

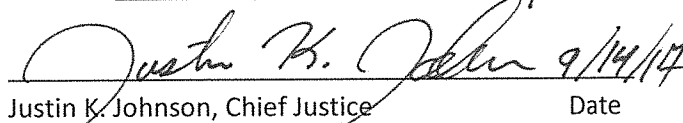
ASMSU Judicial Council Ruling: 2017-JC-010

Topic: Legislation Review

Yea 4 Nay 0 Justices Present 4

Record Number: 2017 -JC- 010

Ruling Date: September 12, 2017


Justin K. Johnson, Chief Justice Date 9/14/17

Main Cited Article(s):

- Article 3- Bylaws
- Article 6- Bylaws
- Article 14-Constitution



By the powers vested in the Judicial Council under the provisions established in Article 14 of the ASMSU Constitution, be it here established the ruling for reviewed legislation cited in submission for Judicial Council Review 2017-JC-010.

We, the Judicial Council for the Associated Students of Montana State University, find 2017-B-15 to be contiguous and in accordance with the ASMSU Bylaws and Constitution. There are no errors, corrections, or amendment recommendations from by the Council. 2017-B-15 was passed unanimously to allow the legislation to stand despite the suspension of first reading on the bill. It was found that Judicial Council review was still conducted, and no conflicts existed, so the legislation will stand.

Furthermore, the Council finds lines 4-9 on page 3 of 2017-B-16 to be in conflict with the established ASMSU directorship hiring practices of Article 3-2 of the ASMSU Bylaws. A recommendation is supported to move the desired hiring policies to Section 3-2 to maintain conformity with the ASMSU Bylaws. If legislation continues to add further directorship hiring committee stipulations, the Council recommends adding to Article 3-2 a statement to allow for the President to add further members to directorship hiring committees as they see fit- to maintain conformity across all positions. The following ruling will be enacted: 2017-B-16 is being ordered and required to be referred back to Senate Judiciary Committee if amendments are not made during the second reading to reflect the necessary changes as outlined above (removing lines 4-9 on page 3). Should the Judiciary Committee be the chosen body to make the amendments, then 2017-B-16 can be heard once again on the Senate floor for a second reading after Senate Judiciary Committee has made the necessary changes. If no changes are made on the open floor of Senate, or in Senate Judiciary Committee, then 2017-B-16 will become null and void.

Furthermore, the Council finds 2017-B-17 to be contiguous and in accordance with the ASMSU Bylaws and Constitution. There are no errors, corrections, or amendment recommendations from the Council. 2017-B-17 was passed unanimously to be sent to second reading on the floor of the ASMSU Senate.

Be it here established and declared this ruling for 2017-JC-010 to be enacted on September 12, 2017 which will be referred to: the ASMSU Senate, Kylar Clifton- President ASMSU, Marianne Brough- Director of the Office of Student Engagement, Scott Killian- ASMSU Senator.