Spring 2012

SB48-11/12: Amending Bylaws

Jenifer Gursky

Let us know how access to this document benefits you.
Follow this and additional works at: https://scholarworks.umt.edu/asum_resolutions

Recommended Citation
https://scholarworks.umt.edu/asum_resolutions/184

This Institutional Document is brought to you for free and open access by the Associated Students of the University of Montana (ASUM) at ScholarWorks at University of Montana. It has been accepted for inclusion in Resolutions, 2007-Present by an authorized administrator of ScholarWorks at University of Montana. For more information, please contact scholarworks@mso.umt.edu.
The Associated Students of the University of Montana
Resolution Amending Bylaws
March 28, 2012
Senate Bill Number: SB48-11/12

Authored by: Jenifer Gursky, ASUM President
Sponsored by: Asa Hohman, Travis Suzuki, and Topher Williams, ASUM Senators;
Richard LeCoultrte and Julie DeSoto, Students-at-Large; Jeff Edmunds,
ASUM Vice President; and Luke Sims, ASUM Business Manager

Whereas, a Constitutional Review Board (CRB) is provided for in Article 12 of the
Associated Students of The University of Montana’s (ASUM) constitution;
Whereas, all decisions made by the CRB are binding and appeals to CRB decision can
only be done in the form of a constitutional amendment;
Whereas, current guidelines found in the ASUM Constitution and By-Laws are vague;
Whereas, leadership of ASUM changes on a yearly basis and clear processes for
conducting a CRB would increase transparent participation;
Whereas, a process that is clearly directed by the ASUM Bylaws would encourage full
disclosure, transparency, and equal participation;

Therefore, Let It Be Resolved the Associated Students of The University of Montana
adopts the following subsections under Article IV – Committees and Boards, Section 5 of
the ASUM Bylaws:

A. The Constitutional Review Board shall be composed of five students, none of
whom may be members of the ASUM Senate, and up to two (2) ex-officio
attorneys to be selected from ASUM Legal and/or The University of Montana
Office of Legal Counsel. The ASUM President shall appoint the chair of the
Constitutional Review Board to be approved by a two-thirds (2/3) vote of the
ASUM Senate.

B. The Constitutional Review Board shall be responsible for recommending
amendments to the ASUM Constitution, as well as interpreting its meaning.
The Constitutional Review Board shall be the final arbiter of any
controversies concerning the ASUM Constitution or Bylaws.

C. There shall be a proponent and an opponent representative to argue their
respective sides. The opponent will be the author of the call for the
Constitutional Review Board. The proponent will be the author of the Bylaw,
or the supporter of the action called into question. In a situation where the
author is unavailable or unknown, the ASUM President will choose from any
supporters who apply, taking into account the wishes of the majority of the
proponent’s members.

D. The Constitutional Review Board shall be open to all members until the board
adjourns for deliberation.
E. Deliberation of the Constitutional Review Board shall be open only to the board members, the appointed ex-officio attorney(s) and the President of ASUM or his/her appointee.

F. Once a member has called for a Constitutional Review, the ASUM President shall have up to 15 working days to identify and call to order a Constitutional Review Board.

G. Public comment for the Constitutional Review Board proceeding shall occur before formal arguments for either side is made. The Constitutional Review Board Chair may place restrictions on public comment and must make public such restrictions within 24 hours of the Board’s convening. Any written comment to be entered into the record shall be received by the ASUM office and/or the ASUM President no later than 24 hours prior to the board’s convening or it shall not be considered, nor recorded.

H. All items intended to be submitted and used for evidence before the Constitutional Review Board shall be disclosed and submitted to the ASUM President or her/his appointed representative within 48 hours of the Constitutional Review Board’s convening. Upon receipt, the President shall make evidence available to the opposing parties.

1. All evidence used in the Constitutional Review Board shall be considered public and made available to the public by 5:00 p.m. upon the 15th working day, starting the first working day after the Constitutional Review Board’s convening.

J. Upon the determination of the Constitutional Review Board, witnesses may be called and approved by 4/5 vote of the Board’s membership. Witnesses are considered evidence and will be placed under disclosure guidelines.

K. Decision by the Constitutional Review Board shall be rendered to the ASUM President and the appointed legal counsel by 5:00 p.m. on the 5th working day following the hearing. Upon receipt, the ASUM President shall make the decision public and direct the decision be placed in official governing documents.

Passed by the Committee: ____________________________, 2012

Passed by the ASUM Senate: ____________________________, 2012

____________________________       __________________________
Travis Suzuki,                Jeffrey Edmunds,
Relations and Affairs Chair  Chair of the Senate