

ASMSU 2018-B-11

Sponsor: Scott Killian Yes ___ No ___ Senators Present ___
Co-Sponsors: Ambika Murali First Reading ___
Natalie Abbot Second Reading ___
Will Horton

Vote Necessary: A two-thirds majority ASMSU Senate Speaker
ASMSU President
Intent: Update the Constitution Effective Date

XIV. JUDICIAL BRANCH

The Judicial Branch of ASMSU consists of one body, herein known as the ASMSU Judicial Council Supreme Court.

Duties XIV-i

ASMSU Justices shall:

- (a) Uphold the ASMSU Constitution and Bylaws;
(b) Interpret the ASMSU Constitution and Bylaws;
(c) Attend all meetings of the ASMSU Judicial Council Supreme Court. It is at the discretion of the ASMSU Chief Justice to decide if absences shall be excused or unexcused as outlined in the ASMSU Bylaws.

Powers XIV-ii

Judicial powers of ASMSU shall be vested in the ASMSU Judicial Council Supreme Court. All final appeals of ASMSU members shall be heard before the ASMSU Judicial Council Supreme Court as outlined in the ASMSU Bylaws.

Voting Members XIV-iii

The voting membership of the ASMSU Judicial Council Supreme Court shall be comprised of a set number of ASMSU Justices outlined in the Bylaws. The ASMSU Senate may increase the membership of the ASMSU Judicial Council Supreme Court to be no greater than thirteen and decrease it to no fewer than five. A decrease in the composition of the ASMSU Judicial Council Supreme Court shall be done through attrition. Each ASMSU Justice shall have one vote.

Appointment XIV-iv

45 ASMSU Justices shall be appointed by the ASMSU President, subject to confirmation by
46 a majority **two-thirds** vote of the ASMSU Senate.

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48 **Term** **XIV-v**

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50 Following appointment, ASMSU Justices shall be permitted to serve as long as they
51 remain an eligible ASMSU member.

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53 **Vacancy** **XIV-vi**

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55 In the case of vacancy, ASMSU Justices shall be appointed in the same manner as the
56 initial appointment outlined in section XIV-iv.

57 58 **IV. ASSOCIATED STUDENT POWER**

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60 **Student Bill System** **IV-v**

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62 Student bill forms will be made available by ASMSU. Completed bills shall be submitted
63 to the ASMSU office. Upon receipt ~~of~~ **of** the student bill form, the ASMSU Senate
64 Speaker shall appoint an ASMSU Senator to work with the student sponsor on the bill, in
65 order to write the bill. The appointed ASMSU Senator shall be responsible for finding the
66 requisite number of ASMSU Senate sponsors for the bill.

67 68 **VII. VICE PRESIDENT**

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70 **Election** **VII-iii**

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72 The ASMSU Vice President shall be elected by MSU-Bozeman students as outlined in
73 section **VI-iii**.

74 75 **IX. LEGISLATIVE BRANCH**

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77 **Powers** **IX-ii**

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79 Legislative powers of ASMSU shall be vested in the ASMSU Senate. Only the ASMSU
80 Senate has the power to create new programs, to remove existing programs, and to
81 establish or change the goals of any ASMSU organization. ~~All final budgetary decisions~~
82 ~~are to be made by the ASMSU Senate.~~ **The ASMSU Senate has the right to overrule all**
83 **budgetary recommendations.** The ASMSU Senate reserves the right to override the
84 ASMSU President's veto by a three-fourths majority vote at the next regularly scheduled
85 meeting following the announcement of the veto.

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87 ~~Legislative powers of ASMSU shall be vested in the ASMSU Senate. Only the ASMSU~~
88 ~~Senate has the power to create new programs, to remove existing programs, and to~~
89 ~~establish or change the goals of any ASMSU organization. All final budgetary decisions~~
90 ~~are to be made by the ASMSU Senate.~~

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Voting Members

IX-iii

The voting membership of the ASMSU Senate is to consist of twenty voting ASMSU Senators. Each member shall have one vote. The ASMSU Senate Speaker shall vote only to ~~break ties.~~ **make or break a tie or where such vote could be the deciding vote.**

XI. SENATE SPEAKER PRO TEMPORE

Duties

XI-ii

The ASMSU Senate Speaker Pro Tempore shall chair the ASMSU Finance Board, Registered Student Organization Funding Board, and fulfill duties set forth by the ASMSU Bylaws. In the absence of the ASMSU Senate Speaker, the ASMSU Senate Speaker Pro Tempore shall assume the responsibilities of the ASMSU Senate Speaker.

XII. SENATE JUDICIARY COMMITTEE

There shall be an ASMSU Senate Judiciary Committee.

Appointment

XII-i

The ASMSU Senate shall appoint three ASMSU Senators to serve on the ASMSU Senate Judiciary Committee by a majority vote. The ASMSU Senate Speaker shall chair the meetings and vote only to break ties.

Duties

XII-ii

The ASMSU Senate Judiciary Committee shall meet in order to review and submit updates to the ASMSU Constitution and Bylaws as needed. In the instance of a ~~Judicial Council~~ **Supreme Court** ruling, the committee shall submit proposed legislation to the ASMSU Senate.

XV. CHIEF JUSTICE

Appointment

XV-i

There shall be an ASMSU Chief Justice appointed from the membership of the ASMSU ~~Judicial Council~~ **Supreme Court** by the ASMSU President, subject to confirmation by a majority vote of the ASMSU Senate.

Duties

XV-ii

The ASMSU Chief Justice shall:

- (a) Chair meetings of the ASMSU ~~Judicial Council~~ **Supreme Court**;
- (b) Chair meetings of the ASMSU Senate during hearings regarding impeachment and
- ~~(c)~~ removal of ASMSU Officials of the Executive Branch and Legislative Branch;

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- 136 (dc) Hold custody of the current and all previous versions of the ASMSU Constitution
- 137 and Bylaws;
- 138 (ed) Deliver the Oath of Office to all incoming ASMSU Officials of the Executive
- 139 Branch and Legislative Branch;
- 140 (fe) Fulfill duties set forth in the ASMSU Bylaws.

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142 **XVI. APPOINTED OFFICIALS**

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144 Appointees shall not be empowered to act in their designated capacity until the ASMSU

145 Senate has confirmed the appointment by a majority vote. Further duties of all appointed

146 Officials as are outlined in the Bylaws.

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148 **XVIII. FISCAL POLICY**

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150 **General** **XVIII-i**

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152 The ASMSU Senate shall oversee the expenditure of ASMSU funds with the advice and

153 recommendations of the ASMSU Finance Board. No expenditures shall be made from

154 these funds for purposes outside the legitimate activities of ASMSU.

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156 **Finance Board** **XVIII-ii**

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158 The Finance Board may recommend any fiscal, operational, or management change to

159 any budget or request. It shall be the function of the ASMSU Finance Board to review all

160 financial requests made of ASMSU in accordance with the Bylaws.

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162 **Term** **XVI-iii**

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164 ASMSU Finance Board members shall serve a term of one year, coinciding with the

165 academic year.

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167 **Funded Organizations** **XVIII-iv**

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169 In order for an organization to receive funds annually from ASMSU, the organization

170 must be a recognized operation of ASMSU.

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172 **Senate Fiscal Powers** **XVIII-v**

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174 If the ASMSU Senate wishes to override a Finance Board recommendation for existing

175 ASMSU organizations, or fund an entity without a Finance Board recommendation, they

176 must do so by a two-thirds majority vote of the ASMSU Senate. The ASMSU Senate has

177 the right to ~~make all final budgeting decisions~~ **overrule all budgetary recommendations.**

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182 ~~XX. CONSTITUTION~~ **CONSTITUTION**

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184 **Amendment by referendum**

XX-i

185 Any member of the ASMSU Senate may propose amendments to this Constitution. If
186 passed by a two-thirds majority vote of the ASMSU Senate, then the proposed
187 referendum shall be submitted to MSU-Bozeman students at the next general election to
188 be voted upon.

189 **Amendment by initiative**

XX-ii

190 MSU-Bozeman students may propose amendments to this Constitution by an initiative as
191 outlined in section IV-ii.

192 **Enactment**

XX-iii

193 If ratified by a majority of MSU-Bozeman student voters, the amendment shall become a
194 part of this Constitution effective immediately.

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