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Spring 2011

### SB43-10/11: Amending Bylaws

Jake Yerger

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1                                   **The Associated Students of the University of Montana**  
2   **Resolution Amending Bylaws**

3   **April 27, 2011**

4   **SB43-10/11**

5   **Authored by: Jake Yerger, ASUM Senator**

6                                   **Sponsored by: Kayla Hoggatt, ASUM Senator, Meghan Baker, ASUM Senator,**  
7   **and Julie De Soto, ASUM Senator**

8  
9   Whereas ASUM bylaws Article 5, Section 2, Subsection 5 reads, “No ASUM-sponsored  
10 organization shall be allowed to finance the campaign of any candidate for ASUM office, nor  
11 may any individual finance the campaign of a candidate in the name of an ASUM-sponsored  
12 organization;”

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

19  
20   Whereas the publication and distribution of flyers or any other campaign material portraying the  
21 name, image or endorsement of any candidate running for elected office violates the basic  
22 standards of fairness edified by Montana law, and inherent in ASUM’s own bylaws and  
23 constitution;

24  
25   Whereas any campaign material bearing the name, image or endorsement of a candidate qualifies  
26 as an in-kind contributions *and* *such* contributions are prohibited by ASUM’s bylaws (Article 5,  
27 Section 2, Subsection J);

28  
29   Therefore, Let It Be Resolved that ASUM Bylaws shall be amended to include the following  
30 items *and which* will read as follows:

31  
32   Article 5, Section 2, Subsection 5

33  
34   M. Any candidate who accepts a contribution in kind, or solicits such a contribution shall be  
35 subject to sanctions up to and including disqualification. Any campaign undertaken on behalf of  
36 a candidate or group of candidates *by any third party* shall be considered a contribution in kind,  
37 and is prohibited ~~by this policy~~. Such campaign activity includes, but is not limited to, flyers,  
38 posters, banners or *paid* web material bearing a candidate’s name or image; newspaper  
39 advertisements and editorials; or speeches made on behalf of a candidate or group of candidates.

40  
41   Passed by Committee: \_\_\_\_\_, 2011

42   Passed by ASUM Senate: \_\_\_\_\_, 2011

43  
44   \_\_\_\_\_  
45   Travis Suzuki,  
Relations and Affairs Chair

\_\_\_\_\_  
Amanda Stovall,  
Chair of the Senate