Spring 2011

SB43-10/11: Amending Bylaws

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The Associated Students of the University of Montana
Resolution Amending Bylaws
April 27, 2011
SB43-10/11
Authored by: Jake Yerger, ASUM Senator
Sponsored by: Kayla Hoggatt, ASUM Senator, Meghan Baker, ASUM Senator,
and Julie De Soto, ASUM Senator

Whereas ASUM bylaws Article 5, Section 2, Subsection 5 reads, “No ASUM-sponsored
organization shall be allowed to finance the campaign of any candidate for ASUM office, nor
may any individual finance the campaign of a candidate in the name of an ASUM-sponsored
organization;”

Whereas Montana state law includes a code of fair election practices, which states that, “There
are basic principles of decency, honesty and fair play that every candidate for public office in the
United States has a moral obligation to observe and uphold in order that…our citizens may
exercise their constitutional right to a free and untrammeled choice, and the will of the people
may be fully and clearly expressed…” (MCA 13-35-301);

Whereas the publication and distribution of flyers or any other campaign material portraying the
name, image or endorsement of any candidate running for elected office violates the basic
standards of fairness edified by Montana law, and inherent in ASUM’s own bylaws and
constitution;

Whereas any campaign material bearing the name, image or endorsement of a candidate qualifies
as an in-kind contributions and such contributions are prohibited by ASUM’s bylaws (Article 5,
Section 2, Subsection J);

Therefore, Let It Be Resolved that ASUM Bylaws shall be amended to include the following
items and which will read as follows:

Article 5, Section 2, Subsection 5

M. Any candidate who accepts a contribution in kind, or solicits such a contribution shall be
subject to sanctions up to and including disqualification. Any campaign undertaken on behalf of
a candidate or group of candidates by any third party shall be considered a contribution in kind,
and is prohibited by this policy. Such campaign activity includes, but is not limited to, flyers,
posters, banners or paid web material bearing a candidate’s name or image; newspaper
advertisements and editorials; or speeches made on behalf of a candidate or group of candidates.

Passed by Committee: _____________________________, 2011
Passed by ASUM Senate: __________________________, 2011

Travis Suzuki, Amanda Stovall,
Relations and Affairs Chair Chair of the Senate