

# ASMSU-BILLINGS BY-LAWS

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## ARTICLE 1.

### ASMSU-BILLINGS STUDENT GOVERNMENT

**Preface:** The principles of these rules are: first, the majority must prevail; second, the rights of the members with a minority opinion must be protected; third, respect for dignity of members must be assured; fourth, logical order of business must be provided.

#### **SEC 1. QUALIFICATIONS FOR THE ASMSU-BILLINGS PRESIDENT, VICE-PRESIDENT, BUSINESS MANAGER AND STUDENT RESOLUTION OFFICER**

- A.** The officers must, at the time of their election and throughout their term of office, be members of ASMSU-Billings and be in good academic standing as defined by the Montana State University-Billings General Bulletin. One is a member of ASMSU-Billings by being registered for one or more credits at MSU-Billings.
- B.** A candidate running for the position of ASMSU-Billings President or Vice President must have, at the time of his/her election, accumulated a minimum of thirty-six (36) Montana State University-Billings semester hour credits.
- C.** A candidate running for the positions of ASMSU-Billings Business Manager, Student Resolution Officer, or Political Action Director must have, at the time of his/her election, accumulated a minimum of twenty-four (24) Montana State University Semester hour credits.
- D.** An officer must have been a member of ASMSU-Billings two (2) consecutive semesters immediately preceding assumption of office.
- E.** Each officer shall receive a stipend as passed by the ASMSU-Billings Student Senate.
- F.** The officers must, at the time of selection and throughout the term of office, carry six (6) or more Montana State University-Billings semester hour credits. Summer session may be an exception.
- G.** If a student holds the position of ASMSU-B President, Vice President, Business Manager, or Student Resolution Officer, that student cannot occupy the following offices:

- ASMSU-Billings Senator
- ASMSU-Billings Retort Editor in Chief
- MSU-Billings staff member
- MSU-Billings faculty member
- MSU-Billings administrative member

#### **SEC. 2. THE POWERS AND RESPONSIBILITIES OF THE ASMSU-BILLINGS PRESIDENT:**

- A.** The President shall act as the official representative of ASMSU-Billings at all times during his/her term of office.
- B.** The President shall be the liaison between the University community and ASMSU-Billings.
- C.** The President shall have the authority to request and receive reports as necessary.
- D.** The President shall serve as Chairperson of the Executive Committee.
- E.** The President, along with the ASMSU-B Business Manager, must sign all appropriate requests for the expenditure of funds provided by ASMSU-Billings.
- F.** The President shall, with the advice and consent of the Senate, appoint student membership as required to fulfill campus and ASMSU-Billings needs.

- G. Although the President is not an officer of the Senate, he/she holds veto powers, including line-item veto, over all Senate passed financial bills and legislation. An explanation to the Senate must accompany any veto. A President may only veto legislation passed while he/she is in office.
- H. The President must sign or veto all legislation. If the President does not wish to sign the legislation, he/she must veto the legislation within two (2) class days. If the President vetoes the legislation, it is sent back to the Senate for an override vote under Old Business at the next meeting. The Senate may override the veto by a two-thirds (2/3) vote of those senators present at the meeting.
- I. The President shall act as the official ASMSU-Billings representative in all statewide student organizations.
- J. The President shall uphold and enforce the ASMSU-Billings Constitution and its By-Laws.
- K. The President shall, before entering into office, take the following oath of office:
 

“I do solemnly swear that I will faithfully and honorably execute the Office of the President of the Associated Students of Montana State University-Billings, and will, to the best of my ability, uphold the ASMSU-Billings Constitution, promote and protect student interests, and work to improve the quality of education and Montana State University-Billings.”
- L. The President may issue proclamations and executive orders so long as they do not infringe on the legislative authority of the Senate.
- M. The President will receive a stipend according to the budget passed by the ASMSU-Billings Senate.

**SEC. 3. THE DUTIES AND RESPONSIBILITIES OF THE ASMSU-BILLINGS VICE-PRESIDENT:**

- A. The Vice President shall assume the President’s duties in his/her absence, if said absence impairs the functioning ability of ASMSU-Billings as determined by a consensus vote of the following:  
ASMSU-B Business Manager  
ASMSU-B Student Resolution Officer
- B. The Vice President shall develop weekly Senate agendas and call all meetings, regular or special. He/she must notify senators of Senate meetings two days prior to the meeting.
- C. The Vice President shall preside over the Senate. In his/her absence, the gavel may be passed to an Executive Committee member of the Vice-President’s choice. If the Vice President does not make a selection, the decision shall be made by the President.
- D. The Vice President shall act as a coordinator among the Committee Chairs, the Senate and the Executive Committee.
- E. The Vice President shall remove from the Senate, with the majority consent of the Senate, any audience member creating a disturbance which is detrimental to the Senate.
- F. The Vice President shall refer legislation to the proper committee except when a motion is made to change the referral and the motion is passed by a majority vote of the Senate.
- G. The Vice President shall call special meetings of the Senate when necessary.
- H. The Vice President shall oversee the selection of students to fill vacant positions within the Senate.
- I. The Vice President shall oversee all ASMSU-Billings elections.
- J. The Vice President shall work with the President on formulating and passing legislation.
- K. The Vice President shall vote in the event of a tie.

- L. The Vice President shall serve as the Chair of the ASMSU-Billings Student Publications Board.
- M. The Vice President shall act as committee whip and oversee all ASMSU-Billings committees and make recommendations to the President.
- N. The Vice President will receive a stipend according to the budget passed by the ASMSU-Billings Senate.
- O. The Vice President shall fulfill other duties as assigned by the ASMSU-Billings President.

**SEC. 4. THE DUTIES AND RESPONSIBILITIES OF THE ASMSU-BILLINGS BUSINESS MANAGER:**

- A. The ASMSU-Billings Business Manager shall advise the Executive Committee and the Senate on all financial matters concerning ASMSU-Billings.
- B. The Business Manager shall be selected by the President through the Recommendation Committee procedure.
- C. The Business Manager, along with the ASMSU-Billings President, must sign all appropriate requests for the expenditure of funds provided by ASMSU-Billings.
- D. The Business Manager shall provide financial leadership relating to business and financial matters, and serve as financial advisor to the Executive Committee and the Student Senate.
- E. The Business Manager shall be the Chairperson of the Financial Board, voting only in case of a tie.
- F. The Business Manager shall assume other duties and responsibilities as assigned by the Executive Committee and/or Senate.
- G. The Business Manager will receive a stipend according to the budget passed by the ASMSU-Billings Senate.

**SEC. 5. THE DUTIES AND RESPONSIBILITIES OF THE ASMSU-BILLINGS STUDENT RESOLUTION OFFICER (SRO):**

- A. The SRO shall administer the campus Student Resolution Procedure, in accordance with the current Collective Bargaining Agreement between faculty and administration.
- B. The SRO shall be selected by the President through the Recommendation Committee procedure.
- C. The Senate shall select a Presiding SRO Pro Tempore to whom grievances may be passed if the SRO has physical absences or feels there is a conflict of interest in a case. At such time the Presiding SRO Pro Tempore will execute the duties of the SRO.
- D. The SRO shall perform and follow the Student Resolution Procedures. The SRO shall represent the aggrieved student(s) throughout the grievance procedure, if the student(s) so desire(s).
- E. The SRO shall keep a confidential file of all proceedings and supporting documents used in the grievance procedure. The SRO shall have full responsibility for the said documents.
- F. The SRO shall submit a progress report each semester to the Executive Committee within three (3) weeks of the commencement of classes for any academic term and by the twelfth (12th) week of the semester. Such reports shall contain pertinent information as to

the number of cases handled, the level at which most grievances are resolved, i.e. the department heads, and if applicable, any department or area in which an excessive number of grievances have existed.

- G. The SRO has the responsibility to be well versed and have access to campus, student, faculty, and staff policies as well as present Title IX, Title VI, Section 504 of the Civil Rights Amendments, the Buckley Amendment, and the Affirmative Action Standards.
- H. The SRO shall be the Chairperson of the Student Services Committee, voting only in case of a tie.
- I. The SRO shall handle student grievances in accordance with the Student Handbook of Montana State University-Billings.
- J. The SRO will receive a stipend according to the budget passed by the ASMSU-Billings Senate.

**SEC. 6. THE POWERS, QUALIFICATIONS, AND RESPONSIBILITIES OF THE ASMSU-BILLINGS STUDENT ACTIVITIES BOARD CHAIRPERSON:**

- A. The Student Activities Board Chairperson shall be selected by the ASMSU-B President through the Recommendation Committee procedure.  
Recommendation Committee consists of seven (7) members:
  - 1-Student Activities Board Advisor
  - 2-Student Activities Board members(one being the Chair if not applying for the position)
  - 2-Senators selected by EC
    - 1-Student-at-Large selected by SAB Advisor
    - ASMSU-B Admin. Asst.
- B. The Student Activities Board Chairperson must, at the time of selection and throughout the term of office, carry six (6) or more Montana State University-Billings semester hour credits. Summer session may be an exception. The student Activities Board Chairperson must, at the time of his/her selection and throughout the term of office, be a member of ASMSU-Billings and be in good academic standing as defined by the Montana State University-Billings general Bulletin. A member of ASMSU-Billings is defined by being registered for one or more credits at MSU-Billings.
- C. The Student Activities Board Chairperson cannot be any the following:
  - ASMSU-Billings Senator
  - ASMSU-Billings Retort Editor in Chief
  - MSU-Billings staff member
  - MSU-Billings faculty member
  - MSU-Billings administrative member
- D. The Student Activities Board Chairperson will receive a stipend according to the budget passed by the ASMSU-Billings Senate.
- E. If the student selected for Student Activities Board Chairperson is unable to be on campus during the summer to direct the Summer Session Activities Program, another MSU-Billings student shall be selected by the Student Activities Board to fill this position for the summer. This student must meet the same requirements as those of the Student Activities Board Chairperson.
- F. The Student Activities Board Chairperson shall also be responsible for the

successful management and operation of the Summer Session Activities Program. The Summer Session Activities Program includes, but is not limited to, Summerfest, Shakespeare in the Parks, socials and variety events.

- G. The Student Activities Board Chairperson is responsible for the selection of one or two Summer Assistants, by application, who will help with the operation of the Summer Session Activities Program. The assistant(s) will have attended MSU-Billings for at least one semester within the calendar year prior to their selection and be in good academic standing as defined by the Montana State University General Bulletin.
- H. The Student Activities Board Chairperson, along with the one or two Summer Assistant(s), shall make the final decision as to the selection of programs to bring to the campus during the summer session.
- I. The Student Activities Board Chairperson and the Vice Chancellor of Student Affairs, as agent of the University, must sign all contracts.
- J. The Student Activities Board Chairperson has the responsibility of ensuring that the SAB operates within the fiscal guidelines established by the ASMSU-Billings Financial Policy.
- K. The term of office for the Student Activities Board Chairperson shall begin on the day following the conclusion of spring semester of the year in which he/she is selected. The term of office shall end the last day of the next spring semester.
- L. The Student Activities Board Chairperson will be the Chairperson of the Student Activities Board, voting only in case of a tie.

**SEC. 7. EXECUTIVE BRANCH**

- A. The management of the Student Government shall be vested in the Executive Branch which consists of:
  - ASMSU-BILLINGS President
  - ASMSU-BILLINGS Vice-President
  - ASMSU-BILLINGS Business Manager
  - ASMSU-BILLINGS Student Resolution Officer
- B. All members of the Executive Branch shall serve with voice and vote, except the advisory staff, which serve with voice only.
- C. The Executive Branch shall hire student government support staff in accordance with the Montana Equal Employment Opportunity Laws.

**SEC. 8. ASMSU-BILLINGS EXECUTIVE COMMITTEE**

- A. The purpose of the ASMSU-B Executive Committee shall be to serve as the leadership team for the ASMSU-B Student Senate.
- B. The ASMSU-B Executive Committee shall be composed of the following:
  - ASMSU-B President
  - ASMSU-B Vice President
  - ASMSU-B Business Manager

ASMSU-B Student Resolution Officer

- C. The ASMSU-B President shall determine if the following will be members of the Executive Committee:

- ASMSU-B Historian
  - ASMSU-B Political Action Director

- D. The ASMSU-B President shall determine if the following will be ex-officio members of the Executive Committee:

- Retort Editor
  - Student Activities Board Chair

**SEC. 9. POWERS AND RESPONSIBILITIES OF THE EXECUTIVE COMMITTEE:**

- A. The Executive Committee may recommend legislation to the Senate.
- B. The Executive Committee shall meet bi-weekly. It shall be at the discretion of the President if the Committee will meet more frequently.
- C. The Executive Committee 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's By-Laws. Such action shall be reported to the Senate at the next Senate meeting. Senate may, at that time, take appropriate action as necessary.
- D. The Executive Committee members shall attend all Senate meetings unless absence is directly related to other Executive Committee position requirements or excused by the President.
- E. The Executive Committee members shall attend all ASMSU-Billings Senate retreats, exceptions granted by the ASMSU-Billings President.
- F. The Executive Committee members shall maintain hours: Monday through Friday, defined and advertised as office hours. The minimum hours per week will be fifteen (15), between 8 a.m. and 5 p.m. Each officer shall remain in the student government offices during designated office hours unless away performing the official duties of his/her office. Any absence from the offices shall be reported to the student government secretary.
- G. The Committee Chairpersons must sign the Executive Committee Contract at the end of this By-Law.
- H. The Executive Committee member's term of office shall begin the day following the conclusion of spring semester of the year in which he/she is elected. The term of office shall end the last day of the next spring semester.

**SEC. 10. OFFICERS OF EXECUTIVE COMMITTEE**

- A. The ASMSU-B President shall call a meeting of the Executive Committee no later than the second (2nd) week of Fall Semester.
- B. The ASMSU-B President shall be responsible for setting meeting times and notifying the Executive Committee members of the scheduled meeting time.
- C. The ASMSU-B Vice President shall be the Co-Chairperson of the Executive Committee. The Co-Chairperson shall conduct Committee meetings in the absence of the ASMSU-B President.



**SEC. 11 . ASMSU-BILLINGS LEGISLATIVE BRANCH**

- A.** The Vice-President of the Senate shall be the presiding officer who will not vote unless the membership is equally divided.
- B.** The Legislative Branch shall consist of the Senate in which only ASMSU-Billings Senators, or the presiding officer, may vote. Its membership of eighteen (18) will be as follows:
  - 1. The ASMSU-Billings Vice President
  - 2. One (1) Senator from the Main Campus freshman class elected in the fall of each year. The students selected must be in good academic standing and must be enrolled for at least six (6) credits. If no freshman students apply for the freshman positions, other students may be selected to sit in these positions.
  - 3. Fourteen (14) Senators-at-Large from the Main Campus, elected during spring semester for the following year. The students elected must be in good academic standing and must be enrolled for at least six (6) credits.
  - 4. One (1) graduate student elected in the fall. The student elected must be in good academic standing and must be enrolled for at least six (6) credits. If no graduate students apply for the graduate position, other students may be selected to sit in this position.
  - 5. Two (2) student representatives from the College of Technology shall be elected/selected. One (1) of these students shall be elected during spring semester. The second student senator shall be elected during fall semester by the end of the third week of September. The College of Technology senators elected/selected must be in good academic standing as defined by the Montana State University-Billings General Bulletin, and must be enrolled for at least six (6) credits.
- C.** Advisors to the ASMSU-B Senate will be:
  - 1. One faculty advisor selected by the ASMSU-Billings Executive Committee.
  - 2. One administrative advisor appointed by the Chancellor of MSU-Billings.
  - 3. Additional advisors may be appointed at the discretion of the ASMSU-B President.
- D.** Qualifications of all ASMSU-Billings Senators
  - 1. Senators must, at the time of election/selection and throughout their term of office, be members of the Association. One is a member of the Association by being registered for one (1) or more credits at MSU-Billings.
  - 2. Senators must have attended Montana State University-Billings for at least one (1) semester within the year prior to taking office, except freshman senators and The College of Technology senators.
  - 3. At the time of election/selection and throughout their term of office, senators must not be on academic probation as defined by the Montana State University-Billings General Bulletin. Academic probation will be determined by the student's cumulative grade point average in the Registrar's Office at the time the student applies for a position and during the term of office.
  - 4. A senator must not be a fund controller of any ASMSU-Billings account.

5. The senator's term of office shall begin on the day following the conclusion of spring semester of the year in which he/she is selected. The term of office shall end the last day of the next spring semester.
6. The Vice Chancellor for Student Affairs shall notify the President of the Senate in writing if any member is not in good academic standing. Upon verification that no error has been made, the Senate shall be notified that the position is vacant.

**E. Duties of ASMSU-Billings Senators:**

1. Senators shall attend all Senate meetings unless excused by the Vice President.
2. Senators leaving before the end of a meeting shall be marked absent from that meeting unless excused by the Vice President.
3. Senators shall attend all ASMSU-Billings Senate standing committee meetings as required, unless excused by the Standing Committee Chair.
4. Senators shall attend all ASMSU-Billings Senate retreats, exceptions granted by the ASMSU-Billings President.
5. Senators shall work at least eight (8) office hours every two (2) weeks during the regular academic semester, not including any regular Senate meetings. Office hours may be scheduled at any time the Student Union Building is open. The office hours must be posted on the schedule sheets on the office door. For attendance purposes, Senators must sign in on time sheets located in the Senate office.
6. The College of Technology Senators shall serve their office hours at the West Campus.
7. Senators shall leave an absentee ballot or proxy when absent from meetings.
8. Senators shall be marked absent if arriving more than fifteen (15) minutes late to a meeting without prior notification to the ASMSU-B Vice President. A Senator shall be excluded from voting for that meeting if he/she is marked unexcused.
9. Senators must sign the Senator Contract (Appendix "H" of this By-Law).
10. Senators shall fulfill other duties as the Senate assigns.
11. Any student senator who feels they cannot fulfill their duties of office shall submit a written resignation to the ASMSU-B Vice President.

**SEC. 12. THE LEGISLATIVE AND BUDGETARY POWER OF ASMSU-BILLINGS SHALL BE VESTED IN THE ASMSU-BILLINGS SENATE, WHICH HAS THE POWER AND RESPONSIBILITIES TO:**

- A.** Conduct hearings for and approve the annual ASMSU-Billings budget.
- B.** Adopt by-laws for ASMSU-Billings and make revisions of them.
- C.** Take whatever action it deems necessary and appropriate to fulfill its obligations to students, faculty, and/or administration.
- D.** To investigate, adopt resolutions and to perform all normal legislative and budgetary functions on matters within the jurisdiction of ASMSU-Billings.
- E.** Strive to ensure that student fees are being spent in a manner consistent with student needs or desires.
- F.** Senate Meeting Times

1. The ASMSU-B Vice President shall determine the date and times of the Senate meetings.
2. The ASMSU-Billings Senate shall meet weekly during each semester.
3. Special meetings may be called by the Vice President of the Senate or by a petition signed by a majority of the membership of the Senate.

**G. Override Power**

1. The Senate shall have the power to override the ASMSU-Billings President's veto with a two-thirds (2/3) vote of the votes cast at the next regularly-scheduled meeting of Senate during the academic year.

**SEC. 13. SENATE STANDING COMMITTEES**

**General Provisions**

- A.** All meetings shall be held in accordance with Montana's Open Meeting Law.
- B.** Senate standing committees shall have the power to propose amendments to any legislation referred to them.
- C.** Senate standing committees shall have the authority to propose to table any legislation referred to them.
- D.** Senate standing committees shall make a committee report regarding legislation referred to them.
- E.** Senate standing committees shall conduct forums, surveys, and other actions to gather the opinion of the student body and to recommend action to the Senate as it relates to those concerns.
- F.** Senate standing committees shall meet at a regularly scheduled place and time determined by the committee chairperson.
- G.** Membership of Standing Committees
  1. shall be appointed by the Executive Committee.
  2. shall be composed of the following members:
    - Student Services - at least 6 members
    - Financial Board – at least 5 members
    - Legislative/Legal – at least 6 members
- H.** Only members of the committee shall have a vote in that committee.
- I.** The Executive Committee may alter the membership of the committees, but not the minimum number.
- J.** Financial Board
  1. The Financial Board shall review and make recommendations to Senate on all facets of the financial system for the Associated Students of Montana State University-Billings.
  2. The Financial Board shall hear and make recommendations to Senate on requests from a Contingency Fund.

3. The Financial Board shall investigate any discrepancies in budgeted areas or Contingency allocations.
4. The Financial Board shall, at its discretion, audit the records of any student-funded areas.
5. The Financial Board can recommend freezing any budgeted account. This recommendation shall be referred to the ASMSU-B President.

**K. Student Services Committee.**

1. The Student Services Committee shall help with the coordination of academic services, recreational services, campus resources, Senate public relations, community activity, campus physical improvements or enhancements and student life in general.
2. The Student Services Committee shall maintain Senate programs that are currently sponsored or operated by the ASMSU-Billings Senate.

**L. Standing Committee Chairs**

1. The following individuals shall chair the various Senate Standing Committees:

<u>Committees</u>	<u>Chaired by</u>
Student Services Committee	ASMSU-B Student Resolution Officer or Senator
Financial Board Committee	ASMSU-B Business Manager
Legislative/Legal Committee	ASMSU-B Political Action Director or Student Senator

2. Duties of the Chairperson of a Standing Committee
  - a. Conduct proper hearings on all legislation referred to the committee by the ASMSU-B Vice President.
  - b. Ensure that minutes are taken of all committee meetings and posted no later than two (2) class days following the meeting.
  - c. Grant speaking privileges to guests of the committee.
  - d. Set the agenda of the committee.
  - e. Schedule and post all committee meeting times and places, both regular and special.
  - f. Create any sub-committee and to appoint the chair of that sub-committee.
  - g. Grant time to the sponsor of legislation and to the proponents and opponents of the legislation.
  - h. Report all committee activities to the Senate.
  - i. Request the presence of a witness, Senator or expert at the committee hearing.

- j. Record attendance at all meetings and forward to the ASMSU-Billings office secretary the name of any member missing two or more absences.
- k. Vote in case of a tie.
- l. Appoint advisors with the majority consent of the committee if deemed necessary.

**SEC. 14. SENATE AD HOC COMMITTEES**

- A. Ad Hoc Committees shall be established at the discretion of the ASMSU-B President.
- B. Membership in said Ad Hoc Committees shall be senators determined by the ASMSU-B Vice President.
- C. Senate Ad Hoc Committees shall hold all meetings in accordance with Montana's Open Meeting Law.
- D. Senate Ad Hoc Committees shall have the power to propose amendments to any legislation referred to it.
- E. Senate Ad Hoc Committees shall have the authority to propose to table any legislation referred to it.
- F. Senate Ad Hoc Committees shall make committee reports regarding any legislation referred to it.
- G. Senate Ad Hoc Committees shall conduct forums, surveys, and other actions to gather the opinion of the student body and to recommend action to the Senate as it relates to those concerns.
- H. Senate Ad Hoc Committees shall meet at a regularly scheduled place and time.
- I. Only members of the committee shall have a vote in that committee.

**SEC. 15. LEGISLATIVE/LEGAL COMMITTEE**

- A. A committee shall be created with responsibilities to:
  - 1. Hear and take action on any legislation as it relates to the State Legislature, city council or other law making bodies on or off the campus.
  - 2. Conduct forums, assemblies and other actions to inform the student body of pending issues related to the Legislature.
  - 3. Work in consultation with the ASMSU-Billings President on issues of statewide importance, including lobbying.
  - 4. The ASMSU-B Political Action Director or Senator selected by EC shall chair the Legislative/Legal Affairs Committee.
  - 5. The Legislative/Legal Affairs Committee shall be composed of five (5) Student Senators.
  - 6. The Executive Committee may alter the membership of the committee, but not the minimum number.

**SEC. 16. THE POWERS, RESPONSIBILITIES, AND QUALIFICATIONS OF THE ASMSU-BILLINGS POLITICAL ACTION DIRECTOR:**

- A.** The Political Action Director shall promote, encourage and coordinate non-partisan political activity and dissemination of information to provide the campus with political information, advice and forums.
- B.** The Political Action Director or Senator shall chair the Legislative-Legal Affairs Committee.
- C.** The Political Action Director must, at the time of selection and throughout the term of office, carry six (6) or more Montana State University-Billings semester hour credits. Summer session may be an exception. The Political Action Director must, at the time of his/her selection and throughout the term of office, be a member of ASMSU-Billings and be in good academic standing as defined by the Montana State University-Billings General Bulletin. One is a member of ASMSU-Billings by being registered for one or more credits at MSU-Billings.
- D.** The Political Action Director cannot occupy the following:
  - ASMSU-Billings Senator
  - ASMSU-Billings Retort Editor in Chief
  - MSU-Billings staff member
  - MSU-Billings faculty member
  - MSU-Billings administrative member
- E.** The Political Action Director will receive a stipend according to the budget passed by the ASMSU-Billings Senate.
- F.** The Political Action Director shall work with legislators during legislative sessions.
- G.** The Political Action Director shall plan luncheons and other social political activities as the Political Action budget permits.
- H.** The Political Action Director shall conduct polls regarding ASMSU-Billings and state issues.
- I.** The Political Action Director shall write press releases for local media and the Retort.
- J.** The Political Action Director shall work with the ASMSU-Billings President on political issues.
- K.** The Political Action Officer shall be selected by the President through the Recommendation Committee procedure.

**SEC. 17. SENATE FLOOR RULES**

- A.** Robert's Rules of Order shall govern the Senate in all cases not covered by the Senate rules. In the event of a conflict, Senate rules, in all cases, will supersede Robert's Rules of Order.
- B.** The agenda for Student Senate meetings should include, but not be limited to, the items listed in Appendix "G".
- C.** Guests to the Senate shall be recognized by a senator in order to speak.
- D.** Members of the Executive Committee shall be recognized by a senator in order to speak.
- E.** Advisors to the Senate shall be recognized by a senator in order to speak.

- F. If a senator objects to a guest being recognized, the guest shall not be recognized unless a majority of those senators present vote to allow the guest to speak.

**SEC. 18. VOTING RULES --- THE FOLLOWING RULES CONCERNING VOTING ARE ADOPTED FOR USE BY THE ASMSU-BILLINGS SENATE.**

- A. In order to vote and conduct official Senate business, at least two-thirds (2/3) of the current members of Senate must be present at that meeting (**does not** include vacant Senate positions).
- B. In cases of extreme urgency, the Chair may conduct a meeting without two-thirds (2/3) of the members present. Any actions taken must be ratified at the next legal meeting. An action undertaken, however, which breaks the faith or inflicts injury by repealing or rescinding is illegal.
- C. Should a meeting start with two-thirds (2/3) of the members present and then drop below two-thirds (2/3), discussion may continue but no vote can be taken.
- D. Voting in Absentia
  1. A senator may cast his/her vote on any upcoming issue or item of legislation by voting in absentia. The vote must be presented to the ASMSU-B Vice President or office secretary ahead of the time of the meeting.
  2. If the issue or item of legislation is amended or altered in any way, the vote in absentia becomes invalid.
  3. A senator shall use the formal absentee ballot form at the end of this By-Law (Appendix F) to vote in absentia.
  4. Voting in Absentia does not count as being present at the meeting.
- E. Voting by Proxy
  1. A senator may authorize another senator to vote in his or her place on any matter before the Senate. Proxies may be designated as follows:
    - a. Physical presentation of the proxy form to the ASMSU-B Vice President prior to the meeting.
    - b. Presentation of the proxy form to the office secretary prior to the meeting.
    - c. By fax, letter, or phone communication in the instance that the designator is not personally present to submit the proxy.
    - d. By signing a proxy form during a meeting in the event a senator must depart the meeting but still wishes the privilege of a vote.
  2. A proxy does not count as being "present" for the absent senator.
  3. A proxy shall be submitted during the roll call of the Senate.
  4. If the designation of a proxy takes place during the Senate meeting, the senator with whom the proxy rests shall announce that fact at his/her first opportunity. This shall take precedence over other Senate business.
  5. Proxy votes shall not be considered in the determination of the two-thirds (2/3) senators needed present at a Senate meeting.

6. No senator shall hold more than one proxy.
7. The official proxy form shall be used (Appendix E) except in the case of 1-c above.

**F.** Defining the Vote Margin

1. Financial Bills – all financial bills will require a majority vote of the senators voting at the meeting. Voting on financial bills must be taken by written ballot.
2. A veto override shall require a two-thirds (2/3) vote of those senators present at the time of the meeting. A veto override vote will be done by written ballot.
3. An impeachment vote requires a three-fourths (3/4) vote of the duly elected senators.
4. All other issues shall be decided based upon a majority vote.

**G.** Taking the Vote

1. Voting by Silent Assent – This may be done on issues of which there is little potential for disagreement. The Chairperson says, “If there are no objections, we will consider this matter approved.” If there are objections, a formal vote must take place.
2. Formal votes shall be done by roll call vote unless a majority of the Senate requests a written or voice vote. Each senator’s name will be called, at which time the senator shall respond “aye” or “no” to the motion. If a senator wishes to abstain from voting, he/she may answer “present.”
3. Prior to announcing the outcome of the vote, the Chairperson shall announce, “Has any member not voted? Does any member wish to change his/her vote? The votes will be recorded.”
4. Senators must sign their ballots.

**H.** After the Vote

1. After the vote has been recorded, the Chair announces the result.
2. Every senator shall be given the right of explanation of his/her vote after the outcome has been announced. No senator is or can be required to explain his/her vote at any time. Rights of explanation shall not exceed three (3) minutes and any senator shall further be permitted to have his/her written explanation, not to exceed fifty (50) words, included in the official Senate minutes.
3. If the Chairperson or any member questions a vote, he/she may demand a recount. If there is further dispute, a roll call vote may be used or new ballots distributed.
4. Any member may request that his/her vote be changed if a majority of the body yields.
5. The office secretary shall keep a written record of the senators’ votes. The general student population may view the results of each individual senator’s vote on an issue.



**SEC. 19. PROCEDURE FOR PASSAGE OF LEGISLATION, FINANCIAL BILLS, RESOLUTIONS OR MEMORIALS**

- A.** Senators must submit proposed legislation, in writing, to the Vice-President or office secretary. This should be done at least two (2) days before the Senate meeting to allow time for the legislation to be placed on the agenda under New Business.
- B.** The sponsoring senator shall read the proposed legislation for the first time at the next Senate meeting and the Vice President will refer the proposed legislation to the proper committee.
- C.** The committee shall study, and if necessary, propose amendments to the legislation. If the bill referred to the committee may have a fiscal impact, the committee shall request the presence of the ASMSU-Billings office secretary or other relevant person to comment on that impact.
- D.** The legislation shall come before the Senate under Old Business for a final vote unless the committee chooses to table the legislation.
- E.** Upon passage by the Senate, all legislation shall be sent to the ASMSU-Billings President for approval or veto.
- F.** All legislation remaining in committee at the close of spring semester shall be referred to the Summer Senate.

**SEC. 20. 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 from the sixteen (15) senators elected during the spring election. If there are not eight (8) who can serve, students-at-large shall be selected to serve only for the summer. Students-at-large selected to serve shall meet the same qualifications as regular senators.
- B.** The ASMSU-B Vice President shall chair the Summer Senate unless he/she chooses to delegate this position to another Executive Committee member.
- C.** Summer Senate shall have authority to conduct all business occurring during the summer.
- D.** Summer Senate shall abide by the ASMSU-Billings Constitution, By-Laws and policies.
- E.** **Executive Committee** – during the summer, all members of the Executive Committee will perform their regular duties as set out in the ASMSU-Billings By-Laws and Constitution.
- F.** **Summer Senate Advisors** – shall be appointed at the discretion of the ASMSU-B President.
- G.** The term of office for Summer Senate begins the day after spring semester ends and ends on the first day of fall semester.
- H.** The meeting time and place will be determined by the Chair.
- I.** All unfinished business at the close of Summer Senate shall be referred to the regular year Senate.
- J.** All unfinished business at the close of spring semester shall be referred to Summer Senate.

**SEC. 21. DEFINITIONS**

- A.** **Bill** – A Senate Bill is a formal draft relating to matters over which the Senate and/or ASMSU-Billings have primary authority.

- B. Resolution** – A Senate Resolution is a formal draft for enactment over matters which the Senate and/or ASMSU-Billings do not have primary authority. This action does not constitute a statute of law, but rather the opinions of the Senate or its intentions. Examples might be: an opinion, recommendation, a request to alter rules or regulations over which the Senate or ASMSU-Billings does not have primary authority, or a vote of censure.
- C. Memorial** – A Senate Memorial is a document containing a petition or expression of thanks or gratitude over an area which the Senate may or may not have primary authority.
- D. Financial Bill** – A bill requesting the expenditure of student fees.
- E.** See Appendix A, B, C, D for the format of the above.

**SEC. 22. JUDICIARY BRANCH**

- A.** The judicial power of ASMSU-Billings shall be vested in the Supreme Court.
- B.** Membership of the Supreme Court – There shall be seven (7) voting Justices who shall serve two-year terms as follows:
  1. The Executive Branch shall appoint students to serve on the Supreme Court. One student shall be appointed to serve as Chief Justice with duties and responsibilities set out in Sec. 22, Letter D, Item 1-5 of this By-Law. The Executive Branch shall appoint students to fill any vacancies that may arise.
  2. One (1) faculty member appointed by the Chancellor of Montana State University-Billings.
  3. One (1) member of the administration appointed by the Chancellor of Montana State University-Billings.
- C.** Terms of office, appointments, vacancies and removal of Justices.
  1. All student appointments shall be made by the Executive Branch and confirmed by the Senate by a majority vote.
  2. No member of the Supreme Court shall be a member, advisory or regular, of ASMSU-Billings student government.
  3. Student members must, at the time of their selection and throughout their term of office, be members of the Association (registered for 1 or more credits) and be in good academic standing as defined by the Montana State University-Billings General Bulletin.
- D.** Powers, Responsibilities and Qualifications of Chief Justice
  1. Preference shall be given to an individual who has served one year on the Court.
  2. The Chief Justice shall convene the Court.
  3. The Chief Justice shall give notice of meetings and issues before the Court to all members.
  4. He/she shall preside at all meetings.
  5. He/she shall report the actions of the Court to the Senate and the parties involved.
- E.** Powers and Responsibilities of the Supreme Court

1. To interpret the Constitution or make rulings on any action taken under said Constitution.
2. To try cases of impeachment excluding those impeachments of Judiciary Council members, in which case the ASMSU-Billings Senate shall hear the case.
3. To grant due process to all persons or entities appearing before the Court.

**F. Binding Authority**

1. The parties involved shall be bound to accept any ruling by the Supreme Court made in accordance with this article.
2. All rulings shall remain in effect until superseded by Constitutional change or a subsequent ruling by the Supreme Court.

**SEC. 23. GROUNDS FOR IMPEACHMENT AND/OR REMOVAL AND VACANCIES OF EXECUTIVE, LEGISLATIVE OR JUDICIAL MEMBERS**

- A.** Failure to fulfill his/her duties or violation of the ASMSU-B Constitution or its By-Laws.
- B.** Conduct that reflects unfavorably on the University or Student Government.
- C.** Any Senate member who is in violation of the Student Senator Contract.
- D.** Violation of the Executive Committee Contract.

**SEC. 24. PROCESS FOR REMOVAL OF THE ASMSU-BILLINGS BUSINESS MANAGER, STUDENT RESOLUTION OFFICER, POLITICAL ACTION DIRECTOR, OR HISTORIAN.**

- A.** The individual shall first be given one warning letter by the ASMSU-B President. The letter must be dated and list the reasons for the warning letter.
- B.** If the individual does not rectify his/her actions, the ASMSU-B President shall present him/her with a termination letter. The letter will be dated and reaffirm the reasons for the dismissal.
- C.** Upon receipt of the termination letter, the individual must vacate his/her office. From the date forward on the termination letter, the individual shall no longer receive his/her stipend.
- D.** Upon receipt of the termination letter, the individual shall have five (5) working days to file a letter contesting his/her removal from office. The letter must be dated and filed with the ASMSU-B office secretary. The letter must contain the grounds of his/her defense.
- E.** Within three (3) working days of the receipt of the letter by the office secretary, the ASMSU-B Vice President shall form a committee of five (5) members of the Student Senate to hear the appeal of the dismissed individual.
- F.** The five (5) Student Senators shall elect a committee chairperson from among their group to facilitate their meeting. This committee must hear the appeal and make its recommendation to the ASMSU-B President within five (5) working days of the hearing. The meeting shall be open to the public.
- G.** Upon receipt of the recommendation from the committee, the ASMSU-B President shall make a final decision whether to reinstate or dismiss the individual. The ASMSU-B President must make his/her decision by the second (2nd) Senate meeting following his/her receipt of the committee recommendations. If the ASMSU-B President chooses not to follow the committee's recommendations, he/she must make the reasons public at the next Senate meeting.

- H. Any of the above officers who feel they cannot fulfill their duties of office shall submit a written resignation to the ASMSU-B President.

**SEC. 25. IMPEACHMENT PROCESS**

- A. The Senate may impeach the ASMSU-B President, Vice President, or a Student Senator by a three-fourths (3/4) vote of the Student Senate.
- B. Cases of impeachment shall be heard by the Supreme Court, excluding those cases of impeachment of Justices, which will be heard and decided by the Senate.
- C. If the Supreme Court or Senate sustains the impeachment charges, the member's term of office shall terminate immediately.

**SEC. 26. VACANCIES**

- A. Resignation or removal from office shall be placed on the Senate agenda.
- B. Should the position of ASMSU-Billings President become vacant, the ASMSU-Billings Vice President shall become acting President for the remainder of the academic year.
- C. Should the position of ASMSU-Billings Vice President become vacant, the position shall be filled by a current Student Senator.
  - 1. All volunteering senators wishing to be considered for this position will be placed on the Senate agenda.
  - 2. One Senator shall be selected by a two-thirds (2/3) vote of Senate to serve as ASMSU-Billings Vice President for the remainder of the academic year.
  - 3. The Senator selected must meet the requirements for this position.
- D. Should the following positions become vacant, the ASMSU-B President shall appoint a student that meets the requirements for the open position:
  - ASMSU-B Business Manager
  - ASMSU-B Student Resolution Officer
  - ASMSU-B Political Action Director
- E. In the event that a vacancy occurs on the Senate during the academic year for a main campus representative or a College of Technology representative, the open position shall be advertised before the student body for a period of two (2) weeks, and applications shall be accepted until the deadline date. The applicant applying for a senate position must meet the qualifications for that open position. Final appointment shall be made by a majority vote of the ASMSU-Billings Senate.

**APPENDIX "A"**

**STUDENT SENATE  
OF THE ASSOCIATED STUDENTS OF  
MONTANA STATE UNIVERSITY-BILLINGS**

**SENATE BILL NO.** \_\_\_\_\_

Requested by \_\_\_\_\_ Date \_\_\_\_\_

Introduced by \_\_\_\_\_ Date \_\_\_\_\_

Committee hearing \_\_\_\_\_ Date \_\_\_\_\_

Executive Action taken \_\_\_\_\_ Date \_\_\_\_\_

Senate Action taken \_\_\_\_\_ Date \_\_\_\_\_

ASMSU-Billings President \_\_\_\_\_ Date \_\_\_\_\_

**BE IT ENACTED BY THE ASSOCIATED STUDENTS OF MONTANA STATE UNIVERSITY-BILLINGS  
THAT:**

**APPENDIX "B"**

**STUDENT SENATE  
OF THE ASSOCIATED STUDENTS OF  
MONTANA STATE UNIVERSITY-BILLINGS**

**RESOLUTION NO.** \_\_\_\_\_

Requested by \_\_\_\_\_ Date \_\_\_\_\_

Introduced by \_\_\_\_\_ Date \_\_\_\_\_

Committee hearing \_\_\_\_\_ Date \_\_\_\_\_

Executive Action taken \_\_\_\_\_ Date \_\_\_\_\_

Senate Action taken \_\_\_\_\_ Date \_\_\_\_\_

ASMSU-Billings President \_\_\_\_\_ Date \_\_\_\_\_

**WHEREAS**

**WHEREAS**

**WHEREAS**

(More may be added)

**THEREFORE, BE IT RESOLVED BY THE ASSOCIATED STUDENTS OF MONTANA STATE UNIVERSITY-BILLINGS:**

**APPENDIX "C"**

**STUDENT SENATE  
OF THE ASSOCIATED STUDENTS OF  
MONTANA STATE UNIVERSITY-BILLINGS**

**MEMORIAL NO. \_\_\_\_\_**

Requested by \_\_\_\_\_ Date \_\_\_\_\_

Introduced by \_\_\_\_\_ Date \_\_\_\_\_

Action \_\_\_\_\_ Date \_\_\_\_\_

**A MEMORIAL**

**BE IT ENACTED BY THE ASSOCIATED STUDENTS OF MONTANA STATE UNIVERSITY-BILLINGS  
STUDENT SENATE THAT:**

**APPENDIX "D"**  
**STUDENT SENATE**  
**OF THE ASSOCIATED STUDENTS OF**  
**MONTANA STATE UNIVERSITY-BILLINGS**  
**FINANCIAL BILL**

**Financial Bill #** \_\_\_\_\_ **Title of Bill** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Amount Requested \$** \_\_\_\_\_ **Number of your account on campus**  
\_\_\_\_\_. **You must provide this information to receive**  
**consideration for funding.**

Requested by _____	Date _____
Introduced by _____	Date _____
Committee hearing _____	Date _____
Executive Action taken _____	Date _____
Senate Action taken _____	Date _____

ASMSU-Billings President:

Approval \_\_\_\_\_ Date \_\_\_\_\_

Veto \_\_\_\_\_ Date \_\_\_\_\_

Financial Board recommendation on  
this bill:

Vote Count in Senate

Do Pass	Date
Do Not Pass	
Pass as Amended	For
	Against
	Abstention



**APPENDIX "E"**  
**STUDENT SENATE**  
**OF THE ASSOCIATED STUDENTS OF**  
**MONTANA STATE UNIVERSITY-BILLINGS**  
**PROXY FORM**

I, \_\_\_\_\_, do empower  
\_\_\_\_\_, to vote for me in all  
matters at the ASMSU-Billings Student Senate meeting of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
Signature

**NOTE:**

Please give this proxy to the ASMSU-Billings Vice President, the Senator you wish to give your proxy to, or the ASMSU-Billings office secretary. This proxy affords you the privilege of a vote, but **NOT ATTENDANCE.**

Proxies must be communicated directly to the ASMSU-Billings Vice President or office secretary.

This proxy must be mentioned at the calling of the roll if it is held then, or immediately upon receiving it in the event it is transferred during the meeting.

**APPENDIX "F"**

**STUDENT SENATE  
OF THE ASSOCIATED STUDENTS OF  
MONTANA STATE UNIVERSITY-BILLINGS**

**ABSENTEE BALLOT FORM**

I, \_\_\_\_\_, do hereby wish that my vote(s) be cast in my absence on the following issue(s) before Student Senate.

It is understood that the issues will be read in so that a "yes" vote will be **FOR** an issue.

_____	aye	no	(circle one)
_____	aye	no	(circle one)
_____	aye	no	(circle one)
_____	aye	no	(circle one)
_____	aye	no	(circle one)
_____	aye	no	(circle one)
_____	aye	no	(circle one)

I realize that if any of the above issues are amended in any way on the Senate floor that my vote **may not** be cast on the issue(s).

Voting by absentee ballot does not afford me the privilege of attendance.

\_\_\_\_\_  
Signature

**NOTE:**

Please present this to the ASMSU-Billings Vice-President or office secretary prior to the meeting at which the above issue(s) will be voted on.

**APPENDIX "G"**

**STUDENT SENATE  
OF THE ASSOCIATED STUDENTS OF  
MONTANA STATE UNIVERSITY-BILLINGS**

**STUDENT SENATE SAMPLE AGENDA**

Date \_\_\_\_\_

Roll Call           Members present:

                          Members absent:

                          Proxies:

Guests

Approval of Minutes

Committee Reports

    Executive Committee Report – ASMSU-Billings President

    Financial Board – ASMSU-Billings Business Manager

    Student Services

    Legislative/Legal Affairs

    Advisor reports

    College of Technology report

Reports of Special Committees

Word on Campus

Old Business

New Business

Announcements

Adjournment

**APPENDIX "H"**

**STUDENT SENATOR CONTRACT**

**SEC. 1. DUTIES AND RESPONSIBILITIES OF AN ASMSU-B SENATOR**

- A. Attend all ASMSU-Billings Senate and committee meetings as required.
- B. Attend all ASMSU-Billings Senate retreats.
- C. Senators shall work at least eight (8) office hours every two (2) weeks during the regular academic semester, or attend and work activities specified by senate, not including any regular Senate meetings. Office hours may be scheduled at any time the Student Union Building is open. The office hours must be posted on the schedule sheets on the office door. For attendance purposes, Senators must sign in on time sheets located in the Senate office or check in with coordinator of the event they are working.
- D. Leave an absentee ballot or proxy when absent from meetings.
- E. Be marked absent if arriving more than five (5 minutes) late to a meeting without prior notification to the Executive Committee. A Senator shall be excluded from voting for that meeting if he/she is marked unexcused.
- F. Sign the Senator Contract.
- G. Fulfill other duties as the Senate assigns.

**SEC. 2. GROUNDS FOR IMPEACHMENT AND/OR REMOVAL OF A STUDENT SENATOR**

- A. Failure to fulfill his/her duties or violation of the Constitution or its By-Laws.
- B. Conduct that reflects unfavorably on the University or Student Government.
- C. Absence a combined total of four (4) times from Senate meetings or meetings of his/her respective committee.

**I HEREBY RECOGNIZE MY DUTIES AND RESPONSIBILITIES AS WELL AS THE TERMS FOR MY REMOVAL FROM OFFICE AS STATED ABOVE.**

**Date** \_\_\_\_\_

**Senator's Signature** \_\_\_\_\_

**ASMSU-Billings President** \_\_\_\_\_

**ASMSU-Billings Vice President** \_\_\_\_\_

## **APPENDIX "I"**

### **EXECUTIVE COMMITTEE CONTRACT**

#### **SEC. 1 DUTIES AND RESPONSIBILITIES OF EXECUTIVE COMMITTEE MEMBER**

- A.** All Executive Committee members shall be responsible for following the ASMSU-B By-Laws.
- B.** The ASMSU-B President shall call a meeting of the Executive Committee no later than the second (2nd) week of when classes start.
- C.** The Co-Chairperson of the Executive Committee shall be the ASMSU-B Vice President. The Co-Chairperson shall conduct Committee meetings in the absence of the ASMSU-B President.
- D.** The ASMSU-B President shall be responsible for setting meeting times and notifying the Executive Committee members of the scheduled meeting time.
- E.** The Executive Committee should meet on a bi-weekly basis. If meetings are held on a less frequent basis, it shall be by a majority agreement of the Committee members.

#### **SEC. 2. GROUNDS FOR AND PROCEDURES FOR IMPEACHMENT AND/OR REMOVAL OF AN EXECUTIVE COMMITTEE MEMBER**

- A.** Failure to fulfill his/her duties or violation of the ASMSU-B Constitution or its By-Laws.
- B.** Conduct in a manner that reflects unfavorably on the University or Student Government.
- C.** Absence a combined total of four (4) times from Senate meetings or meetings of his/her respective committee.
- D.** The ASMSU-B President shall give Executive members one warning letter. The letter must be dated and list the reasons for the warning letter.
- E.** If the Executive member does not rectify his/her actions, the ASMSU-B President shall give the Executive member a termination letter. The letter must be dated and reaffirm the reasons for the dismissal.
- F.** Upon receipt of the termination letter, the Executive member must vacate his/her office. From the date forward on the termination letter, the Executive member shall no longer receive his/her stipend.
- G.** Upon receipt of the termination letter, the Executive member shall have five (5) working days to file a letter contesting his/her removal from office. The letter must be dated and filed with the ASMSU-B office secretary. The letter must contain the grounds of his/her defense.
- H.** Within three (3) working days of the receipt of the letter by the office secretary, the ASMSU-B Vice President shall form a committee of five (5) members of the Student Senate to hear the appeal of the dismissed Executive member.
- I.** The five (5) Student Senators shall elect a committee chairperson from among their group to facilitate their meeting. This committee must hear the appeal and make its recommendation to the ASMSU-B President within five (5) working days of the hearing. The meeting shall be open to the public.

- J. Upon receipt of the recommendation from the committee, the ASMSU-B President shall make a final decision whether to reinstate the Executive member or to dismiss the Executive member. The ASMSU-B President shall make his/her decision by the second (2nd) Senate meeting following his/her receipt of the committee recommendations. If the ASMSU-B President chooses not to follow the committee's recommendations, he/she shall make the reasons public at the next Senate meeting.

**I HEREBY RECOGNIZE MY DUTIES AND RESPONSIBILITIES AS WELL AS THE TERMS FOR MY REMOVAL FROM OFFICE AS STATED ABOVE.**

DATE \_\_\_\_\_

COMMITTEE MEMBER'S SIGNATURE \_\_\_\_\_

ASMSU-BILLINGS PRESIDENT \_\_\_\_\_

ASMSU-BILLINGS VICE PRESIDENT \_\_\_\_\_

## ARTICLE 2.

### ASMSU-BILLINGS ELECTIONS

#### SEC. 1. DEFINITIONS

- A. **General Elections** – The fall semester election, the annual February election and the annual spring election.
- B. **Special Elections** – Any election other than general elections recommended by the Legislative/Legal Affairs Committee and approved by the Senate.
- C. **Legal Ballots** – Those ballots that are clearly marked and clearly show intention of the voter and are cast for a student of this University who meets the qualifications for candidacy for a position on the ballot.
- D. **Simple Majority** – More than half of the total number of legal ballots.
- E. **Plurality** – When a candidate/member receives more votes than any other candidate/member but does not receive a simple majority.
- F. **Campaign** – A series of planned actions for the purpose of seeking office.
- G. **Candidate** – One seeking an elected office or position in an election conducted by ASMSU-Billings.
- H. **Tabulation** – The counting of the ballots to determine the outcome of an election.
- I. **Solicitation of sponsorship** – Any action of a candidate to acquire funds or services, not votes, from an organization or individual to benefit his/her campaign.
- J. **Polling Areas** – Polling areas will be defined as the first floor of the Student Union Building and the second floor of the Liberal Arts/Library Building. This includes the line of sight from the polling booths and/or the ballot boxes.
- K. **Campaign Materials** – Any fliers, banners, posters, stake-ins or other materials bearing the name, likeness, or symbols associated with a candidate for office for the purpose of soliciting votes.
- L. **Election Administrator** -- The ASMSU-Billings Vice-President will be the election administrator. In the event that the ASMSU-B Vice President is a candidate in the election, the Senate will appoint a senator not in the election to serve in this capacity.

#### SEC. 2. ELECTIONS

- A. **General Provisions**
  - 1. All elections shall be conducted according to the ASMSU-Billings Elections By-Laws.
  - 2. All newly elected officers and senators are ex-officio members of their respective bodies.

3. A student shall hold only one ASMSU-Billings elected office per academic school year.
4. Voting shall be done by secret ballot. No student shall be required to supply his/her I.D. number or other identifying information on his/her ballot.
5. No student shall run for more than one ASMSU-Billings elected office in any election.
6. All candidates for any ASMSU-Billings office shall be elected based upon a plurality of votes cast.

**B. The ASMSU-Billings President & Vice President Election**

1. The election shall take place in the month of February.
2. The names of the candidates for these positions shall appear singularly on the ballots.

**C. ASMSU-Billings Senator Election**

1. Candidates for Senate shall run singularly and appear so on the ballot.
2. One (1) Senator from the Main campus freshman class shall be elected in the fall of each year. In the event these positions cannot initially be filled, or they become open during the year, a freshman student, if one applies, shall be selected to fill the open position. The students selected must be in good academic standing and must be enrolled for at least six (6) credits. If no freshman students apply for the freshman positions, other students may be selected to sit in these positions.
3. Fourteen (14) Senators-at-Large from the Main Campus shall be elected during spring semester for the following year. The students elected must be in good academic standing and must be enrolled for at least six (6) credits.
4. One (1) graduate student shall be elected in the fall. In the event this position cannot be filled, or it becomes open during the year, a graduate student, if one applies, shall be selected to fill the open position. The student selected must be in good academic standing and must be enrolled for at least six (6) credits. If no graduate students apply for the graduate position, other students may be selected to sit in this position.
5. Two (2) student representatives from The College of Technology shall be elected/selected. One (1) of these students shall be elected during spring semester. The second student senator shall be elected during fall semester by the end of the third (3rd) week of September. The College of Technology senators elected/selected must be in good academic standing as defined by the Montana State University-Billings General Bulletin, and must be enrolled for at least six (6) credits.
6. The elections held during spring semester shall be completed three (3) weeks prior to the final week of classes.
7. The elections held during fall semester shall be completed by the third (3<sup>rd</sup>) week of September in order to allow the Senators to attend the annual fall semester ASMSU-B Senate retreat.
8. The fall election shall include any open positions that occurred over the summer.



**SEC. 3. DECLARATION OF CANDIDACY**

- A. Each candidate seeking an office in an election on the Main Campus shall file a declaration of candidacy form with the ASMSU-Billings office secretary in the ASMSU-Billings office (Room 213 of the SUB).
- B. Each candidate seeking an office in an election at the College of Technology will file a declaration of candidacy form and return the form to the Dean of the College of Technology. The ASMSU-B Vice President will obtain the forms and will be responsible for making the election ballots for the College of Technology. The election ballots must be in compliance with Section 7 of this Election By-Law. At the conclusion of the College of Technology election, the ASMSU-B Vice President shall bring the College of Technology's ballots to the Main campus for counting.
- C. The College of Technology election will be conducted by the ASMSU-B Vice President. College of Technology applications shall be received by the Dean of the College of Technology. After the deadline date, the applications shall be given to the ASMSU-B Vice President.
- D. A copy of this Election Article shall be given to each candidate at the time he/she files a declaration of candidacy.
- E. Upon verification of eligibility by the Office of the Vice Chancellor for Student Affairs, the candidate assumes the rights and responsibilities designated to him/her by the ASMSU-Billings Constitution, the ASMSU-Billings By-Laws and any other official document and rules pertaining to students of this University.
- F. Write-in candidates must meet the qualifications for office as stated in the ASMSU-Billings By-Laws.

**SEC. 4. CAMPAIGN RULES**

- A. There shall be no campaigning by the candidates and no campaign materials in polling areas on election days; however, campaigning may be conducted **outside** the polling areas on election days.
- B. No posters or political advertising shall be placed in such a way as to endanger the occupants of buildings or disrupt traffic as determined by the building supervisor.
- C. The authorizing authority for the area in which they are to be posted must approve campaign materials that are to be posted on campus. Approval for posting must be obtained from each area as follows:
  - 1. **Petro/Rimrock Halls** – Office of Residence Life, SUB 221.
  - 2. **The Student Union & Activities office** will approve items for posting in the following buildings:
    - a. Student Union Building
    - b. Academic Support Center
    - c. Science Building
    - d. McMullen Hall
  - 3. **College of Education & Human Services Building (CEHS)** - CEHS 106
  - 4. **Library/Liberal Arts Building** – LA 406

- 5. **Professional Building** (College of Business) – COB 300
- 6. **Alterowitz Gymnasium** – PE 116
- 7. **Cisel Hall** – CI 119
- 8. **Apsaruke Hall** – APS 130
- 9. **Campus grounds** – Facilities Services
- 10. **College of Technology** – Check with the Information Desk for approval

- D. Banner Spaces for advertising purposes – Banner spaces are available in the Student Union Building for purposes of campaigning. These spaces need to be reserved ahead of time by the candidates as there are a limited number of spaces available per candidate. All candidates need to check with the Student Union Office for a copy of their policy on posting printed campaign materials before posting advertising in the Student Union Building.
- E. If candidates plan to campaign in the Residence Halls, they need to check with the Housing and Residential Life office for the campaign policies for Student Government Elections in this area.
- F. Prior to the opening of the polls, the ASMSU-B Vice President will ensure that no campaign materials are in the polling area.
- G. Each candidate is entitled to one witness, none of which may be the candidate himself, at each of the following locations:
  - 1. One at each polling place
  - 2. One at the securing of the ballot box(es) if ballot boxes are used.
  - 3. One at the ballot tabulation
- H. It is the responsibility of the candidates to be apprised of the time and place of each of the above and to provide a witness if he/she so desires. These witnesses have the right to request a recount after the ballots have been tabulated. The witnesses will not take part in the election, sit at the polling tables, or in the counting of the ballots.

**SEC. 5. PROCEDURE FOR ALLEGED VIOLATIONS OF THE ELECTION BY-LAW**

- A. All filed alleged violations must be heard and decided upon by the Supreme Court at the earliest possible time with an expedient decision being sought in all cases.
- B. The Supreme Court will have original jurisdiction over all alleged election violation cases.
- C. Parties claiming alleged election violations must file their claims in writing with the ASMSU-Billings Office secretary within 48 hours of the time the election results are made public. In the event the results are made public on Friday, the 48-hour calculation will end at 5 p.m. on Friday and resume at 8 a.m. on Monday.

**NOTE:** In two previous Supreme Court decisions, (3/29/99 and 3/6/96), the Court determined that the time frame in hours is to be construed as “two consecutive days after the election results have been made public,” and not 48 “working” hours. The Court also determined that the term “public” involves posting the election results on the student government office door for general viewing.

- D. Alleged election violations will be handled in the following manner:

- a. The parties claiming violations shall prepare a trial brief that contains the facts, allegation(s) and conclusion(s). This brief shall be filed with the ASMSU-Billings office secretary at least 120 hours (5 days) prior to a Supreme Court hearing. This time frame will allow all parties involved in the dispute and the Supreme Court members to be notified by mail and to receive all relevant documents. All calculations shall end at 5 p.m. on Friday and resume at 8 a.m. on Monday.
- b. All parties to the dispute as well as the Supreme Court members shall receive a copy of the ASMSU-Billings Constitution, the Election By-Laws, and relevant documents to the dispute prior to the Supreme Court hearing.

**SEC. 6. VIOLATIONS OF THE ELECTION BY-LAW**

- A. The Supreme Court shall determine if a candidate, including write-in candidates, did commit a violation of the Election By-Laws.
- B. The Supreme Court shall determine if a candidate will be disqualified from an election.
- C. The Supreme Court always reserves the right to declare grounds for a second election that may or may not include any or all candidates of the original election in question for good cause.

**SEC. 7. BALLOTS AND BALLOTING**

- A. The ASMSU-B Vice President shall approve ballots.
- B. Positions of the candidates on the ballot shall be drawn at random.
- C. All ballots shall include a space for write-in candidates for each office except for run-off election ballots.
- D. The various open positions on the ballots shall be separately designated as follows:

ASMSU-B President  
 (Vote for 1)  
 List all candidates running for the position of  
 ASMSU-B President

ASMSU-B Vice President  
 (Vote for 1)  
 List all candidates running for the position of ASMSU-B  
 Vice President

Senators-at-Large from the Main Campus  
 (Vote for no more than 14)  
 List all candidates running for the position of Senator-at-Large

Freshman Senators from the Main Campus  
 (Vote for no more than 1)  
 List all candidates running for the position of freshman senator

College of Technology Senators  
 (Vote for 1 during fall semester)  
 (Vote for 1 during spring semester)  
 List all candidates running for the position of College of Technology Senator

Graduate Student Senator  
 (Vote for 1)

List all candidates running for the position of  
Graduate Student Senator

- E. All students on both the Main Campus and the College of Technology campus shall be entitled to vote for the ASMSU-B President and Vice President. The same ballots shall be used on the main campus and the College of Technology campus.
- F. The students on the Main Campus shall vote for the following:
  - The fourteen (14) senators-at-large from the Main Campus
  - One (1) freshman senators from the Main Campus
  - One (1) graduate student senator from the Main Campus
- G. The students at the College of Technology shall vote for the two (2) student senators from the College of Technology.
- H. Election materials will be kept in a locked ballot box until the ASMSU-B Vice President declares the election final, and then they shall be destroyed.
- I. The results of the election shall be determined in the following manner:
  - 1. In all elections, the candidates shall be declared elected by receiving at least a plurality of the ballots cast. If there is a tie for a position, a run-off election can be held. Run-off elections shall continue until a candidate receives at least a plurality of votes.
  - 2. If a run-off election is held, it shall take place within three (3) weeks after the original election in a manner consistent with these By-Laws. Announcements of the run-off election shall be advertised and displayed.
  - 3. Ballots shall be counted at the close of the polls on the last day of the election or as soon thereafter as possible.
  - 4. The ballots from the College of Technology shall be transported to the Main Campus in the locked ballot box. The College of Technology ballot box shall be opened on the Main Campus and the ballots shall be counted along with the Main Campus ballots. In the event that voting is done by computers, it will not be necessary to use a ballot box for paper ballots.
- J. Absentee Balloting
  - 1. Students who will be absent from the campus of this University during a regular election may cast absentee ballots. To vote by absentee ballot, the student needs to contact the ASMSU-B Vice President or the office secretary. If the ASMSU-B Vice President is a candidate in the election, another Election Administrator shall be selected from the membership of the Student Senate to run the election.
  - 2. The student shall vote on the absentee ballot and said ballot shall be placed in a locked ballot box until the day the ballots are counted. Absentee ballots shall be tabulated at the same time and in the same manner as are other ballots in all elections.

## **SEC. 8. VOTING PROCEDURES**

- A. Ballot boxes shall be uniform in appearance and marked as such.

- B. Witnesses representing the candidates are permitted to watch the polls and tabulations at all times. These poll watchers may not participate in running the polls during the election or assist in the tabulation. Poll watchers shall not be allowed to sit at the election table.
- C. The election results shall be made public immediately following tabulation of the ballots. The ASMSU-B Supreme Court has determined that the term “public” involves posting the election results on the student government office door for general viewing.

### **ARTICLE 3.**

#### **SUPPORT STAFF**

**SEC. 1. DUTIES AND RESPONSIBILITIES OF THE ASMSU-BILLINGS OFFICE SECRETARY:**

- A. Maintain records of the Student Senate minutes.
- B. Compile all bills, resolutions, and other legislation into the ASMSU-Billings By-Laws when appropriate.
- C. Post copies of Senate minutes, agendas and reports so they will be available to Senators and Officers.
- D. Maintain attendance and voting records of the Student Senate.
- E. Ensure that the current Contingency Fund balance is made available to Officers and Senators.
- F. Maintain a record of when legislation is introduced and its progress through the Senate.
- G. Type and distribute agendas for the Student Senate.

**SEC. 2. DUTIES AND RESPONSIBILITIES OF THE ASMSU-BILLINGS ATTORNEY-AT-LAW:**

- A. Lawyer guarantees that he/she will provide legal services to ASMSU-Billings Legal Services Program for no less than 20 hours per week during the academic year (fall and spring semesters). Lawyer shall represent ASMSU-Billings clients who seek representation in accordance with the Rules and Regulations promulgated by Lawyer and the ASMSU-B Executive Committee.
- B. Lawyer shall be employed during the academic year (approximately nine (9) months. Lawyer shall be compensated for his/her services to ASMSU-Billings at the rate passed by the ASMSU-Billings Senate. Lawyer agrees that he/she will not receive additional attorney’s fees for legal services performed under the Program. All costs, other than attorney’s fees, of pursuing an action for an ASMSU-Billings client may be collected in advance from such client as a condition to providing legal services to such client.
- C. Lawyer shall certify that he/she is a member in good standing of the State Bar of Montana and has been assigned an enrollment number by the Supreme Court of the State of Montana.

- D. ASMSU-Billings shall provide Lawyer the office space, supplies, secretarial services, duplicating service, telephone service, and other materials and services that are necessary or appropriate for this Program.
- E. Lawyer is entitled to be absent as the Program's schedule permits so long as he/she provides twenty (20) hours of service per week. Lawyer is not required to be present during the days when classes are not in session.
- F. Lawyer shall establish and maintain a referral system by which ASMSU-Billings members whose cases are excluded from the Program will be referred to participating referral attorneys.
- G. As time permits, Lawyer shall make himself/herself reasonably available as part of his/her duties for the following:
  - 1. Representation of ASMSU-Billings, provided that the Executive Branch refers such representation to Lawyer.
  - 2. Participation in such other cases as the Executive Branch recommends.
- H. Lawyer shall not be limited or restricted in other professional or personal activities, so long as such actions do not interfere with Lawyer's duties outlined in this By-Law.
- I. Except for matters of professional legal judgment, which shall be decided by Lawyer, the Executive Branch shall have the right to oversee and control the Program. Lawyer shall be responsible to the Executive Branch in the performance of his/her duties. Lawyer and the Executive Branch shall promulgate such rules and regulations as are necessary or appropriate to implement, enforce, or supplement the Program.
- J. Revenue from ASMSU-Billings Legal Services shall be deposited to the Legal Services account.

## ARTICLE 4

### ASMSU-BILLINGS FINANCIAL POLICY

#### GENERAL FINANCIAL PROVISIONS

- 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.
- SEC. 2.** The authority for handling funds is recorded in the ASMSU-Billings Constitution under article 7.
- SEC. 3.** The general policies regarding the use of student fee money is recorded in the ASMSU-Billings Constitution under Article 7.
- SEC. 4** Financial Regulations
- A.** All student funds, those allocated or revenue made from student funds, shall be held in a student-controlled Montana State University-Billings account.
  - B.** These funds cannot be allocated to an academic, administrative or athletic department of the University.
  - C.** All organizations requesting funds must be registered with the Student Union and Activities Office and be recognized by the ASMSU-Billings Senate.
  - D.** All funds requested from the ASMSU-B Contingency Fund and the ASMSU-B Activities Contingency Fund shall be requested **PRIOR** to the activity, project, or travel for which said funds are being requested.
  - E.** Prepayment for any items such as conference registration fees and plane tickets has no bearing on one actually receiving funds. Purchaser is still responsible for the purchases should Contingency funds not be awarded.
  - F.** Requests made PRIOR to the event must be approved by a simple majority vote of the ASMSU-Billings Senate.
  - G.** Requests for AFTER-THE-FACT FUNDING shall require a two-thirds (2/3) vote of the full Senate. The use of proxies by Senate members shall be allowed in the vote.
  - H.** There shall be no pre-allocation of student fees for future years, either as a percentage of total dollars or an actual dollar amount.
  - I.** Academic year budgets shall be completed no later than the second to last week of spring semester of each year. Summer session budgets shall be completed no later than the second to last week of fall semester.
  - J.** All budgeted events through ASMSU-Billings shall display the following notice in advertisements and programs: "This event was made possible in total (or in part) by student fees allocated by the ASMSU-Billings Senate."
  - K.** All financial bills shall be referred to the Financial Board and remain in committee for a period of at least three (3) weeks.
  - L.** Requests to expend student funds must be initiated by the account's fund controller.
  - M.** Funding is allocated on a yearly basis through the regular budget hearing process of the ASMSU-Billings student government. Funds are not guaranteed and the

responsibility rests with the organization requesting funds to meet all deadlines and responsibilities.

- N. Funds shall be accounted for in the manner prescribed by the ASMSU-Billings Senate and in accordance with Montana State University-Billings financial policies.
- O. The MSU-Billings fiscal year ends on June 30<sup>th</sup>. Every attempt should be made to have academic year expenses paid by this date. Money may be expended from summer budgets until all bills incurred during the summer have been paid.
- P. Each fund controller shall limit his/her expenditures to line item totals and total amounts budgeted or approved by the Senate.
- Q. ASMSU-Billings **shall not** assume responsibility for deficits incurred as a result of deficiencies in self-generated revenues or fiscal irresponsibility.
- R. Prior to receiving any funds, fund controllers should receive a copy of the ASMSU-Billings Financial Policy.
- S. Fund controllers may shift up to ten (10) percent of any line item within their budget to another line item within their budget.
- T. All budgeted money remaining in the accounts at the end of the fiscal year (other than excess revenue) shall be returned to the ASMSU-Billings Contingency Fund.

**SEC. 5. Student Government Fiscal Authority**

- A. The Student Government will have authority over all student funds to investigate, to oversee and allocate these funds.
- B. The Student Government shall have access to pertinent financial information regarding any funded area.

**SEC. 6.** Budgeted accounts shall be defined as those entities funded by ASMSU-Billings through their budgeting process, on a regular yearly basis.

**SEC. 7.** Non-budgeted accounts (including individuals, clubs, teams, organizations, and groups) shall be defined as entities that are not included in the regular budgeting process of ASMSU-Billings. These areas may come to Senate to request special appropriation from the ASMSU-Billings Contingency Fund.

**SEC. 8.** The General Fund shall be derived from the total monies collected from the Associated Student fees. The General Fund shall be divided into the Budgeted Fund and the Contingency Fund.

**A. The Budgeted Fund**

1. Academic year allocations shall normally not exceed the total amount of Associated Student fees collected (as determined by the MSU-Billings Business office) for the previous year.
2. In the event Student Senate determines that they have valid requests for funds exceeding the previous year's collections, they may, by separate resolution, and by a simple majority of the votes cast by Senate, agree to exceed the previous year's collections by an amount not to exceed twenty-five percent (25%) of said previous year's collections, should such monies be available in the Contingency Fund.



3. Final allocation of ASMSU-Billings funds shall be determined by a simple majority vote of the Student Senate after receiving recommendations from its Financial Board.

**B. Summer Session Budget**

1. Summer Session allocations shall normally not exceed the total amount of Associated Student fees collected (as determined by the MSU-Billings Billings Business Office) for the previous summer.
2. In the event Student Senate determines that they have valid requests for funds exceeding the previous summer's collections, they may, by separate resolution, approved by a simple majority of the votes cast by Senate, agree to exceed the previous summer's collections by an amount not to exceed twenty-five percent (25%) of said previous summer's collections, should such monies be available in the Contingency Fund.

**C. The Contingency Fund**

1. The Contingency Fund shall be derived from monies in the General Fund, which have not been spent or budgeted. Special allocations may be made directly from the Contingency Fund to a special or budgeted account for projects or items not included in the regular budgeted fund. In no event may the combined total of these special allocations exceed twenty-five percent (25%) of the balance of the Contingency Fund as of September 1<sup>st</sup> each year (as determined by the University Business Office).
  - a. In order for a budgeted or non-budgeted area to receive a special appropriation from the ASMSU-Billings Contingency Fund, one of the following criteria must be met:
    - Be a student organization registered with the office of Student Union and Activities.
    - Be a service provided directly by ASMSU-Billings.
    - Be a student registered at Montana State University Billings for seven (7) or more credits.
  - b. Requesters of Contingency Funds should demonstrate to the Student Senate that they have made reasonable efforts to finance their project or program from other revenue sources before requesting funds from Student Senate. Requesters must demonstrate the value of their particular project or program to the Associated Students of Montana State University-Billings.
  - c. Upon completion of any project funded with Contingency money, a written and oral report regarding the actual expenditure of said funds must be completed and forwarded to the ASMSU-Billings Senate. This report should be completed no later than two (2) weeks after the completion of the project. Failure to comply will jeopardize future funding.
  - d. Allocations from this fund shall be only by special appropriation in the form of either a grant or a loan except for the regular budgeting process. The Senate, upon recommendation by the Financial Board, shall determine the terms and conditions of such a grant or loan.
  - e. Each request for Contingency funds must be done through on the appropriate forms, which shall include an itemized budget and a narrative justification.

- f. Contingency requests must be submitted to the Senate through the ASMSU-Billings office secretary at least three (3) weeks before an actual vote of the Senate, unless Senate, by a majority vote, allows late entrance.
- g. Any unused funds allocated from the Contingency account shall revert back to the Contingency account upon completion of that particular project.

**SEC. 9. Travel Policy**

- A. In order to be funded, the purpose of the travel must first meet the established principles of allocation as set by MSU-Billings, and then correspond with one of the following prioritized standards.
  - 1. The travel is required for the performance of duties of an elected or appointed office of ASMSU-Billings student government or services.
  - 2. The travel shall provide the benefit of leadership or organizational training, contacts, or information which shall improve the performance of an individual serving in an elected or appointed position of ASMSU-Billings student government or services.
  - 3. The travel shall allow either the presentation of an academic paper or work by a MSU-Billings student or the information and education of MSU-Billings students concerning matters of importance and access to the general student populace of MSU-Billings.
  - 4. The travel shall allow the representation of the student body of MSU-Billings, the MSU-Billings campus, or the community through the presentation of an original work or by service on a board or panel.

**SEC. 10. Budget Amendments**

- A. In any case of internal budget transfers in excess of ten (10) percent of the originally allocated line item, fund controllers must sign and present amendments to Student Senate for referral to the Financial Board for consideration and recommendation to the Student Senate, and subsequent approval by the Student Senate.
- B. The following procedure shall be followed in submitting budget amendments:
  - 1. Fund controller prepares a budget amendment and forwards it to the ASMSU-Billings office secretary, who shall place it on the agenda to be presented to the Student Senate. Senate shall refer the amendment to the Financial Board.
  - 2. The amendment is presented at the next meeting of the Financial Board for discussion. It is recommended that the fund controller be present.
  - 3. A recommendation is prepared for presentation to Senate and must pass Senate by a majority vote of the votes cast at the meeting.
  - 4. The ASMSU-Billings office secretary shall forward the decision of the Senate to the fund controller.
  - 5. If approved by the Senate, the amendment shall be forwarded to the MSU-Billings Business Office for inclusion in the accounting records.

**SEC. 11. Audit of Student Accounts**

- A. The purpose of a Financial Board audit is to investigate the operations of any student activity account of ASMSU-Billings.

1. Procedures for Audit
  - a. An audit shall be called when requested, in writing, to the Financial Board by at least two (2) senators, or by a petition of fifty (50) enrolled students. A narrative justification for the audit must accompany all requests.
  - b. The Financial Board shall request through the Vice-Chancellor for Student Affairs, that the MSU-Billings Business Office perform an audit.
  - c. The Financial Board shall submit a report to the Senate no later than two (2) weeks after completion of the audit.

**SEC. 12. Budget Procedures**

- A.** All fund controllers are required to maintain a current, detailed, itemized budget accounting of expenditures of purchase or payment.

1. Payment of Invoices
  - a. A Banner Payment Authorization Form must be properly filled out and approved by the appropriate fund controllers for expenditures that are to be made from a student account and must include line item name.
  - b. All fund controllers shall use the coding system established by the MSU-Billings Business Office.
  - c. The following signatures shall be required on any Banner Payment Authorization Form:
    - (1) Student fund controller
    - (2) ASMSU-Billings Business Manager or ASMSU-Billings President
    - (3) The ASMSU-Billings Administrative Advisor.
2. CPO (Cash Purchase Orders)
  - a. The following signatures shall be required on any CPO:
    - (1) Student fund controller
    - (2) The ASMSU-Billings Business Manager or ASMSU-Billings President
    - (3) The ASMSU-Billings Administrative Advisor.
3. In order to be reimbursed for funds spent, one must attach receipts to the Banner Payment Authorization Form and forward it to the student government office for the proper signatures within ten (10) working days after the purchase has been made.
4. Travel
  - a. A "Travel Authorization" form must be filled out and submitted to the ASMSU-Billings Business Manager at least two (2) weeks prior to travel.

- b. A "Travel Expense Voucher" must be filled out within ten (10) days after the return of the traveler. Receipts must be attached to the Travel Expense Voucher.
  - c. Reimbursement for travel expenses shall be made in accordance with Montana State regulations.
5. Campus Entertainment/Hospitality
- a. If your club or organization expects to incur food, entertainment, or hospitality expenses in excess of \$30.00, you must fill out a "hospitality Approval Form and obtain the approval signatures of your president or business manager. This form must be attached to the Banner Payment Authorization form when it is submitted to the Business Office. This is a requirement by the Montana Board of Regents of Higher Education policy on campus entertainment.

## **ARTICLE 5**

### **RECOMMENDATION COMMITTEE**

**SEC. 1. The Recommendation Committee shall compile a list of qualified candidates to include, but not be limited to the following positions:**

ASMSU-Billings Business Manager  
ASMSU-Billings Student Resolution Officer  
ASMSU-Billings Political Action Director

**SEC. 2. Recommendation Committee Membership**

- A.** The committee shall be appointed by the ASMSU-Billings President. All Recommendation Committee members must be in good academic standing as defined in the Montana State University-Billings General Bulletin.
- B.** The membership shall consist of six (6) students:
  - Three (3) ASMSU-Billings Senators
  - Two (2) students-at-large
  - One (1) West Campus student
- C.** The ASMSU-Billings President shall appoint one of the Senators to act as Chairperson of the Recommendation Committee.
- D.** All six (6) members of the Committee shall be allowed to vote.
- E.** In the event that a position on the Recommendation Committee becomes vacant, the ASMSU-Billings President shall appoint a new member from the respective body.

**SEC. 3. Recommendation Committee Duties and responsibilities**

- A.** The Recommendation Committee shall be responsible for advertising the positions.
- B.** If possible, the advertisements shall be run in the student newspaper in the four (4) preceding issues before the deadline date for applications. If not possible, any advertising medium determined acceptable by the Executive Committee shall be used.
- C.** The advertisements shall be prominently displayed. Advertising in the school newspaper shall be no smaller than one column by two inches.

**SEC. 4. Selection Procedures**

- A. Applicants must meet all the qualifications of their position as stated in the respective By-Laws for that position.
- B. The Recommendation Committee must interview all qualified applicants.
- C. The Recommendation Committee shall select the most qualified candidate for each position. The names of the recommended candidates along with those of all the other applicants shall be sent to the ASMSU-Billings President under whom the candidate will serve.
- D. The ASMSU-Billings President under whom the candidates will serve may select the applicants that were recommended by the Recommendation Committee. If he/she believes that none of the candidates are qualified, he/she may ask that the search be continued.
- E. In the event the President, under whom the candidate will serve, wants to appoint an applicant other than the one recommended by the committee, he/she must provide an explanation to the Senate as to why he/she deviated from the Committee's recommendation.

**ARTICLE 6**

**ASMSU-BILLINGS PUBLICATION BOARD**

**SEC. 1. Purpose**

- A. According to the Montana Board of Regents of Higher Education Policy and Procedures Manual, Policy 506.2, Item #5:  

"The Associated Students' constitution shall provide for a publications board for all student media or for each student publication or broadcast station. The composition and charge of the boards shall be specified in the constitution. The duties shall include overseeing the general operation of the publications without infringing on First Amendment rights."
- B. All publications paid for in full or part by the Montana State University-Billings student activity fee have been established as forums for student expression and as voices in the uninhibited, robust, free and open discussion of issues. Each publication should provide a full opportunity for students to include topics about which there may be dissent or controversy. The Publications Board shall act according to the rules set down in the Student Handbook.
- C. 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.
- D. The Publications Board shall support the Editor-in-Chief in First Amendment Rights, recognizing that all decisions relating to content lie within the duties of the Editor-in-Chief.

**SEC. 2. Responsibility**

- A. In accordance with *Milliner v. Turner*, 436 So. 2d 1300 (LLA App. 1983), neither the Publications Board or Montana State University-Billings shall be held responsible for the content of the newspaper if any legal issues should arise.
- B. The Publications Board shall interview all applicants for the position of Editor-in-Chief according to the ASMSU-Billings Student Government By-Laws.

- C. The Editor may consult the Publications Board for preparation of the newspaper-operating budget. Under no circumstances is the Publications Board to use budgetary powers to influence or react negatively to the newspaper's content.
- D. Any changes to the Retort By-Laws or Constitution must be approved by a majority vote of the Publications Board.

**SEC. 3. Membership**

- A. Membership on the Publications Board shall be for the academic year with appointments made by the third (3<sup>rd</sup>) week of the fall semester, and If selected, members may serve for more than one year. Membership shall consist of:
  - 1. ASMSU-Billings Vice President shall serve as the Chair of the Board.
  - 2. The Retort Editor-in-Chief
  - 3. A minimum of seven (7), maximum of ten (10) students at large; the Retort Editor-in-Chief may make any recommendations they see fit; with the final selection determined by the ASMSU-Billings Vice President; and
  - 4. If deemed necessary, the ASMSU-Billings Vice President may request that a faculty or administrative advisor serve on the Publications Board.

**SEC. 4. Membership Qualifications**

- A. Publications Board members must be in good academic standing as defined by the Montana State University-Billings General Bulletin.
- B. No voting member of the Publications Board shall be an ASMSU-Billings Senator.

**SEC. 5. Membership Removal And Replacement**

- A. Members shall be removed after missing three (3) official meetings per semester.
- B. Should there be a vacancy on the Publications Board, the ASMSU-B Vice President shall appoint a qualified student to serve on the Publications Board. This student shall be approved by a majority vote of the Publications Board.

**SEC. 6. Meetings**

- A. Publications Board meetings should meet at a minimum of once per month throughout the academic school year, starting within (3) weeks of the beginning of each semester, or when there is a need to conduct business.
- B. The ASMSU-B Vice President shall decide the meeting time and place.
- C. The ASMSU-B Vice President, two (2) members of the Publications Board, or the Editor-in-Chief can call special meetings of the Publications Board. All Publications Board members shall be given three (3) working days notice of special meetings.
- D. All meetings shall be open to the public in accordance with Montana's open meeting law.

**SEC. 7. Procedure**

- A. Two-thirds (2/3) of the voting members must be present to conduct official business.

- B. A three-fourths (3/4) vote of the Publications Board members shall be required in all cases involving the removal of an Editor-in-Chief.
- C. A simple majority vote shall be required in all other cases.
- D. Proxy votes shall be allowed, except for the removal of an Editor-in-Chief.
- E. The ASMSU-B Vice President may vote in all matters.
- F. Voting members shall include the Faculty Advisor and the Editor-in-Chief, with exception that the Editor may not vote in any action involving their removal from the position.

**SEC. 8. Selection Of Editor-In-Chief**

- A. The Publications Board shall be responsible for advertising the positions.
  - 1. If possible, the advertisements shall be run in the student newspaper in the four (4) preceding issues before the deadline date for applications. If not possible, any advertising medium determined acceptable by the Executive Branch might be used.
  - 2. The advertisements shall be prominently displayed. Advertising in the school newspaper shall be no smaller than one column by two inches.
- B. Applicants must meet all the qualifications of Editor-in-Chief.
- C. The Publications Board must interview all qualified applicants.
- D. The Publications Board shall select the most qualified candidate for the position. The name of the recommended candidate along with that of all the other applicants shall be sent to the ASMSU-Billings President under whom the editor will serve.
- E. The ASMSU-Billings President under whom the editor will serve may choose the applicant that was recommended by the Publications Board. If he/she feels this candidate is not qualified, he/she may ask that the search be continued.
- F. In the event that the President under whom the recommended editor shall serve wants to appoint someone else, he/she must provide an explanation to the Senate as to why he/she deviated from the Publications Board's recommendation.

**SEC. 9. Requirements For Editor-In-Chief**

- A. The Editor shall be an MSU-Billings student throughout his/her term of office
- B. The Editor must not be on academic probation as defined by the Montana State University-Billings General Bulletin. Academic probation shall be determined by the student's cumulative grade point average in the Registrar's Office at the time the student applies for a position and during the term of office.
- C. Applicants should display a working knowledge of a student newspaper.
- D. Applicants should submit a resume of experience and a statement of objectives and goals for the student newspaper.

- E. The Editor shall carry throughout the term of office six (6) or more Montana State University-Billings semester hour credits.
- F. The term of office shall begin on the day following the conclusion of spring semester of the year in which he/she is selected. The term of office shall end the last day of the next spring semester.
- G. The Editor will receive a stipend according to the budget passed by the ASMSU-Billings Senate.

**SEC. 10. Duties And Responsibilities Of Editor-In-Chief**

- A. The Editor-in-Chief must adhere to the provisions of the ASMSU-Billings Constitution and Publications Board By-Laws.
- B. The Editor-in-Chief shall submit the annual Retort budget request to the ASMSU-Billings Senate.
- C. The Editor-in-Chief shall attend all regular meetings of the Publications Board.
- D. The Editor-in-Chief shall give oral/written reports regarding the Retort, the Retort budget, and any other matters relative to the Retort to the Publications Board at its meetings.
- E. The Editor-in-Chief has the responsibility of ensuring that the newspaper operates within the fiscal guidelines established by the ASMSU-Billings Financial Policy.

**SEC. 11. Resignation or Removal of Editor-in-Chief**

- A. The selected editor shall serve the following academic year unless he/she resigns or is removed from the position by the Publications Board. If the selected Editor-in-Chief resigns or is removed, the Publications Board shall select an interim editor as soon as possible after the dismissal to serve the remainder of the academic year.
- B. The Publications Board shall be delegated the authority for dismissing an Editor-in-Chief after the Editor-in-Chief has been granted a formal hearing by the Publications Board. A three-fourths (3/4) vote of the Publications Board members will be required in all cases involving the removal of an Editor-in-Chief. The Publications Board's decision regarding the removal of an Editor-in-Chief may be appealed to the Supreme Court as provided by the ASMSU-Billings By-Laws. The Publications Board may dismiss the Editor-in-Chief for any of the following reasons:
  1. For the publishing of articles resulting in the loss of a libel suit or the adverse decision of a formal court proceeding.
  2. For gross misconduct. Gross misconduct will be defined as the Editor-in-Chief knowingly violating codes or policies which he/she is to abide by.
  3. Minimum credit load or gpa falls below the requirements.



## **ARTICLE 7.**

### **ASMSU-BILLINGS HISTORIAN**

**SEC. 1.       PURPOSE**

The ASMSU-Billings Historian shall be responsible for recording and compiling all pertinent data relative to ASMSU-B and the University.

**SEC. 2.       SELECTION OF ASMSU-B HISTORIAN**

- A.       The Historian shall be selected by the Executive Branch and will serve for the upcoming academic year.
- B.       The Historian shall be selected from the membership of the ASMSU-B Student Senate.
- C.       It shall be at the discretion of the ASMSU-B President as to whether the Historian shall attend the Executive Committee meetings.
- D.       The Historian's term of office begins on the day following the conclusion of spring semester of the year in which he/she is selected. The term of office shall end the last day of the next spring semester.
- E..      The Historian will receive a stipend according to the budget passed by the ASMSU-Billings Senate.

**SEC. 3.       QUALIFICATIONS**

- A.       The Historian shall not be on academic probation as defined by the Montana State University-Billings General Bulletin.
- B.       The Historian shall, at the time of selection and throughout the term of office, carry six (6) or more Montana State University-Billings semester hour credits.
- C.       The Historian cannot occupy the following:
  - ASMSU-Billings Retort Editor in Chief
  - MSU-Billings staff member
  - MSU-Billings faculty member
  - MSU-Billings administrative member

**SEC. 4.       RESPONSIBILITIES**

- A.       The Historian shall attend Senate meetings and take minutes at the meetings. The minutes shall be typed by the Historian following the standard set by the Executive Committee. The minutes shall be typed and disbursed by the end of the second (2nd) day after the completion of the Senate meeting.
- B.       The Historian shall compile all Senate committee meeting minutes by collecting the typed minutes from each respective committee chairperson and include said minutes in the pertinent data for ASMSU-B.
- C.       The Historian shall compile a monthly report of all actions taken by ASMSU-B Student Government. The report shall be presented to the Executive Committee. The Executive Committee shall establish a protocol the Historian is to follow.

- D. The Historian shall serve six (6) office hours per week. The Senate meeting times shall be included in these six (6) hours.
- E. The Historian shall keep a scrap book/photo album containing but not limited to newspaper articles, pictures of events, and any other information pertinent to ASMSU-B and the University.
- F. The Historian shall fulfill other duties as assigned by the ASMSU-B President.

## **ARTICLE 8.**

### **ASMSU-B STUDENT ACTIVITIES BOARD**

#### **SEC. 1. PURPOSE**

- A. SAB is a student organization, funded by ASMSU-B, committed to providing high quality events and entertainment for the entire student body that will increase awareness of student activities, create unity and a sense of pride, and provide an enjoyable and fun experience for everyone involved.

#### **SEC. 2. MEMBERSHIP**

- A. The membership of the SAB shall include (13) members. The membership shall include a Chairperson and (12) general members.  
  
The 12 student members of the SAB shall consist of:  
Ten (10) students at large  
Two (2) freshman members
- B. Eligibility for Membership  
  
All students enrolled at MSU-Billings or the MSU-Billings College of Technology are eligible to be members of SAB. Members must maintain six (6) or more credits per semester during the term of office.
- C. Advisors  
Advisors to the board shall be:
  1. One faculty Advisor appointed by the chairperson with the advice and consent of the Board.
  2. The Director of the Student Union
  3. Additional advisors may be appointed by the Chairperson if deemed necessary.
  4. Advisors must attend regularly scheduled meetings unless scheduling conflicts occur at the meeting time.
  5. Advisors will serve in voice only

**SEC. 3. SELECTION OF MEMBERSHIP**

**A. Selection of Chair**

1. The selection of the Chair shall be done each spring through the selection processed outlined in the ASMSU-Billings By-laws.
2. The chairperson shall assume duties on the first day after the end of spring semester and follow all duties and responsibilities as outlined in the ASMSU-Billings By-laws.

**B. Criteria/Qualifications for Membership**

All members shall at the time of their selection and throughout their term of office, be in good academic standing with the University as defined by the Student Affairs Handbook. This is defined as maintaining a 2.0 GPA on a 4.0 GPA scale.

**C. Membership Selection Process**

1. The selection of membership will occur each year before the first week of April by an application and interview process. The selection committee shall consist of the Chairperson-elect, and three (3) current SAB members who are not applying for a position for the coming year. The advisors will serve as a non-voting member of the selection committee. No more than ten (10) student-at-large positions will be selected during this time. In the event that all ten (10) positions are not filled, the remaining will be filled in the fall by the application and interview process. Members who are selected through this application and interview process are eligible to remain involved in the organization for the year as long as they continue to meet the qualifications for membership. All members must be reselected each year through the application process.
2. All students wishing to become members of the SAB must submit an application for membership prior to the scheduled deadline and interview process timeline. All selections will be based on the applicant's experience, enthusiasm, creativity, ability to communicate, past performance on SAB or other student organizations, and ability to work with others.
3. New members of the Board selected during April will be ex-officio members through the remainder of spring semester and officially assume their duties beginning fall semester.
4. The two (2) freshman members of the Board will be selected within the first thirty (30) days of the fall semester by the same application and interview process. The selection committee will consist of the Chairperson, three (3) current SAB members, and the non-voting advisors.
5. Any vacancies that occur throughout the school year will by filled by the Chairperson. The position shall be filled within three (3) weeks of the resignation or termination. These appointments must receive 2/3 approval by the membership of the Board.

**SEC. 4. MEMBERSHIP DUTIES/REQUIRMENTS**

- A.** Members must attend all SAB events unless they have been granted an excused absence by the SAB chair prior to the event. Excused absences include: school or class commitments, work in specific cases where they are unable to obtain time off, and family or personal emergencies. An excess number of excused absences may result in

removal if the individual is unable to maintain regular involvement in programs and activities sponsored by SAB.

1. Members must Attend weekly meetings and participate in planning events. Members may be excused from a meeting for the same reasons listed above. Members must also attend special event planning or committee meetings as needed.
2. Members must perform all duties associated with event planning. Duties and committee chairs/assignments will be determined at weekly meetings. The duties may include: contacting agents and following through with contract details, promotion and marketing, facility set-up arrangements, event details, purchasing supplies and materials, set-up and tear down of events, event management, and more.

**SEC .5. DUTIES AND RESPONSIBILITIES OF THE CHAIR**

- A. SAB Chair is responsible for the scheduling and agenda of meetings. The chair oversees all meetings.
- B. Checks e-mail and phone messages on a daily basis.
- C. Chair serves as one of the budget fund controllers.
- D. Coordinates the preparation of the budget request to be submitted to ASMSU-Billings each year.
- E. Represents SAB on campus committees and reports to ASMSU-Billings
- F. Maintains the office and organization of the office, including keeping all accurate records and important documents in order. Files and maintains all events planners and evaluations.
- G. Maintains all contracts with agents and is responsible for the implementation of those contracts.
- H. Oversees membership by recording attendance and following through with member's responsibilities and duties.
- I. Regularly holds 10 office hours per week.

**SEC.6. OPERATIONS OF THE STUDENT ACTIVITIES BOARD**

- A. Time and Occurrence of Meetings
  1. Meetings are held on a weekly basis during the academic year except for weeks with special holidays or school breaks.
  2. General meetings shall be held at a set day and time.
  3. Special meetings can be called by the Chair as needed for event planning and committee meetings.
- B. Method of Conducting Meetings
  1. Meetings are conducted by the Chair.
  2. All members present may vote except the Chair.
  3. The Chair can vote to break a tie.

- C. Voting
1. All members shall have a vote on decisions or issues before the Board.
  2. The quorum shall consist of 2/3 of the voting members.
  3. The advisor shall serve with voice only.
  4. All event programs shall be determined with 2/3 majority of membership.
- D. Evaluations
1. At the end of each semester, each Board member will receive oral/written evaluation of his/her performance.
  2. The evaluation will consist of an overview of all facets of the Board members' duties during the semester; attendance at meetings and events; overall productivity; effective use of office hours; cooperation with other Board members; productivity during events (i.e set up and tear down); overall attitude; and general comments.
  3. The Chairperson shall:
    4. Make a written evaluation for each member
    5. Shall review the evaluation with the respective member upon completion of the written evaluation.
    6. Ask the board member for his/her signature on the evaluation to signify the Board member has seen and understands what the evaluation entails.
    7. The board member will be allowed to make a written statement on the evaluation before signing.
    8. Once the member has signed the evaluation, the Chairperson shall sign and date the evaluation and place it in the member's private file.
    9. Evaluations of the Board members shall not be shown to anyone except the Chairperson, the respective Board members, the advisors, and the selection committee only on the day of the interviews and only if the Board member is reapplying.
- E. Chairperson Evaluations
1. The chairperson will be evaluated by having each member complete an evaluation form that has been developed by the Board and the Advisor.
  2. The advisor will compile the results of the completed evaluations and meet with the chairperson to discuss the results.
  3. The chairperson will discuss the evaluation with the board members and present any changes or improvements that will be made based on evaluation.
- F. Event Evaluations
- The Board will also complete an evaluation of each event that is held and discuss any changes or improvements that need to be made in the overall performance of the board at meetings and retreats as needed.

## **SEC. 7.**

### **RESIGNATION AND REMOVAL OF MEMBERS**

- A. Any board member who misses a total of three (3) unexcused weekly meetings and/or board events will be dismissed from the board.
- B. Any member who finds that circumstances or obligations necessitate his/her absence from the meetings of the board for an indefinite period of time shall submit a written resignation to the Chairperson of SAB.
- C. SAB members reserve the right to remove active members for conduct that is contrary to the MSU-Billings

Student Handbook Part II. Removal shall be based on simple majority vote of active members.

- D. In the event of the resignation of the Chairperson, the ASMSU-Billings President shall appoint a replacement from the current Board members.

**SEC. 8. REMOVAL OF THE CHAIRPERSON**

A. The SAB may make a recommendation for the removal of the Chairperson. This will be done by a  $\frac{3}{4}$  vote of the majority of the Board. The board will bring the recommendation for removal to the ASMSU-Billings president. The President and the nomination committee will meet to review the recommendation and the ASMSU-Billings President will make a decision regarding the recommendation for removal.

**SEC. 9. FINANCES**

- A. The Chairperson is responsible for the overall fiscal operations and budget of the SAB.
- B. The Chair and Advisor serve as two (2) of the fund controllers for SAB.
- C. The chair is responsible for presenting monthly budget reports to the SAB.