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Documents from the April 21, 1993 meeting of the Associated Students of the University of Montana (ASUM)

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ASUM SENATE AGENDA
April 21, 1993
6:00 P.M.
UC 114

1. Call Meeting to Order
2. Roll Call
3. Approval of Minutes - April 14, 1993
4. Public Comment
5. President's Report
 - a. ASUM Affairs
 - b. ADSUM
 - c. Constitutional Review Board
 - d. Last Meeting - April 28
 - e. Other Announcements
6. Vice President's Report
 - a. Committees
 - b. Barbeque
 - c. End-of-Year Party
 - d. General Announcements
7. Business Manager's Report
 - a. Mansfield Library Donation
8. Committee Reports
9. Old Business
 - a. Resolution to Prohibit Smoking in the University Center
 - b. Resolution to Establish a Conduct Code for Student Government
 - c. Resolution to Improve Bylaws and Elections Procedures
 - d. Resolution to Formula Fund ASUM's Budgeting Process
 - e. Resolution to Recognize Following Groups
 - f. Resolution to Re-Format Committee Configurations
 - g. Resolution to Donate One Dollar of Activity Fee to ASUM Clubs
 - h. Resolution for Fiscal Campaign Policy
10. New Business
11. Comments
12. Adjournment

ASUM SENATE TALLY SHEET

DATE

April 21, 1993

SENATE MEMBERS~~Donielle Boyle~~
REGINA ANDERSON

J. P. BETTS

JOLANE FLANIGAN

HEATHER GNEITING

JENNIFER GREENE

JULIE KELLER

CHRIS KING

ELIZABETH LARSON

TROY MASON

MICHAEL METCALF

DARREN OGLE

JENNIFER PANASUK

SHANNON PETERSEN

ALISON REDENIUS

JACKSON REDHORN

CHRIS RUFF

ANNIE THORGRIMSON

JASON WATSON

KRISTY WETTERLING

KENDRA WOOLEY

ROLL
CALL

✓		Y	Y					
✓		Y	Y					
✓		Y	N					
✓	absent 7:50	-	-					
✓	absent	Y	N					
✓	absent	-	-					
✓		a	Y					
✓		Y	Y					
✓		Y	N					
✓	leaving	-	-					
✓	un. present 7:50	Y	N					
✓		Y	Y					
✓		Y	Y					
✓	leaving	-	-					
✓	un. present 7:50	-	-					
✓		Y	Y					
✓	leaving 8:46	Y	-					
✓		Y	Y					
✓		Y	N					
✓		Y	Y					

ASUM OFFICERS

Patrick McCleary

President

Amanda Cook

Vice-President

Eric Hummel

Business Manager

✓		Y	Y					
✓		-	Y					
✓	un. present 7:50	-	Y					

FACULTY ADVISORS

PROFESSOR AUSLAND

✓		-	Y					
---	--	---	---	--	--	--	--	--

ASUM SENATE MINUTES

April 21, 1993

UC 114

6:00 p.m.

Chair Cook called the meeting to order at 6:07 p.m. Present: McCleary, Cook, Hummel (9:06), Betts, Boyle, Flanigan, Gneiting, Greene, King, Larson, Mason, Metcalf, Ogle (7:20), Panasuk, Petersen, Redenius, Ruff, Thorgrimson, Watson, Wetterling and Wooley. Unexcused: Keller and Redhorn.

The minutes of the April 14 meeting were approved as written.

Public Comment

Shannon Hill and Shawn Fast commented on the election recount which changed their status on Senate - Shawn moved on and Shannon moved off.

Michelle Mather questioned the vote counting procedure, to which Chair Larson responded.

Director of SPA Paula Rosenthal spoke on the seconded motion from SPA, need for Bylaws change regarding religious and partisan group funding and the Scantron inconsistencies.

President's Report

- a. McCleary commented on the ASUM Affairs Committee findings and left it up to Senate to carry it further if desired (Exhibits A1 and A2).
- b. The UM unveiling of the Disabilities Act Transition Plan will be in Mansfield Library 285 at 3 p.m. Wednesday, April 28.
- c. The Constitutional Review Board has met twice and will give a report at next week's meeting.
- d. McCleary congratulated the newly elected ASUM officers and noted that this administration's last meeting will be April 28, with the new administration taking over on Friday, April 30.
- e. The State Legislature will be reconsidering the sales tax and the UM business building. The Board of Regents will meet in Helena May 4 and 5. A Fee Oversight Plan is in the works. Commissioner Hutchinson will be on campus May 5 to evaluate President Dennison, See Betts if you are interested in participating.

Vice President's Report

- a. Cook nominated Karen Macaluso as a continuing University Court Committee member. Senate approved.
- b. The barbecue will be from 11:30-12:30 Wednesday, April 28 with a band playing from 12-1. See Amanda about costumes and sign-up to work.
- c. An end-of-the-year party will be held at McCleary's at 7:30 April 29.
- d. The Foresters will hold a spring dance at Lubrecht Forest on May 1. The Budget Planning Committee needs students to serve. See Cook for registration forms for a National Conference on Student Services to be held in San Francisco November 20-23.

Business Manager's Report

- a. After a lengthy deliberation, discussion, and friendly amendments, Senate approved a donation to the Mansfield Library in the amount of \$25,000 (Exhibit B).

Committee Reports

Elizabeth Larson reported that copies of the proposed Student Conduct Code will be available next week.

Elections Chair Elizabeth Larson explained the problems with Scantron counting of election results, which changed the ranking of the 20th, 21st and 22nd Senate candidates. A manual count will be made Sunday at 2 p.m. by eight individuals, to include Senators and Election Committee members. Senate approved the third count 20 - Fast, 21 - Hill, 22 - Reed contingent on the manual count.

(Ten-minute recess)

Pat McCleary reported the Campus Development Committee voted 10-4 to approve site 2 - north of Rankin Hall - for the Honors College.

UC Executive Board Chair Chris King moved and Senate passed to pull the Resolution to Prohibit Smoking in the University Center (Exhibit C) out of committee. Senate voted to uphold the referendum vote which indicated the desire to ban smoking in the UC by passing the resolution.

King reported that survey results on the UC Development Fee were 770 for and 110 against retaining it. The bond for this fee was paid off in advance with the agreement to sunset the fee at this point. Responding to the survey, Senate voted to keep the fee as outlined in Exhibit D.

Amanda Cook reported that the South Campus Development Committee will meet Wednesday, April 28, at noon in LA 103.

Old Business

- a. Resolution to Prohibit Smoking in the University Center - Passed under Committee Reports.
- b. Resolution to Establish a Conduct Code for Student Government (Exhibit F1 and F2) - Passed with a change to the Bylaws.
- c. Resolution to Improve Bylaws and Elections Procedures - Withdrawn.
- d. Resolution to Formula Fund ASUM's Budgeting Process - Withdrawn.
- e. Resolution to Recognize Specific Groups - Withdrawn.
- f. Resolution to Re-Format Committee Configurations - Withdrawn.
- g. Resolution to Donate One Dollar of Activity Fee to ASUM Clubs - Withdrawn.
- h. Resolution for Fiscal Campaign Policy - Withdrawn.
- i. Resolution on Campaign Finance Reform (Exhibit E) - Passed. (This came as a seconded motion from SPA.)

Senate Meeting
April 21
page three

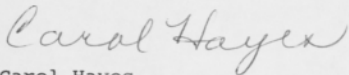
New Business

- a. Resolution to Support a Forum Debating the Wilderness Bill
- b. Resolution Endorsing an Increase in the Student Health Services Fee
- c. Resolution on Bylaws Change on Publications Board
- d. Resolution on Supporting Elections

Comments

The meeting was adjourned at 10:00 p.m.

Respectfully submitted,



Carol Hayes
ASUM Office Manager

MINUTES
ASUM AFFAIRS COMMITTEE
THURSDAY, APRIL 15, 1993
MAIN HALL 206 AT 5:00

MEMBERS PRESENT: ALISON REDENIUS (CHAIR)
ELIZABETH LARSON, SENATOR
CHRIS KING, SENATOR
HEATHER GNEITING, SENATOR
PATRICK MCCLEARY (EX-OFFICIO)
GREG FINE, STUDENT
TOM DAILEY, STUDENT

OTHERS PRESENT: JP BETTS KAREN COATES
KATIE ROBB TERRY PHILLIPS
RUSS NEVILLE MINDY MOON
CHRIS WARDEN SHANNON PETERSEN
JASON WATSON PAULA ROSENTHAL
ERIC HUMMEL

I called the meeting to order a little after 5:00. Jason gave his testimony first. Then Mindy Moon was called into the room and gave her testimony. Then Terry Phillips gave her testimony. Then Eric Hummel gave his testimony. Then Paula Rosenthal told us what she knew. Then questions were asked to Terry and Mindy. Then at 6:00 my committee heard closing comments from Chris Warden and Jason Watson. I then closed the meeting for deliberations. Greg Fine had to leave at approximately 6:30 so we decided to adjourn until Monday April 19, at 4:00 in Main Hall 206, to ask more questions of Jason Watson and Eric Hummel. Respectfully submitted by Alison Redenius
Further and more detailed minutes shall accompany the committees final recommendation.

MINUTES
ASUM AFFAIRS COMMITTEE
MONDAY APRIL 19, 1993
MAIN HALL 206

MEMBERS PRESENT: ALISON REDENIUS
ELIZABETH LARSON
CHRIS KING
HEATHER GNEITING
PATRICK MCCLEARY
TOM DAILEY

OTHERS PRESENT: JASON WATSON
ERIC HUMMEL
JOHN STUCKE
LINN PARISH

The meeting was called to order at 4:09. The committee questioned Linn Parish about what he knew. The committee then had some more questions for Eric Hummel. Then, John Stucke came in and told the committee what he knew. Jason gave his final comments and then the committee went into deliberations. The recommendations of the committee are as follows:

"The committee finds that there was either negligence involved or intentional misconduct. The committee cannot prove intent, but the committee can clearly see a pattern of possible intent. Since the committee cannot prove intent it can not really make a recommendation based on a pattern of possible intent. The committee is not exactly certain what happened. At the least Jason Watson and Eric Hummel have admitted negligence. At the most the possibility remains that either one or both is guilty of intentional misconduct. The committee recommends that the Senate look over all the documentation of the testimony, ask questions of members of the committee and render its own conclusion."

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montana Kaimin

INSERTION ORDER

Serving the University since 1898

Journalism 206
University of Montana
Business Office—243-6541
Display Advertising—243-4314

CUFS area: _____

Organization #: _____

Object code: 2309

Account name: SPA

Date: 4-9-93

☐ PREPAID ☒ ON ACCOUNT

ASUM groups (7000 ACCOUNTS ONLY)

Area: 660

Account Number: 7008

Object code: 2309

ASUM Accountant/Business Manager

ADDITIONAL INFORMATION: If you have any questions, problems, or need a proof, please call the Kaimin immediately. (243-6541)

- ☐ Copy on Hand
☐ Copy Attached
☐ Proof Needed, Time _____
☐ Tearsheets Required.

Date of Insertion	Size	# Inches	Unit Cost	PMT Charge	Total Cost	Ad Description
Tues. April 13	3x5	15	5.00	0	75.00	Gneiting/ Peterson

Total Inches 15

Net Due: 75.00

mm for BT

Prepared by

Authorized Signature

Salesperson

WHITE: Kaimin

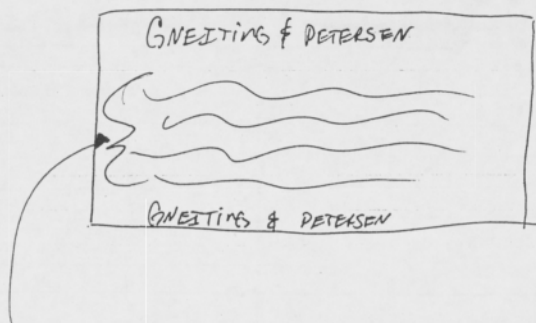
3 YELLOW: ASUM Acct.

PINK: Organization/Advertiser

—UM Printing Services

3x5

215
5
75



Center &
bold

Heather and Shannon have proven dedication and commitment to quality. They have helped NREPA become a thought in a lot of students' minds, passed a resolution to improve campus recycling, drafted a parking resolution, and have served on several ASUM and University committees. Currently, they have ~~a~~ a resolution to donate \$43,000 from ASUM zero based carryover to the Mansfield Library. Heather and Shannon represent a very diverse spectrum of students. If you feel like you are in this spectrum, vote for Heather and Shannon on April 14 and 15.

Paid for by FRIENDS of Gneiting & Peterson

Call if
you have
? about ad

JASON WATSON - 721-24326

Size: 3x5
ad rep: Barb
Run: Tues 4-13

The Committees Options and Procedures

The Committee will recommend to the Senate that they make a finding regarding the conduct of Jason Watson:

1. Watson can be cleared of any misconduct
2. Watson can be found to have been careless and negligent, and the Senate asked to reprimand him formally for it.
3. Watson can be found to have engaged in intentional misconduct, including misconduct regarding taking or use of funds. If it is found that Watson committed intentional acts of misconduct, the Committee may make a recommendation to the Senate that could include, but not be limited to, the following:
 - a. That Watson be asked to resign and apologize to the parties and organizations he wronged.
 - b. That Watson be formally impeached in expedited proceedings and forcibly removed from office for misconduct.
 - c. That the Senate take charges of financial misappropriation or other conduct to the Dean of Students to request that action be taken under the Student Conduct Code. The Senate could also recommend what they feel would be an appropriate penalty if the Conduct Committee makes a similar finding of misconduct. The Conduct Committee findings can result in discipline include suspension or permanent ejection from the University.
 - d. That the Senate formally take the information to the Missoula County Attorney to consider formal criminal charges in the event a crime has been committed.

COMMITTEE PROCEDURES

1. The Committee will approve of an order of proceedings.
2. The Committee will hear from all witnesses called by the Committee Chair, and any witnesses called by Watson. Witnesses will appear before the committee individually, without other witnesses in the room. Watson may also question all witnesses, along with members of the committee. It is anticipated that witnesses will include, but not be limited to, Jason Watson, Mindy Moon, Terry Phillips, Paula Rosenthal, Erick Hummel.
3. The Committee will discuss the evidence and reach their determination in closed session, but will announce their decision publicly in open session. This matter involves personnel and privacy.
4. The committee will reach its decision by majority vote. Its resolution will be non-binding on the Senate, and subject to normal rules of committee-Senate relations.

ASUM AFFAIRS
THURSDAY APRIL 15 AND MONDAY APRIL 19, 1993

Jason Watson gave his testimony first. He said that one night 4 out of the 5 College Republican Board sat around talking and decided to take out an ad for Gneiting/Petersen. He went to Carol and put in a line item justification to put all of College Republicans money into the line for advertising. Eric initialed it "about" three weeks before he went to place the ad. On Thursday Jason went to the Kaimin and placed the ad. That is where the confusion began, Jason said, because he is sure he said College Republicans and Mindy Moon, the woman at the Kaimin who took out the ad, thought he said SPA. Jason is sure he said College Republicans. Jason needed Eric's signature on the order to take out the ad so Mindy gave Jason the paper to have Eric sign it and told him to bring it back the next day. Jason said that the paper wasn't blank, it had been filled out, he just "overlooked" it. Jason concluded his testimony by saying that he had simply been careless with the procedure. There was no way that anybody on SPA wouldn't have caught the error, he said. And Jason said that Heather and Shannon were aware that the ad was being placed by College Republicans.

Mindy Moon gave her testimony next. Mindy said that Thursday afternoon Jason came in to place an ad in the Kaimin. They worked out the date and the size and the details of the ad, and arrived at a price of \$75. Mindy asked who the ad was to be billed to and, according to Mindy, she is sure Jason said SPA. Then she needed a signature from Eric, so she gave the completely filled out paper to Jason to bring back on Friday morning with Eric's signature. He brought it back in on Friday morning with the signature. However there was no account number on it so Mindy asked Jason the account number. Jason did not know it. So the office manager at the Kaimin, Terri Phillips, called Eric that Friday and left a message to get the account number. On Tuesday, Chris Warden came in to find out who had placed the ad. Mindy is adamant that Jason said SPA when asked who to bill the ad to. She is also adamant that the word SPA was on the paper when Eric signed it that night and when Jason was asked what the account number was. Jason came in that following Tuesday afternoon to apologize to Mindy for "blaming" her for what was happening now.

Terri Phillips was next. Eric didn't put the account number on the paper when he signed it so she called and left a message at ASUM for Eric to call her back since Carol was out of town. When Eric called her back, on "friday afternoon" she thinks because she was so surprised that he called back so soon, she is quite certain that she said an ad "for Gneiting and Petersen for SPA" had no account number. Eric gave her the number and that was that.

Eric Hummel was next. Eric began by saying that a couple of

weeks ago he signed something. On Monday he got a call from the Kaimin about the account number. Terri only mentioned SPA, he said and nothing else was said. When he signed the paper he said that it was a "blank check". Then he said that the top part was blank and the rest was filled out. When the committee showed Eric the form, he said that "it was pretty blank. I'm not entirely sure, but it did not contain SPA." Then Eric was questioned about when exactly he signed this, and he said Tues or Thurs, he's not quite sure. When questioned about what the paper contained again, Eric said that he only saw Jason's signature at the bottom of the paper.

Paula Rosenthal was next. Paula said that the ad for Tuesday's Kaimin had been taken out of her account and it shouldn't have been. Eric would never have authorized money out of SPA. Paula pointed out that the signature of Eric Hummel looked forged. She also said that when she asked Eric if he authorized it he said no. She immediately questioned Jason who said there must have been some mistake, let's go see Mindy Moon.

The committee then questioned Terri Phillips again and she said that she left a message for Eric on Friday and was pretty sure that he called back that day and took care of the account number. She is certain that she said Gneiting and Petersen was who the ad was for and the account was SPA.

At that point Chris Warden spoke just before the committee went into deliberations.

On Monday April 19, Linn Parish gave his testimony first. Linn said that Jason had come to him and asked him how he should put an ad into the Kaimin. Linn introduced Jason to Mindy Moon, whom Jason already knew from high school. Jason asked Linn how to word who paid for the ad and Linn said by friends of Gneiting and Petersen. Linn said that he was under the impression that Jason himself was going to pay for the ad. Jason never said to Linn who was going to pay for the ad.

Eric was the next person to testify. Heather asked Eric when he signed the paper that Jason had left for Eric. Eric said three or four days before it went in the paper. Then Eric was asked what the paper contained and Eric said that the paper had no acct. # and had no group responsible for payment. It "may" have had some Kaimin signatures but he wasn't sure. It did contain all the specifics of the ad, however. It was under his door and he picked it up and didn't look at it he just signed it. Eric was then showed the actual paper that he signed. Eric said that it looked as if someone had gone over it. Tom asked Eric if his pen had run out of ink and Eric said no. Then, upon further examination of the paper Eric said "oh, yeah, my pen did run out of ink." Then Eric was asked when he phoned Terri Phillips at the Kaimin with the acct.#. Eric was absolutely positive that he phoned her back on Monday.

John Stucke was next. Stucke was in the Kaimin office when Chris Warden came by in a "tiff". Chris told John that the ad wasn't quite right. Chris said that Mindy was mistaken about the ad, it should have said college republicans on it. Mindy went to the garbage can and removed it and looked on the paper that Jason had written about the ad and nowhere on it did there say College Republicans.

That was the end of the testimony.

Respectfully submitted Alison Redenius

Please note these are summations of the testimonies from notes taken during the meetings.

Date: April 21, 1993
To: ASUM Senators and Executives
From: Eric Hummel, ASUM Business Manager
RE: Allegations involving alleged misappropriation of ASUM funds

This morning, it came to my attention that the ASUM Affairs Committee has determined that I am negligent in the misuse of funds by the College Republicans. I regret that I cannot be present at tonight's Senate meeting until 8:30. However, I will make every attempt to come then, if the meeting is still in session, so that I may answer any questions people may have.

I understand the seriousness of the allegations being made against me, therefore, I would like to quickly explain my actions. Additionally, I want to express several procedural errors I believe have been committed by the ASUM Affairs Committee.

First, I understand that in effect I signed a "blank check." Jason informed me that he wanted to take out an ad for College Republicans. I knew that there were sufficient funds in the account and I approved the expenditure based on that knowledge. My signature is on the expenditure approval form. It appears to be signed twice because the pen that I used ran out of ink. From what I remember, no organization number or group name were on the form when I signed it. Jason said he would fill them in and I took his word. Several days later, the *Kaimin* called and asked for an organization number for SPA. I gave them the number assuming that it was for routine business.

After the past week, I realize that I erred by not filling in the entire form. I suppose I trusted more than I should have. The Committee is asking the Senate to come up with a recommendation for Senator Watson and myself. I ask that I be present before any final determination by the Senate is made. At least then I will have the opportunity to confront my accuser.

Throughout the Committee's investigation, I was repeatedly assured that the investigation was being conducted on Senator Watson. Imagine my surprise when I was found to be negligent too! I never received the opportunity to confront or question any of the other witnesses. No wonder that witnesses' stories conflict. Before the remainder of the Senate determines if any wrongdoing has occurred, please allow me to go through the same process that Senator Watson has already done.

Mansfield Library Funding Act of 1993

Whereas, the Mansfield Library benefits a large segment of The University of Montana student population

Whereas, the Mansfield Library continually demonstrates a lack of funding, and

Whereas, ASUM currently has a carryover account that contains approximately \$180,000.

Therefore, be it resolved that ASUM donate \$25,000 in celebration of The University of Montana's centennial anniversary to the Mansfield library for the purpose of purchasing \$15,000 in books, journals and periodicals and \$10,000 in computers for students use in gathering research information (ie. interlibrary loans not furniture). Furthermore, ASUM challenges the student senate of 2093 to match our gift with an additional appropriate level of inflation for 100 years. Finally, ASUM challenges both President Dennison and the future President of The University of Montana to match their respective senate's gifts in the spirit of their centennial anniversaries.

Sponsored by:
Eric Hummel ASUM Business Manager
Christopher Ruff Senator

Resolution to Prohibit Smoking in the University Center

Be it resolved that ASUM requires smoking to be abolished in the University Center effective July 1, 1993.

Sponsored by
Chris Ruff

MOTION ON A UC RENOVATION FEE

1. Approval of Spring 1993 Referendum on a UC Renovation Fee;
2. Approval of a new UC Renovation Fee not to exceed \$10 and to follow the language of the 1986 UC Development Fee;
3. Fee to begin as soon as Fall Semester 1993.

RESOLUTION ON CAMPAIGN FINANCE REFORM

WHEREAS ASUM funds were used to finance candidate's campaigns in the 1993 ASUM General Election, and

WHEREAS such funds were not allocated to ASUM groups for this purpose,

BE IT RESOLVED to add the following amendment to Article V. Section 3 of the ASUM Bylaws.

J. No ASUM activity fee monies shall be used to finance the campaign of any candidate for ASUM office.

SPONSORED BY: MICHAEL METCALF
ALISON REDENIUS

RESOLUTION TO ESTABLISH A CONDUCT CODE FOR STUDENT GOVERNMENT

WHEREAS It is of paramount importance that certain rules of behavior be observed by ASUM Senators, Executives, and Committee members--while acting in a governing capacity--in order to maintain the respect of the administration and of the campus community at large, and

WHEREAS It has been witnessed that these implied rules of etiquette and behavior have, at certain times in connection with the convening of student government, been ignored, and

WHEREAS There is no formal code of conduct set out for the governing of behavior pertaining to Senators, Executives, and appoint Committee members of ASUM, and

WHEREAS Such a code would be beneficial to the too often overlooked dignity of ASUM government, and

WHEREAS This code would be aimed to protect the interests of both the representatives and the represented, therefore

BE IT RESOLVED That the ASUM Senate take action to implement a code of conduct into the ASUM bylaws which will work to demand accountability, responsibility, and personal control of all student members while they are within the chambers of their respected offices.

Sponsored by: Elizabeth Larson
Amanda Cook

ARTICLE IX

Code of Conduct for Student Government

Certain rules of behavior shall be observed by ASUM Senators, Executives, at large student committee members, and any other individual(s) while acting in a representative capacity in the student government of ASUM. The fundamental aims of any code of conduct for student government are: maintaining the dignity of the ASUM government, enforcing accountability to its constituency, retaining the respect of the university administration, and pursuing an atmosphere for open, fair, and informed discussion.

Section 1. While in the Senate chamber, Senators and Executives will be expected to show respect for their offices by participating in meetings free of the influence of controlled substances (i.e. alcohol, drugs), since this would significantly affect their judgment and capability to perform their duties as defined in the ASUM By-laws and Constitution.

Section 2. While acting in their capacity as elected representatives, ASUM Executives, Senators, and committee members are expected to observe decorum in their interactions with other members of student government and with the members of their student constituency.

Section 3. Any member of student government who refuses to abide by reasonable rules of conduct (while engaged in activities associated with student government) shall be subject to disciplinary action by the ASUM Senate.

Section 4. DISCIPLINARY ACTIONS

A) At-Large Students: The first breach of this code will result in a warning from the ASUM Senate. The second incident will result in removal from all offices and duties related to ASUM.

B) Senators and Executives: The first report of misconduct will result in the individual receiving a written warning from 1) the President of ASUM, or 2) the Senate body as a whole. The second incident will result in a formal resolution of censure, passed by a 2/3 majority vote of the Senate, being delivered to the individual in question. Upon the third incident, the Senate may impeach and remove from office the individual by a 2/3 majority vote.