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SB42-19/20: Resolution Regarding Referendum Language for Article 7 of the ASUM Constitution

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1 **The Associated Students of the University of Montana**
2 **Resolution Regarding Referendum Language for Article 7 of the ASUM Constitution**
3 **November 12, 2019**
4 **SB42-19/20**

5 **Authored by: Cierra Anderson, ASUM Senator; Noah Durnell, ASUM Senator; Brian**
6 **Fulton, ASUM Senator; Matthew Hurley, ASUM Senator; Christian Pfeifer, ASUM**
7 **Senator;**

8 **Sponsored by: Zoe Nelson, ASUM Senator;**
9

10 Whereas, A Constitution establishes a system of government, defines the powers and functions
11 of the institutions of government, provides limits to state and non-state action, and regulates the
12 relations between institutions and its people¹;

13
14 Whereas, The Constitution of the Associated Students of the University of Montana (ASUM)
15 regulates the interactions between students² of the University, members³, and the Associated
16 Government⁴;

17
18 Whereas, “ASUM shall be the representative body of the members of the Association, organized
19 exclusively for educational and non-profit purposes,” and “The primary responsibility of the
20 Association is to serve as an advocate for the general welfare of the students”⁵;

21
22 Whereas, The ASUM Constitution is in need of general revision, clarification, and updating to
23 reflect the values and needs of both students and the institution;

24
25 Whereas, Amendments to the Constitution would better serve the general welfare of students and
26 the functions of government;

27
28 Whereas, The ASUM Constitutional Revision Ad Hoc Committee was charged with exploring
29 amendments to the constitution to be enumerated and brought forth as amendments or revisions;

30
31 Whereas, ASUM increased the number of senate seats to twenty-six in 2011 to address
32 increasing enrollment;

33
34 Whereas, The number of students at the University of Montana has declined since ASUM
35 increased the number of senate seats;

36
37 Whereas, Making the number of seats available on Senate proportional to the number of students
38 enrolled at the University of Montana creates sustainable language within the Constitution and
39 would better serve student interests;

40

¹ Denis J. Galligan and Mila Versteedg. *Social and Political Foundations of Constitutions*.

² “Student” is “defined as anyone currently enrolled in the University of Montana,” in Article I, Section 3 of the Constitution.

³ “Member” is “defined as any Student Activity Fee paying student at the University of Montana,” in Article I, Section 2 of the Constitution.

⁴ The characteristics and functions of the Associated Government are defined in the ASUM Constitution, Article II.

⁵ ASUM Constitution. Article II, Section 1

41 Whereas, It is in ASUM's best interest to improve student engagement wherever possible on
42 campus;

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44 Whereas, The addition of a freshman seat will provide direct representation and ASUM
45 engagement for the University's freshman populace;

46
47 Whereas, Article 7 of the ASUM Constitution currently reads:

48
49 *Article 7: Elections*

50 ● *Section 1 . Only members as defined by Article I of this Constitution are eligible to hold*
51 *or run for any elective or appointed position in the Association, except for certain*
52 *initiatives defined in this Constitution. All students registered for one credit or more are*
53 *allowed to vote in any ASUM election. In order to hold any elective or appointed*
54 *position, a member must be in good standing, which is defined as maintaining a 2.0*
55 *cumulative grade point average. No person shall hold or be a candidate for any two of*
56 *the ASUM elective positions listed in Article 4, Section 2 at the same time.*

57 ● *Section 2 . Elective procedures shall be enumerated in the Bylaws.*

58 ● *Section 3 . Senators and Executives of the Association shall be elected during the*
59 *General Elections as specified in the ASUM Bylaws.*

60 ● *Section 4 . Election to ASUM Senate and Executive office shall require:*

61 ○ *(a) The Senate will be composed of twenty-six (26) candidates who receive the*
62 *largest number of votes in the ASUM General Elections.*

63 ■ *1. During the ASUM General Election one seat of the Senate shall be*
64 *reserved for the graduate student candidate with the largest number of*
65 *votes and one seat of the Senate shall be reserved for the Missoula*
66 *College candidate with the largest number of votes, should a candidate*
67 *from the respective constituency run.*

68 ○ *(b) The term of office for Senators and Executives shall extend from one (1)*
69 *week after the General Election until one (1) week after the following year's*
70 *General Election.;*

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72
73 Therefore, Let It Be Resolved that the following language be submitted to the student body as a
74 referendum during the General Election in Spring, 2020:

75
76 "Article 7 of the ASUM Constitution is in need of particular revision to address the elections of
77 ASUM as a governing body. The Constitution currently reads:

78
79 *Article 7: Elections*

80 ● *Section 1 . Only members as defined by Article I of this Constitution are eligible to hold*
81 *or run for any elective or appointed position in the Association, except for certain*
82 *initiatives defined in this Constitution. All students registered for one credit or more are*
83 *allowed to vote in any ASUM election. In order to hold any elective or appointed*
84 *position, a member must be in good standing, which is defined as maintaining a 2.0*
85 *cumulative grade point average. No person shall hold or be a candidate for any two of*
86 *the ASUM elective positions listed in Article 4, Section 2 at the same time.*

- Section 2 . Elective procedures shall be enumerated in the Bylaws.
- Section 3 . Senators and Executives of the Association shall be elected during the General Elections as specified in the ASUM Bylaws.
- Section 4 . Election to ASUM Senate and Executive office shall require:
 - (a) The Senate will be composed of twenty-six (26) candidates who receive the largest number of votes in the ASUM General Elections.
 - 1. During the ASUM General Election one seat of the Senate shall be reserved for the graduate student candidate with the largest number of votes and one seat of the Senate shall be reserved for the Missoula College candidate with the largest number of votes, should a candidate from the respective constituency run.
 - (b) The term of office for Senators and Executives shall extend from one (1) week after the General Election until one (1) week after the following year's General Election.

ASUM is proposing the following changes be made to Article 7. The changes will be reflected in bold:

Article 7: Elections

Section 1. Only members as defined by Article I of this Constitution are eligible to hold or run for any elective or appointed position in the Association, except for certain initiatives defined in this Constitution. All students registered for one credit or more are allowed to vote in any ASUM election. In order to hold any elective or appointed position, a member must be in good standing, which is defined as maintaining a 2.0 cumulative grade point average. No person shall hold or be a candidate for any two of the ASUM elective positions listed in Article 4, Section 2 at the same time.

Section 2. Elective procedures shall be enumerated in the Bylaws.

Section 3. Senators and Executives of the Association shall be elected during the General Elections as specified in the ASUM Bylaws.

Section 4. Election to ASUM Senate and Executive office shall require:

1. The Senate will be composed of a number of seats equal to the proportion set out in Article 4, Section 1(a), to be determined by the previous Fall Census Data. The students who receive the largest number of votes in the ASUM General Elections shall fill those seats.

a. During the ASUM General Election, one seat shall be reserved for the following demographics:

i. Graduate Students

ii. Missoula College Students

b. One seat shall be added on in the Fall Semester to be filled by Presidential appointment to be confirmed by two-thirds (2/3) of the Senate:

i. Freshman Students

2. The term of office for Senators and Executives shall extend from one (1) week after the General Election until one (1) week after the following year's General Election.

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Do you support these changes as a revision to the ASUM Constitution?

___ Yes, I support these changes to the ASUM Constitution.

___ No, I do not support these changes to the ASUM Constitution.”;

Therefore, Let It Be Further Resolved, That this resolution be sent to Grace Dunnehoff, Chair of Elections Committee.

Passed by Committee: December 1st, 2019

Passed by ASUM Senate: December 4th, 2019

Alexandra Akmal
Alexandra Akmal,
Chair of the Relations and Affairs Committee

Ethan Hanley
Ethan Hanley,
Chair of the Senate

Resolution Passed: 19 Yes 1 No 4 Abstentions