



BY-LAWS

4/25/24

**BY-LAWS
OF
THE ASSOCIATED STUDENTS OF
MONTANA STATE UNIVERSITY BILLINGS**

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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 SRO/STUDENT SERVICES COORDINATOR

- 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 with a minimum cumulative GPA of 2.50. One is a member of ASMSU Billings by being registered for one or more credits at MSU Billings.

- B. ASMSU Billings President or Vice President
 - 1. 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.

 - 2. In addition to the requirements contained in Section 1. B.1. above, candidates for the office of ASMSU Billings President or Vice President must have served on the ASMSU Billings Student Senate and/or on the Executive Cabinet for at least one semester prior to taking office unless there are no applicants meeting this requirement, in which case subsection 3., below shall apply.

 - 3. In the event there are no applicants who meet the criteria contained in Sec. 1.B.2. by the deadline for applications then the time for application shall be reopened and re-advertised for a period of 14 days and anyone who otherwise meets the qualifications for an officer may submit an application.

- C. A candidate running for the positions of ASMSU Billings Business Manager or SRO/Student Services Coordinator must have, at the time of his/her application, accumulated a minimum of twenty-four (24) Montana State University Billings Semester hour credits.

- D. An officer must have been a student of MSU Billings two (2) consecutive semesters 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 ASMSUB President, Vice President, or Business Manager that student cannot occupy the following offices:
 - ASMSU Billings Senator
 - ASMSU Billings Retort Editor in Chief
 - MSU Billings Administrative member
 - MSU Billings contract Faculty member with an appointment of .5 or more
- H. If a student holds the position of ASMSUB SRO/Student Services Coordinator, that student cannot occupy the following offices:
 - ASMSU Billings Senator
 - ASMSU Billings Retort Editor in Chief
 - MSU Billings Administrative member
 - MSU Billings Faculty member or instructor

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 ASMSUB 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:

ASMSUB Business Manager
ASMSUB SRO/Student Services Coordinator
- 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 work with the President on formulating and passing legislation.
- I. The Vice President shall vote in the event of any and all ties.
- J. The Vice President shall serve as the Chair of the ASMSU Billings Student Publications Board.
- K. The Vice President shall act as committee whip and oversee all ASMSU Billings committees and make recommendations to the President.

- L. The Vice President will receive a stipend according to the budget passed by the ASMSU Billings Senate with approval by the President in accordance with the EC contract.
- M. The Vice President shall fulfill other duties as assigned by the ASMSU Billings President. The Vice President shall act as the Elections Administrator and perform all duties required.

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 with approval by the President in accordance with the EC contract.

SEC. 5. THE DUTIES AND RESPONSIBILITIES OF THE ASMSU BILLINGS SRO/STUDENT SERVICES COORDINATOR

- A. The SRO/Student Services Coordinator 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 handle student grievances in accordance with the Student Handbook of Montana State University Billings.
- I. The SRO will receive a stipend according to the budget passed by the ASMSU Billings Senate with approval by the President in accordance with the EC contract.
- J. The SRO/Student Services Coordinator shall promote and coordinate events, programs or activities related to academic services, recreational services, campus resources, sustainability events, Senate public relations, community activity, campus physical improvements or enhancements and student life in general.

- K. The SRO/Student Services Coordinator shall oversee the ASMSU Billings Student Services account.
- L. The SRO/Student Services Coordinator shall be the Chairperson of the Student Services Committee, voting only in case of a tie.
- M. The SRO/Student Services Coordinator shall assume other duties and responsibilities as assigned by the Executive Committee and/or Senate.

SEC. 6. THE POWERS, QUALIFICATIONS, AND RESPONSIBILITIES OF THE STUDENT ACTIVITIES BOARD CHAIRPERSON

- A. The Student Activities Board Chairperson shall be selected by the Student Activities Board Selection Committee. Student Activities Board Selection Committee shall consist 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 ASMSUB Executive Cabinet
 - 1-Student-at-large selected by SAB Advisor
 - ASMSUB Office Manager
- 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 with a minimum cumulative GPA of 2.50. 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 occupy 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 ASMSU Billings President 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, 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.
- M. Report to ASMSU Billings biweekly during the academic year.

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 SRO/Student Services Coordinator

- 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 ASMSUB Executive Committee shall be to serve as the leadership team for the ASMSUB Student Senate.

- B. The ASMSU-B Executive Committee shall be composed of the following:

- ASMSUB President
 - ASMSUB Vice President
 - ASMSUB Business Manager
 - ASMSUB SRO/Student Services Coordinator

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

- ASMSUB Historian

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 is approximated to be eight (8), between 8 a.m. and 5 p.m. The expected weekly summation of ASMSUB-related duties (in and out of ASMSUB offices) to be compensated will be fifteen (15) hours. Each officer shall remain in the student government offices during designated office hours unless away performing the official duties of his/her office.
- 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 ASMSUB President shall call a meeting of the Executive Committee no later than the second (2nd) week of Fall Semester.
- B. The ASMSUB President shall be responsible for setting meeting times and notifying the Executive Committee members of the scheduled meeting time.
- C. The ASMSUB Vice President shall be the CoChairperson of the Executive Committee. The CoChairperson shall conduct Committee meetings in the absence of the ASMSUB 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 twenty (20) is recommended to be diversified in class standing. A suggested composition is provided:
 - 1. The ASMSU Billings Vice President
 - 2. Three (3) Senators from the University campus freshman class elected/appointed in the fall/spring of each year
 - 3. Thirteen (13) Senators-at-Large from the University campus.
 - 4. One (1) graduate student elected/appointed. 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 City College shall be elected/selected.
- C. Prioritizing senator diversity between all current (four) colleges of the main university campus should be emphasized. This is recommended to ensure the voices of constituents from the entire campus are represented. In addition to representation, this will also help prevent bias for (or against) any specific college during any given academic year.
- D. Advisors to the ASMSUB 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 ASMSUB President.
- E. Qualifications of all ASMSU Billings Senators

1. Senators must, at the time of election/appointment and throughout their term of office, be enrolled in a minimum of six (6) credits at Montana State University Billings.
2. Senators must have attended Montana State University Billings for at least one (1) semester within the year prior to taking office, with the exception of freshman senators and City College Senators.
3. At the time of election/appointment and throughout their term of office, senators must be in good academic standing as defined with a minimum cumulative GPA of 2.50; 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. Failure to maintain good academic standing throughout the Senator's term will result in a probationary period, permitting one semester from the point of losing good academic standing to regain the status of good academic standing before termination of ASMSUB membership.
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 of their first ASMSUB general meeting following election/appointment. 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 spring semester. If a Senator is appointed after the semester has already begun due to a vacancy, the appointed Senator shall be recognized as having served the full semester.
6. The office of the Vice Chancellor for Student Access and Success shall notify the President of the Senate in writing if any member is not in good academic standing as defined with a minimum cumulative GPA of 2.50. Upon verification that no error has been made, the Senate shall be notified that the position is vacant.

F. Duties of ASMSUB Senators:

1. All senators shall act as official representatives of their elected body.

2. Senators shall attend all Senate meetings unless excused by a member of the Executive Committee. Exceeding three (3) unexcused absences within a semester is grounds for removal from ASMSUB.
3. Senators leaving before the end of a meeting shall be marked absent from that meeting unless excused by a member of the Executive Committee. Senators shall be marked absent if arriving more than fifteen (15) minutes late to a meeting without prior notification to a member of the Executive Committee. A Senator shall be excluded from voting for that meeting if he/she is marked unexcused.
4. Senators shall attend all ASMSUB Senate standing committee meetings as required, unless excused by the Standing Committee Chair.
5. Senators shall maintain two (2) office hours per week outside of regular meeting time, making themselves available to assist students in need during these hours.
6. Senators shall attend all ASMSUB Senate retreats, unless otherwise excused by the Executive Committee.
7. Senators shall attend at least five (5) campus events per semester unless specified otherwise by the Executive Committee. These events may include but are not limited to SAB events, RHA events, rec activities, open forums, club meetings, committee meetings, etc. Within the five required events, all ASMSUB hosted events are mandatory and will be announced in Senate meetings.
8. Senators shall leave an absentee ballot or proxy when absent from meetings. Otherwise, the Senator's absence from the meeting shall be labeled as unexcused.
9. Senators must have an understanding of Articles 1-4 of the bylaws and sign the Senator Contract. (Appendix "H" of this By-Law).
10. Senators shall fulfill other duties decided on by Senate, assigned in a committee meeting, or designated from an Executive Committee member.

11. Any student Senator who feels they cannot fulfill their duties of office shall submit a written resignation to the Vice President.

SEC. 12. LEGISLATIVE AND BUDGETARY POWER OF ASMSU BILLINGS

- A. The legislative and budgetary power of ASMSU Billings shall be vested in the ASMSU Billings Senate, which has the power and responsibilities to:
 - B. Conduct hearings for and approve the annual ASMSU Billings budget.
 - C. Adopt by-laws for ASMSU Billings and make revisions of them.
 - D. Take whatever action it deems necessary and appropriate to fulfill its obligations to students, faculty, and/or administration.
 - E. To investigate, adopt resolutions and to perform all normal legislative and budgetary functions on matters within the jurisdiction of ASMSU Billings.
 - F. Strive to ensure that student fees are being spent in a manner consistent with student needs or desires.
 - G. Conduct Weekly Senate Meetings
 1. The ASMSUB Vice President shall determine the date and times of the Senate meetings.
 2. The ASMSU Billings Senate shall meet weekly during the fall and spring semesters.
 3. Special meetings may be called by the ASMSU Billings Vice President or by a petition signed by a majority of the membership of the Senate.
 - H. 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 both approximately contain half of the active senators for the given academic year.
- H. Only members of the committee shall have a vote in that committee.
- I. The Executive Committee may alter the membership of the committees, at the general consensus and discretion of the Executive Committee.
- 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 ASMSUB President.

K. Student Services Committee.

1. The Student Services Committee shall help with the coordination of academic services, recreational services, campus resources, sustainability events, 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	ASMSUB SRO/ Student Services Coordinator
Financial Board Committee	ASMSUB Business Manager

2. Duties of the Chairperson of a Standing Committee
 - a. Conduct proper hearings on all legislation referred to the committee by the ASMSUB Vice President.

- b. Ensure that minutes are taken of all committee meetings and post 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 manager 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 ASMSUB President.
- B. Membership in said Ad Hoc Committees shall be senators determined by the ASMSUB 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. 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. 16. VOTING RULES

- A. The following rules concerning voting are adopted for use by the ASMSU Billings Senate.

- B. 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).
- C. 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.
- D. 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.
- E. 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 ASMSUB Vice President or office manager 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.
- F. 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 ASMSUB Vice President prior to the meeting.
 - b. Presentation of the proxy form to the office manager 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.
- G. 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.
- H. 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.
- I. 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. In the event of a tie, the Vice President shall cast a tie breaking vote before the meeting is adjourned.
 6. The office manager 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. 17. PROCEDURE FOR PASSAGE OF LEGISLATION, FINANCIAL BILLS, RESOLUTIONS OR MEMORIALS

- A. Senators must submit proposed legislation, in writing, to the Vice President or office manager. 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 manager 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. 18. 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 ten (10) 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 ASMSUB 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 ASMSUB 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. 19. 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. 20. 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. 21. 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 ASMSUB 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. 22. PROCESS FOR REMOVAL OF THE ASMSU BILLINGS BUSINESS MANAGER, SRO/STUDENT SERVICES COORDINATOR, OR HISTORIAN

- A. The individual shall first be given one warning letter by the ASMSUB 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 ASMSUB 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 ASMSUB office manager. 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 manager, the ASMSUB 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 ASMSUB 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 ASMSUB President shall make a final decision whether to reinstate or dismiss the individual. The ASMSUB President must make his/her decision by the second (2nd) Senate meeting following his/her receipt of the committee recommendations. If the ASMSUB 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 ASMSUB President.

SEC. 23. IMPEACHMENT PROCESS

- A. The Senate may impeach the ASMSUB 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. 24. 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 majority of senators casting a vote (including proxies and absentees) 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.
 - 4. If more than three (3) candidates apply, the President will narrow down the number of candidates to three (3) to be voted on by Senate. If a majority is not reached on the first vote, there will be a run off of the two (2) candidates who received the most votes. In the event of any tie, the President will serve as the tie breaker.
- D. Should the following positions become vacant, the ASMSUB President shall appoint a student that meets the requirements for the open position:

ASMSUB Business Manager
ASMSUB SRO/Student Services Coordinator
- E. In the event that a vacancy occurs on the Senate during the academic year for a university campus representative or a City College 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.

ARTICLE 2.

ASMSU BILLINGS ELECTIONS

SEC. 1. DEFINITIONS

- A. **General Elections** – The annual fall semester 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. **Campaign** – A series of planned actions for the purpose of seeking office, including any activity which promotes the candidacy of one or more individuals for an office, including, but not limited to: scheduling appearances; lobbying a voter; posting, publication or distribution of advertisements, correspondence, or literature.
- D. **Candidate** – One seeking an elected office or position in an election conducted by ASMSU
- E. Billings.
- F. **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.
- G. **Simple Majority** – More than half of the total number of legal ballots.
- H. **Plurality** – When a candidate receives more votes than any other candidate but does not receive a simple majority.
- I. **Tabulation** – The counting of all legal ballots to determine the outcome of an election.
- J. **Polling Areas** – Clearly designated locations for the purpose of allowing students to cast their votes in polling booths without distraction.

- K. **Campaign Materials** – Any materials bearing the name, likeness, or symbols associated with a candidate for office for the purpose of soliciting votes.
- L. **Election Administrator** – The person responsible for the organization, coordination, and facilitation of an election.
- M. **Elections Committee** – A committee designated to assist the Elections Administrator execute his or her duties and responsibilities.

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. No student shall run for more than one ASMSU Billings elected office in any election.
 4. A student shall hold only one ASMSU Billings elected office at any given time per academic school year.
 5. No MSUB club or organization shall be allowed to finance the campaign of any candidate for ASMSUB office.
 6. Voting shall be done via Internet if possible. However, if voting cannot be done via Internet, voting shall be done using paper ballots and ballot boxes.
 7. Voting shall be done by secret ballot. Students shall be required to supply his or her I.D. number only for the purpose of obtaining a ballot. No student shall be required to supply his or her I.D. number or any other identifying material on his or her ballot.
 8. All candidates for any ASMSU Billings office shall be elected based upon a plurality of votes cast.
 9. The names of all candidates for elected positions shall appear singularly on the ballots.

10. The application deadline for elected office shall be at least two (2) weeks prior to the scheduled election(s). If there are insufficient applications, the deadline may be extended by the Elections Administrator.
11. All open elected positions for an election must be prominently advertised for at least two (2) weeks prior to the filing deadline.
12. All elections shall be prominently advertised for at least two (2) weeks prior to the election.
13. All elections shall have the following areas designated as official polling locations on the day(s) of the election:
The Student Union Building Galleria
The 2nd Floor of the Liberal Arts Bldg
The City College Commons

B. The ASMSU Billings Fall General Election

1. The fall general election shall take place no later than the third (3rd) week of September.
2. The positions made available for election during the Fall General Election will be determined by the Executive Committee before advertisement of the Election is to take place.
3. One (1) student from the City College shall be elected in the fall general election for the academic year. In the event this position cannot be filled, or it becomes open during the year, a student from the City College, if one applies, shall be selected to fill the open position. The City College senators elected must be in good academic standing as defined with a minimum cumulative GPA of 2.50 and must be enrolled for at least six (6) credits.
4. All vacancies of any ASMSU Billings offices produced over the summer shall be filled in the fall general election.

C. The ASMSU Billings Spring General Election

1. The spring general election shall be completed at least six (6) weeks prior to the final week of the spring semester.

2. The President of ASMSU Billings shall be elected in the spring general election for the following academic year. The student elected must be in good academic standing as defined with a minimum cumulative GPA of 2.50 and must be enrolled for at least six (6) credits.
3. The Vice President of ASMSU Billings shall be elected in the spring general election for the following academic year. The student elected must be in good academic standing as defined with a minimum cumulative GPA of 2.50 and must be enrolled for at least six (6) credits.
4. The positions made available for election during the Spring General Election will be determined by the Executive Committee before advertisement of the Election is to take place.

D. Special Elections and Runoff Elections

1. Any recommendation for a special election must be approved by a two-thirds (2/3) majority vote from the Senate.
2. In the event of a tie in any election, a runoff election can be held. Runoff elections shall continue until a candidate receives at least a plurality of votes.
3. If a runoff election is held, it shall take place within (3) weeks after the original election in manner consistent with these By-Laws. Announcements of the runoff election shall be prominently advertised.

- E. The Presidential/Vice Presidential candidates that immediately lose the Spring General Election to the voted-in President and Vice President may be offered a relegation to senator positions in lieu of loss of ASMSUB status (regardless of previous affiliation / occupancy within ASMSUB), with the opportunity to apply for remaining officer positions for the academic year in question.

SEC. 3. ELECTIONS ADMINISTRATIONS

A. The Elections Administrator

1. The ASMSU Billing Vice President shall serve as the Elections Administrator for all ASMSUB elections. In the

event that the current ASMSUB Vice President is a candidate in the election, the Senate shall appoint a qualified senator who is not a candidate, and is not associated with a current campaign, to serve in this capacity. If no senator is qualified to serve as the Elections Administrator, the Senate may appoint a qualified student who is not a candidate or associated with a candidate's campaign in the election, to serve as the Elections Administrator.

2. The Elections Administrator shall serve as chair of the Elections Committee.
3. The Elections Administrator shall be responsible for the enforcement of the ASMSU Billings Elections By-Laws.
4. The Elections Administrator shall set the dates of all elections in accordance with the ASMSU Billings Elections By-Laws.
5. The Elections Administrator shall be responsible for making applications for elected positions available to all students.
6. The Elections Administrator shall be responsible for the promotion and advertising for all ASMSU Billings Elections.
7. The Elections Administrator shall be responsible for providing all available campaign information to all candidates in an election.
8. The Elections Administrator shall review and approve all promotion and advertising for elections before they are released.
9. The Elections Administrator shall review and approve all candidates' platforms that will be published by the ASMSU Billings without infringement of the rights of the candidates.
10. The Elections Administrator shall be responsible for bringing all complaints formally submitted in writing to the ASMSU Billings Supreme Court.
11. The Elections Administrator shall be responsible for bringing all potential violations of ASMSU Billings Elections By-Laws to the ASMSU Billings Supreme Court.

12. If the ASMSU Billings Supreme Court decides to hear any complaints or claims of alleged violations of the ASMSU Billings Elections By-Laws, the Elections Administrator shall be the official representative of the ASMSU Billings in the hearings.

B. The Elections Committee

1. The Elections Committee shall consist of at least five (5) members:
 - The Elections Administrator (Chairperson)
 - Four (4) MSU Billings students-at-large that shall be selected by the Elections Administrator and approved by the Senate. A student senator may serve on the elections committee only if he or she is not a candidate in the elections.
2. The Elections Committee shall assist the Elections Administrator in fulfilling his or her duties and responsibilities.

SEC. 4. DECLARATION OF CANDIDACY

- A. Each candidate seeking an elected office for the ASMSU Billings shall file a declaration of candidacy form with the ASMSU Billings Office Manager in the ASMSU-Billings office (Room 213 of the Student Union Building)
- B. A copy of the ASMSU Billings Constitution and ASMSU Billings Elections By-Laws shall be given to each candidate at the time he or she files a declaration of candidacy.
- C. Once verification of eligibility has been received from the Office of the Vice Chancellor for Student Affairs, the student seeking candidacy shall officially become a candidate in the election.
- D. Write-in candidates must meet all of the qualifications of a candidate in order to be considered for an ASMSU Billings election. A written statement declaring a write-in campaign must be turned into the ASMSU Billings office (SUB 213) before 8am of the day of the election.

SEC. 5. CAMPAIGN RULES

- A. Campaign Materials

1. No posters or political advertising shall be placed in such a way as to endanger the occupants or buildings or disrupt traffic as determined by the building supervisor.
2. No candidate shall be a willing participant in the vandalism or destruction of another candidate's campaign materials.
3. The proper 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:
 - Petro/Rimrock Halls – Office of Residence Life, SUB 221
 - The Student Union & Activities Office, SUB 212
 - Academic Support Center - Information Desk
 - Science Building - Science Office, SCI 110
 - McMullen Hall - McMullen 100
 - College of Education - COE 106
 - Liberal Arts - LA 406
 - Library - Library Administrative Offices, Li 206
 - College of Business - COB 300
 - Alterowitz Gymnasium - PE 116
 - Cisel Hall - CI 119
 - Apsaruke Hall - APS 130
 - Campus grounds - Facilities Services, 35 Rimrock Rd.
 - City College - Information Desk in CC Commons
4. 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.
5. 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.

B. Polling Areas

1. Prior to the opening of the polls, the Elections Administrator will ensure that no campaign materials are in the polling area.
2. There shall be no campaigning and no campaign materials in the designated polling areas on election days; however, campaigning may be conducted outside the polling areas on election days as long as such campaigning is at least 25 feet from the polling area. No candidate or person associated with a campaign may staff the polling area.
3. Each candidate is entitled to one witness, who may not interact with voters or display any candidate-related material, and which may not be the candidate him/herself, at each of the following locations:
 - One at each polling place
 - One at the securing of the ballot box(s) if ballot boxes are used.
 - One at the ballot tabulation
4. It is the responsibility of the candidates to be aware 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. 6. VOTING: BALLOTS AND BALLOTING

- A. The Elections Administrator shall approve all 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 designated as follows:
 1. The President and Vice President will run jointly on the same ballot.
 2. ASMSUB President and ASMSUB Vice President (Vote for President and Vice President) Spring general election
 - a. List all candidates running for the position of ASMSUB President and ASMSUB Vice President
 3. Senators-at-Large from the University campus

- a. List all candidates running for the position of Senator-at-Large
 - 4. Freshman Senators from the University campus
 - a. List all candidates running for the position of Freshman senator
 - 5. Graduate Student Senator
 - a. List all candidates running for the position of Graduate Student Senator
 - 6. City College Senators
 - a. List all candidates running for the position of City College Senator

- E. All students on both the University campus and the City College campus shall be entitled to vote for all ASMSU Billings positions. The same ballots shall be used on the university campus and the City College campus.

- F. If paper ballots are used, they will be kept in a locked ballot box until the Elections Administrator declares the election final, and then they shall be destroyed.

- G. 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. If paper ballots are used, the ballots from the City College shall be transported to the University campus in the locked ballot box. The City College ballot box shall be opened on the University campus and the ballots shall be counted along with the University campus ballots.

- H. Absentee Balloting

1. If paper ballots are used or a student cannot vote online, 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 Elections Administrator or the office manager.
2. Students voting by absentee ballot must have their ballot submitted to the Elections Administrator or ASMSU Billings Office Manager at least 60 hours (3 days) before the election officially begins.
3. The student shall vote on an official 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. 7. TABULATION PROCEDURES

- A. Ballot boxes shall be uniform in appearance and marked as such.
- B. Witnesses representing the candidates are permitted to oversee the tabulation of votes. The witnesses may not assist in the tabulation in any way. The witnesses have the right to request a recount after all the ballots have been tabulated.
- C. The Elections Administrator shall designate two (2) impartial parties to witness the tabulation of votes.
- D. Once all the votes have been tabulated, the following signatures are required before declaring the results official:
 - The Elections Administrator
 - Two (2) impartial witnesses
- E. The election results shall be made public immediately following tabulation of the ballots. It shall be required that the election results be posted on the door of the ASMSU Billings office and appear in the Student Newspaper. However, any other method may be used to make the results public to the students in addition to the already required methods of posting the results.

SEC. 8. SUSPENSION OF CANDIDACY

- A. Any candidate who violates any of the Election rules may be barred from candidacy and/or denied from taking office, as recommended by the Elections Committee, and approved by a two thirds (2/3) majority vote of the Senate. This rule is not suspendable.

SEC. 9. PROCEDURE FOR ALLEGED VIOLATIONS OF THE ELECTION BY-LAWS

- A. All complaints for alleged violations of the ASMSU Billings Elections By-Laws must be formally submitted in writing to the ASMSU Billings Office Manager no later than forty-eight (48) hours after the election results have been made public. In the event the results are made public on a Thursday or a Friday, the 48-hour calculation period will end at 5 p.m. on Friday and resume at 8 a.m. on Monday.
- B. All properly filed complaints must be heard and decided upon by the Supreme Court at the earliest possible time with an expedient decision being sought in all cases.
- C. The Supreme Court will have original jurisdiction over all alleged election violation cases.
- D. Properly filed complaints will be handled in the following manner:
1. The Chief Justice of the Supreme Court shall schedule a hearing to hear the complaint(s) filed.
 2. The parties filing the complaint(s) shall prepare a trial brief that contains statement of facts, allegation(s) and conclusion(s).
 3. The parties filing the complaint(s) shall submit an original copy of the trial brief to the ASMSU Billings Office Manager at least five (5) business days prior to the scheduled Supreme Court hearing.
 4. The ASMSU Billings Office Manager shall submit copies of the complaint and trial brief to the following parties at least four (4) business days prior to the scheduled Supreme Court hearing:
 - The members of the Supreme Court
 - The Elections Administrator
 - Any parties implicated or involved in the complaint(s)

5. All parties to the dispute as well as the Supreme Court members shall receive a copy of the ASMSU Billings Constitution, the ASMSU Billings, By-Laws, and any other relevant documents to the dispute prior to the Supreme Court hearing from the ASMSU Billings Office Manager.
6. All parties to the dispute, as well as the Election Administrator and all members of the Supreme Court, shall be required to be present at all Supreme Court hearings regarding the complaint(s) filed. Any absences shall only be permitted by the Chief Justice of the Supreme Court.

SEC. 10. VIOLATIONS OF THE ELECTION BY-LAW

- A. The Supreme Court shall determine if a violation of the Election By-Laws has taken place.
- B. The Supreme Court shall have the authority to impose retributive or restorative sentencing on any party in violation of the Election By-Laws.
- C. The Supreme Court shall have the authority to disqualify a candidate from an election.
- D. 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.
- E. All decisions reached by the Supreme Court are final and binding to all involved parties.

ARTICLE 3.

SUPPORT STAFF

SEC. 1. DUTIES AND RESPONSIBILITIES OF THE ASMSU BILLINGS OFFICE MANAGER

- 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 will provide legal services to ASMSUB Student Legal Services Program for 20 hours per week during fall and spring semesters and 8 hours per week during summer semester, except when lawyer takes authorized leave. Lawyer's schedule will be established in consultation with other ASMSUB staff and may be adjusted prior to the beginning of each semester and/or as may otherwise be necessary. Lawyer shall represent ASMSUB clients who seek representation in accordance with the Rules and Regulations promulgated by Lawyer and the ASMSUB Executive Committee.
- B. Lawyer shall be compensated for his/her services to ASMSUB at the rate passed by the ASMSUB Senate. Lawyer agrees that he/she will not receive additional attorney's fees from students for legal services performed under the Program. All costs, other than attorney's fees, of pursuing an action for an ASMSUB 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 with office space, supplies, secretarial services, duplicating service, telephone service, and other materials, equipment, and services that are necessary or appropriate for this Program.
- E. 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 and advice to ASMSU Billings, provided that the Executive Branch refers such representation to Lawyer.
 - 2. Participation in such other matters 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 Student 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

- A. 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. FUND HANDLING AUTHORITY

- A. The authority for handling funds is recorded in the ASMSU Billings Constitution under article 7.

SEC. 3. STUDENT FEE GENERAL POLICIES

- A. 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 ASMSUB Contingency Fund and the ASMSUB 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. Due to time constraints that require a financial bill to be passed in less than three (3) weeks, a motion can be made on the senate floor when the financial bill is read in for approval for a turnaround time of no less than one (1) week. A two-thirds (2/3) majority vote of the senate is required.
- 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 30th. 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

- A. 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

- A. 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

- A. 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.
- B. 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.

C. 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.

D. 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 special or budgeted accounts for projects such as leadership activities, educational programs, conferences, or events that benefit the Montana State University Billings student community or items not included in the regular budgeted fund. In no event may the combined total of these special allocations exceed eighteen percent (18%) of the balance of the Contingency Fund as of September 1st each year (as determined by the University Business Office).
 - a. In order for a budgeted or nonbudgeted 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 manager 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.
 5. In requesting travel funds, the group, organization, or individual is required to spend approximately 30% of the total budget for the trip out of their personal or club account.

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 manager, 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 manager 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:
 - Student fund controller
 - ASMSU Billings Business Manager and ASMSU Billings President
 - The ASMSU Billings Administrative Advisor.

2. University Credit Card

- a. ASMSUB must receive a copy of the receipt within (3) business days of the purchase.
- b. In the event that a receipt is not readily available after purchase, written notice of the purchase shall be given to the Senate within three (3) days of purchase followed by a copy of the receipt given to ASMSUB when the receipt is available.
- c. A detailed description of purchases attached to the receipt.
- d. Monthly billing statements shall require the following signatures to expedite a banner payment authorization (BPA)
 - Organizational Fund Controllers (Student, Advisor)
 - ASMSUB Business Manager
 - ASMSUB President
 - ASMSUB Administrator 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 CANDIDATES

- A. 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 SRO/Student Services Coordinator

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 eight (8) members.

- Two (2) ASMSU Billings Senators
 - Two (2) Executive Cabinet members
 - Two (2) students-at-large One (1) City College student
 - ASMSUB Office Manager
- C. The ASMSU Billings President shall appoint one of the Executive Cabinet members to act as Chairperson of the Recommendation Committee.
- D. All eight (8) members of the Committee shall be voting members.
- 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 Executive 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 Publication Board shall be for the academic year with appointments made by the third (3rd) 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 four (4) maximum of seven (7) 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 ASMSUB 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 meeting should meet at a minimum of once per month throughout the academic school year, starting within three (3) weeks of the beginning of each semester, or when there is a need to conduct business.
- B. The ASMSUB Vice President shall decide the meeting time and place.
- C. The ASMSUB 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 ASMSUB Vice President may vote in all matters.
- F. Voting members shall include the Faculty Advisor and the Editor-in-Chief, with the 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.

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, 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 with a minimum cumulative GPA of 2.50.
- 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

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

SEC. 2. SELECTION OF ASMSU BILLINGS

- 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 ASMSUB Student Senate.
- C. It shall be at the discretion of the ASMSUB 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 ASMSUB.
- C. The Historian shall compile a monthly report of all actions taken by ASMSUB 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 this 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 ASMSUB and the University.
- F. The Historian shall fulfill other duties as assigned by the ASMSUB President.

ARTICLE 8.

ASMSUB STUDENT ACTIVITIES BOARD

SEC. 1. PURPOSE AND MISSION

- A. SAB is a student organization, funded by ASMSUB, 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.
- B. SAB's external mission is to promote a safe and welcoming environment for MSUB's community by hosting exciting and engaging events.
- C. SAB's internal mission is to be an inclusive platform of opportunities to build upon leadership values within a family-like structure.

SEC. 2. MEMBERSHIP

- A. The membership of the SAB shall include at least (14) members, but no more than 18 members. The leadership team shall consist of a chair, a vice chair, and 3 committee chairs all who are able to maintain a 2.50 GPA. Next there will be 8 to 14 general members with a 2.50 GPA, with at least 2 being Freshman members.
- B. Eligibility for Membership
- C. All students in good standing enrolled at MSU Billings or the City College are eligible to be members of SAB. Members must maintain six (6) or more credits per semester during the term of office.
- D. Advisors
 - 1. Advisors to the board shall be:
 - a. The Director of Student Union and/or a staff member appointed by the Director of Student Union.
 - b. Additional advisors may be appointed by the Chairperson if deemed necessary.
 - c. Advisors must attend regularly scheduled meetings unless scheduling conflicts occur at the meeting time.
 - d. Advisors will serve in voice only and do not vote or supervise.

SEC. 3. SELECTION OF MEMBERSHIP

- A. Selection of Chair(s)
1. The selection of the Chair(s) shall be done each spring through the selection process outlined in the ASMSU Billings By-laws.
 2. The Student Activities Board Chairperson shall be selected by the Student Activities Board Committee.
 3. Student Activities Board Selection Committee shall consist of seven (7) members:
 - Student Activities Board Advisor
 - Student Activities Board members (one being the Chair if not applying for the position)
 - Senators selected by ASMSUB Executive Cabinet
 - Student-at-large selected by SAB Advisor ASMSUB Office Manager
- B. 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 Bylaws.
- C. After the Chairperson is hired, they will hire the Executive Board through an application process and an interview with the Chair. The hiring committee includes the SAB Advisor.
- D. Criteria/Qualifications for Membership
1. 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 2.50 GPA on a 4.00 GPA scale. Exceptions can be approved by the Dean of Students.
- E. 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 eighteen (18) student-at-large positions will be

selected during this time. If all eighteen (18) positions are not filled, the remaining will be filled in the fall by application and interview process. Members who are selected through this application and interview process, led by the SAB Chairperson, are eligible to remain involved in the organization for the year if they continue to meet the qualifications for membership. All members must be re-selected 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 an application and interview process. The selection committee will consist of the Chairperson, and the non-voting advisors.
5. Any vacancies that occur throughout the school year will be filled by the Chairperson. These appointments must receive 2/3 approval by the membership of the Board.

SEC. 4. MEMBERSHIP DUTIES/REQUIREMENTS

- 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. Any Board member who misses a total of three (3) unexcused weekly meetings and/or board events will be dismissed from the board at the discretion of the SAB Chairperson.
 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, but are not limited to, contacting agents and following through with contract details, promotion and marketing, facility set-up and tear down of events, and event management.

SEC. 5. DUTIES AND RESPONSIBILITIES OF THE CHAIR

- A. The chair oversees all meetings.
- B. Checking e-mail and phone messages daily.
- 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. Is regularly involved on campus for at least ten (10) hours a week through events, networking, and managing all members.

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.
4. Executive Board meetings occur weekly.

B. Method of Conducting Meetings

1. Meetings are conducted by the Chair
2. All members present may vote except the Chair.

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 current voting members.
3. The Chair can only vote in the case of a tie.
4. The advisor shall serve with voice only.
5. All event programs shall be determined with 2/3 majority of membership.

D. Evaluations

1. Evaluations will occur at the end of each term in the Spring Semester for the Chair and Executive Board. The evaluations will be made anonymous and given to the general board members to complete. The evaluations will be given out and created by the Secretary.
2. These evaluations will serve as a growing experience for the Chair and the Executive Board.
3. Event Evaluations
 - a. The secretary 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.

- b. The evaluations will include but not limit to the following; date, time, location, event description, collaborators, contacts for event, catering needs, set up and materials needed for the event, timeline for the event, a “to-do” list for the event, budget for the event, expenses, promotional and marketing material, and a summary of the event

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 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 order of succession should be the Vice-Chair, another executive member, and then a general member.

SEC. 8. REMOVAL OF THE CHAIRPERSON

- A. The Student Activities Board may remove the Chairperson by a 3/4 majority vote of the entire board membership.
- B. The Chairperson can appeal the removal from office to ASMSUB.

SEC. 9. FINANCES

- A. The Chairperson and treasurer are responsible for the overall fiscal operation 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.

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

APPENDIX "A"

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:**

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

APPENDIX "B"

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:**

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

APPENDIX "C"

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:**

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

APPENDIX "D"

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

<input type="checkbox"/>	Do Pass
<input type="checkbox"/>	Do Not Pass
<input type="checkbox"/>	Pass as Amended

Date

For

Against

Abstention

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

APPENDIX "E"

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 manager. 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 manager.

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.

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

APPENDIX "F"

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 manager prior to the meeting at which the above issue(s) will be voted on.

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

APPENDIX "G"

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/PR

 Legislative/Legal Affairs

 Advisor reports

 City College report

Reports of Special Committees

Word on Campus

Old Business

New Business

Announcements

Adjournment

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

APPENDIX "H"

STUDENT SENATOR CONTRACT

- SEC. 1. DUTIES AND RESPONSIBILITIES OF AN ASMSUB SENATOR
- A. All senators shall act as official representatives of their elected body.
 - B. Senators shall attend all Senate meetings unless excused by a member of the Executive Committee. Exceeding three (3) unexcused absences within a semester is grounds for removal from ASMSUB.
 - C. Senators leaving before the end of a meeting shall be marked absent from that meeting unless excused by a member of the Executive Committee. Senators shall be marked absent if arriving more than fifteen (15) minutes late to a meeting without prior notification to a member of the Executive Committee. A Senator shall be excluded from voting for that meeting if he/she is marked unexcused.
 - D. Senators shall attend all ASMSUB Senate standing committee meetings as required, unless excused by the Standing Committee Chair.
 - E. Senators shall maintain two (2) office hours per week outside of regular meeting time, making themselves available to assist students in need during these hours.
 - F. Senators shall attend all ASMSUB Senate retreats, unless otherwise excused by the Executive Committee.
 - G. Senators shall attend at least five (5) campus events per semester unless specified otherwise by the Executive Committee. These events may include but are not limited to SAB events, RHA events, rec activities, open forums, club meetings, committee meetings, etc. Within the five required events, all ASMSUB hosted events are mandatory and will be announced in Senate meetings.
 - H. Senators shall leave an absentee ballot or proxy when absent from meetings. Otherwise, the Senator's absence from the meeting shall be labeled as unexcused.

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

- I. Senators must have an understanding of Articles 1-4 of the bylaws and sign the Senator Contract. (Appendix "H" of this By-Law).
- J. Senators shall fulfill other duties decided on by Senate, assigned in a committee meeting, or designated from an Executive Committee member.
- K. Any student Senator who feels they cannot fulfill their duties of office shall submit a written resignation to the Vice President.

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

- A. Failure to fulfill his/her duties or violation of the Constitution or its Bylaws.
- B. Conduct that reflects unfavorably on Montana State University Billings or ASMSUB.

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 _____

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

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 ASMSUB By-Laws.
 - B. The ASMSUB 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 ASMSUB Vice President. The Co-Chairperson shall conduct Committee meetings in the absence of the ASMSUB President.
 - D. The ASMSUB 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 ASMSUB 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. Executive Cabinet members must perform a minimum of 15 hours of service during each pay period in order to receive their stipend. Additionally, all Executive Cabinet members are required to submit work hours to the ASMSUB President weekly.
 - D. The ASMSUB 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 ASMSUB President shall give the Executive member a termination letter. The letter must be dated and reaffirm the reasons for the dismissal.

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

- 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 ASMSUB office manager. 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 manager, the ASMSUB 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 ASMSUB 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 ASMSUB President shall make a final decision whether to reinstate the Executive member or to dismiss the Executive member. The ASMSUB President shall make his/her decision by the second (2nd) Senate meeting following his/her receipt of the committee recommendations. If the ASMSUB 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 VICEPRESIDENT _____