or remove their sponsorship at will. These changes shall be declared during discussion.

Section 9-4 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 9-5 **Initiatives**

- A. The students of MSU may make changes to the Constitution or Bylaws 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 two percent of the qualified electors. Petitions shall be filed with the Senate Speaker at least one month prior to the election at which the measure will be voted upon.
- D. The validity of the initiative petition shall not be questioned after the election is held.

Section 9-6 **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 9-7 **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 elections.
- C. Ballot measures go into effect with the affirmative vote of a majority of the student body.

Article 10. Judicial Branch

Section 10-1 General Provisions

A. Composition

1. The ASMSU Supreme Court shall be comprised of seven 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 Supreme Court 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 Supreme Court 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 the rules:
 - (i) The open position shall be well advertised for a period of 10 class days;
 - (ii) Applicants shall submit a completed Supreme Court 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 Supreme Court.

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 Supreme Court meetings. All absences, late arrivals, early departures, and reasons for them, shall be reported to the Chief Justice. Three unexcused absences shall result in automatic removal; and,
4. Serve on appeals boards as needed; and,
5. Attend a mandatory orientation session and retreats.

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.
3. If the Chief Justice position is vacated, a new Chief Justice shall be appointed in the same manner as the original appointment to fulfill the remainder of the original term.

B. Duties

The Chief Justice shall:

1. Fulfill all duties defined in the ASMSU Constitution;
2. Establish the agenda for each Supreme Court meeting;
3. Convene and chair all meetings of the Supreme Court, 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 **Supreme Court Rules**

These rules shall apply only to the Supreme Court.

A. Authority

1. Constitutional Audit

The Supreme Court 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 Senate.

2. Elections

The Supreme Court 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 election 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 Supreme Court 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 Supreme Court 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 Supreme Court 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 Supreme Court 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 Supreme Court 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 Supreme Court shall not meet during public holidays, the last week of classes, or finals weeks, except in the case of special meetings.

C. General Meetings

- 1. The Supreme Court shall convene bi-weekly during the academic year;
- 2. The Supreme Court meetings shall be open to the public in accordance with MCA 2-3-203, with the exception of deliberation;
- 3. Deliberation of the Supreme Court shall be considered as Executive Session;
- 4. The latest edition of *Roberts Rules of Order, Newly Revised* shall govern meetings of the Supreme Court 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 Supreme Court shall be a majority of the total Supreme Court voting membership. In the absence of a quorum, the Supreme Court shall not vote.

D. Special Meetings

- 1. The Chief Justice may call a special meeting of the Supreme Court 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 Supreme Court shall include six Justices and the Chief Justice. They shall vote according to seniority with the Chief Justice always the most senior;
- 2. All rulings of the Supreme Court 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 Supreme Court.

F. Judicial Ruling Report

- 1. A Judicial Ruling Report must be issued on all external rulings of the Supreme Court;

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.