ASMSU 2023-B-08  
ASMSU Bylaw Articles 7&8

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Vote Necessary: A majority  

Sections: [07] [08]  

Intent: [To clarify ASMSU Bylaw Articles 7&8]  

Effective Date 02.22.2023

Article 78. Fiscal Policy

Section 78-1  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 78-2  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 78-3  **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 78-4  **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 78-5  **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 50% and 100% of the total projected annual Activity Fee revenues.

D. Deficiency
1. If the balance of the Reserve Fund falls below 50% of the total projected annual Activity Fee revenues, ASMSU must either, at minimum, replenish this fund within three years making equal payments, or allocate 5% of the total projected annual Activity Fee revenues to the Reserve Fund.

E. Excess Funds
1. All moneys exceeding 50% 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.
Section 78-6  **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 78-7  **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 (RSO) 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 78-8  **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.
2. Administrative Council is to present budget recommendations to Finance Board, and Finance Board will make budget recommendations to Senate.
3. 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 78-9 Fund Use

A. ASMSU Programs should only use funds to support the budget items that were approved by the ASMSU Senate.
B. Should unexpected events cause an individual program’s budget to no longer be in the best interest of students, or should a Program Director/Student Program Director obtain new information that causes them to believe that the money in their program budget would be best distributed in a different way, the following procedure shall be followed:
1. The reallocation request will originate with the Program Director or the Student Program Director
   i. The reallocation request will be approved given that the request, in its entirety, is approved unanimously by the following individuals:
      ii. The Program Director or the Student Program Director
      iii. The Staff Advisor for the program, if applicable
      iv. The Business Manager
      v. Senate Liaisons to the Program
2. Should the request not be unanimously approved by the individuals enumerated in Part b., the request may still be approved by the following procedures:
   vi. Reallocation requests for up to the lower of 3% three percent of a program’s total allocated budget, or three thousand dollars, may be reviewed and confirmed by the Budget Oversight Committee.
   vii. Other reallocation requests may be reviewed and confirmed by the Finance Board and Senate.
3. The reallocation request will be subject to the following constraints:
   viii. The request may not modify funds affecting Labor and Benefits;
   ix. The request may not change the administrative fee; and,
   x. Money can only be moved within a program’s budget. Money cannot be taken from another program’s budget
Section 78-10  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 78-11  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 89. Legislation and Resolutions

Section 89-1  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 89-2  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 89-3  **Sponsorship**
A. Adding and removing sponsors
   1. Senators may add or remove their sponsorship at will. These changes shall
be declared during discussion.

Section 89-4  **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 89-5  **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 (2%) 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 89-6  **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 89-7  **Ballot Measures**
A. For bylaw changes and resolutions, a majority vote of the Senate to include the action on the ballot is necessary. Vote shall be done by roll call vote.
B. For a change to the Constitution, a majority vote of the Senate is required for its inclusion on the ballot. Votes shall be done by roll call vote.
C. Ballot measures must be approved by the ASMSU Senate at least 2 weeks prior to the week of the elections.
D. Ballot measures go into effect with the affirmative vote of a majority of the student body.

ABSENT
Leurum
Musar
Wendt
Matthews
Delker