

**THE CONSTITUTION OF THE ASSOCIATED STUDENTS  
OF  
MONTANA STATE UNIVERSITY-BILLINGS**

**Preamble**

We, the Associated Students of Montana State University-Billings, in order to encourage constructive relationships among the students, the faculty, and the administration; to supplement and complement formal education on the Montana State University-Billings campuses; to represent student interests, needs and welfare within the University campuses; to provide for the expression of student opinion and interests to the community at large on issues affecting student life; and to protect the privileges and rights of students herein stated, do hereby establish and affirm this Constitution for the Associated Students of Montana State University-Billings (ASMSU-Billings).

**ARTICLE 1. – NAME**

The name of this Association shall be the Associated Students of Montana State University-Billings, hereinafter called ASMSU-Billings.

**ARTICLE 2. – Membership**

All Registered students of Montana State University-Billings enrolled for one (1) or more credits, and only such persons, shall be members of the Association. As members, they shall be entitled to vote, to hold office in the Association if qualifications for candidacy are met, and to exercise the various rights and privileges of membership.

**ARTICLE 3. – Management and Structure**

- Sec. 1. The management of ASMSU-Billings shall be vested in the Executive Branch, which shall employ necessary staff and shall maintain student administration as provided in the ASMSU-Billings By-Laws.
- Sec. 2 ASMSU-Billings shall function through the Executive Branch, the Legislative Branch, and the Judiciary Branch.
- Sec. 3 All officers and branches shall have the primary duties of determining and representing student opinion and executing appropriate action.

**ARTICLE 4. – Executive Branch & Terms of Office**

- Sec. 1 The Executive Branch shall administer the affairs of ASMSU-Billings and shall recommend legislation to the Senate. It shall establish councils, committees, boards, or bureaus to take action on any matter within the jurisdiction of ASMSU-Billings that may not be covered by statute or ASMSU-Billings Senate By-Laws. It shall enforce and put into effect all statutes duly passed by the Legislative Branch. The Executive Branch shall consist of but not be limited to the following:
  - A. Executive Cabinet
    - 1. The ASMSU-Billings President, who shall uphold and enforce the ASMSU-Billings Constitution and its By-Laws. The President is not an officer of the Senate, but holds veto power according to the ASMSU-Billings By-Laws.
    - 2. The ASMSU-Billings Vice President, who shall preside over the Senate and who may vote on Senate business in the event of a tie. The Vice President shall assume the President's duties in his/her absence, if said absence impairs the functioning ability of ASMSU-Billings. The Vice President shall be Chairperson of the Publications Board.
    - 3. The ASMSU-Billings Business Manager
    - 4. The ASMSU-Billings Student Resolution Officer
    - 5. The ASMSU-Billings Political Action Director shall oversee all ASMSU-Billings elections.
  - B. Executive councils, boards, and bureaus appointed by and responsible to the Executive Cabinet.

## **ARTICLE 5. – Legislative Branch**

- Sec. 1 The Legislative Branch shall consist of the Senate, in which only ASMSU-Billings Senators, or the presiding officer, may vote.
- A. The Senate membership shall be composed of:
- Representatives from the freshman class
  - A representative from the graduate class
  - Representatives from the City College
  - Representatives from the student body at large
- B. The legislative and budgetary power of ASMSU-Billings shall be vested in the ASMSU-Billings Senate. The function of the ASMSU-Billings Senate shall be:
1. To conduct hearings for and approve the annual ASMSU-Billings budget.
  2. To adopt by-laws for ASMSU-Billings and make revisions to them.
  3. To take whatever action it deems necessary to fulfill its obligations to students, faculty, and/or administration.
  4. To investigate, adopt resolutions and to perform all normal legislative and budgetary functions on matters within the jurisdiction of ASMSU-Billings.
  5. Strive to ensure that student fees are being spent in a manner consistent with student needs or desires.
  6. The Senate shall have the power to override the ASMSU-Billings President's veto with two-thirds (2/3) of the votes cast at the next regularly scheduled meeting of Senate during the academic year.

### Sec. 2 Summer Senate

- A. The ASMSU-Billings Senate shall, during spring semester, appoint up to eight (8), but no less than four (4) students to serve as summer senators.

## **ARTICLE 6. – Judiciary Branch**

- Sec. 1 The judicial power of ASMSU-Billings shall be vested in the Supreme Court. The Supreme Court shall consist of seven (7) voting Justices: five (5) students, one (1) administrative, and one (1) faculty representative.
- Sec. 2 Powers and Responsibilities of the Supreme Court
- A. To interpret the Constitution or make rulings on any action taken under said Constitution.
- B. To try cases of impeachment excluding those impeachment of Judiciary Council members, in which case the ASMSU-Billings Senate shall hear the case.
- Sec. 3 Binding Authority
- A. The parties involved will be bound to accept any ruling by the Supreme Court made in accordance with this article.
- B. All rulings will remain in effect until superseded by Constitutional change or a subsequent ruling by the Supreme Court.
- Sec. 4 The affairs of the Supreme Court shall be conducted according to the Student Government By-Laws of ASMSU-Billings.

### **ARTICLE 7. – Financial Policy**

- Sec. 1 The Associated Student Fee is the fee paid by all registered students of Montana State University-Billings for the financing of student activity areas as approved by the Board of Regents. All allocations must be approved by a majority vote of the ASMSU-Billings Senate.
- Sec. 2 The financial affairs of ASMSU-Billings shall be conducted according to the By-Laws of ASMSU-Billings.

### **ARTICLE 8. – Elections**

All elections will be administered by the ASMSU-Billings Political Action Director according to the provision of Article 2 of the ASMSU-Billings Election By-Laws. All candidates for any ASMSU-Billings office shall be elected based upon a plurality of votes cast.

### **ARTICLE 9. – Impeachment and Removal from Office**

- Sec. 1 Grounds for Impeachment and/or Removal of Executive Officers, Justices or Senators.
- A. Any member who has failed to fulfill his/her duties or has violated this Constitution or its By-Laws.
- Sec. 2 Process of Impeachment
- A. The Senate may impeach officers or members of Student Government by a three-fourths (3/4) vote of the duly elected Senators.
- B. Cases of impeachment shall be heard by the Supreme Court, excluding those cases of impeachment of Justices, which shall be heard and decided by the Senate.
- C. If the impeachment charges are sustained by the Supreme Court or Senate, the member's term of office shall terminate immediately.
- Sec. 3 Recall by Students
- A. The Associated Students have the right to recall any elected Officer or Senator by submitting a petition to the Student Senate, signed by at least the number of students equal to fifty percent (50%) of the number of students voting in the election in which that Officer or Senator was elected. The Senate shall place the issue before the Associated Students in a recall election within three (3) weeks after receipt of said petition. If the recall is approved by a two-thirds (2/3) majority of the Associated Students who vote on the issue in the recall election, the term of the Officer and/or Senator in question will terminate immediately. Election ballots where students fail to vote either for or against the issue shall not be counted in the two-thirds (2/3) vote.

### **ARTICLE 10. – Publications Board**

- Sec. 1 The Publications Board shall be an advising body for the MSU-Billings student newspaper – The Retort. It is the Board's purpose, by working in cooperation with the Editor-in-Chief of the paper, to facilitate the goal of producing a publication that reflects established journalistic guidelines, quality, and ethics. In facilitating this process, the Publications Board always has the primary responsibility for ensuring that student media operate free from censorship and be given all the Constitutional protection available under the First Amendment.

### **ARTICLE 11 - Initiative Referendum**

In any general case of issues passed, deleted, or ignored by the ASMSU-Billings Student Senate, the Associated Students have the right of initiative referendum by petition of twenty percent (20%) of the Associated Students. Within three (3) weeks after receipt of the petition by the Student Senate, the issue shall be submitted to the Associated Students for their approval or disapproval by vote. A two-thirds (2/3) majority of the Associated Students who vote on the issue shall be required for it to pass. Election ballots where students fail to vote either for or against the issue shall not be counted in the two-thirds (2/3) vote.

## **ARTICLE 12. – Amendments**

- Sec. 1 This Constitution may be amended during the regular year at either a regular or special election.
- A. Amendments may be proposed by a petition to Student Senate endorsed with signatures of at least one hundred (100) members of the Associated Students, or by Student Senate through a majority of the Senate votes cast.
  - B. Student Senate shall submit such proposed amendments to the Associated Students for approval or disapproval.
  - C. Approval by two-thirds (2/3) of the members of the Associated Students who vote on the amendment shall be required for it to pass.
  - D. Election ballots where students fail to vote either for or against an amendment shall not be counted in the two-thirds (2/3) vote.
  - E. Such election shall be held not earlier than two (2) weeks and or later than four (4) weeks after the final version of the amendment has been approved by Student Senate.
- Sec. 2 Copies of any proposed amendment(s) must be made available to members of the ASMSU-Billings and written publicity must be circulated among the student body for six (6) class days prior to the time of voting on said amendment(s).
- Sec. 3 The Chancellor of Montana State University-Billings may approve or disapprove of an amendment to the Constitution of the Associated Students. If he/she does not approve an amendment, he/she shall return the amendment to the Senate with his/her objections within seven (7) calendar days after it is submitted to him/her by the Presiding Officer of the Student Senate.
- Sec. 4 If any amendment shall not be returned by the Chancellor of Montana State University-Billings within seven (7) calendar days after it shall have been presented to him/her, the same shall be approved, in like manner as if he/she had signed it.
- Sec. 5 Whenever during any academic year, amendments have been adopted to this Constitution, there shall be a re-publication of the revised Constitution. Copies of the revised Constitution shall be made available to members of the Student Senate and the Associated Students as soon as possible. The academic year shall be defined as the consecutive fall and spring semesters.

## **ARTICLE 13 – Severability**

- Sec. 1 If any section, clause, paragraph, or item of this Constitution is found to be illegal or in conflict with the laws of the State of Montana, the validity of the remaining portions or provisions shall not be affected, and the remainder of this Constitution shall be construed and enforced as if it did not contain the particular part, term or provision held to be invalid.
- Sec. 2 Any functions, authorities, or procedures not defined in this Constitution shall be regulated by the ASMSU-Billings By-Laws.

## **ARTICLE 14 – By-Laws**

- Sec. 1 By-Laws shall be established
- Sec. 2 Changes may be made in the By-Laws by a majority vote of the Student Senate.