

CONSTITUTION

THE ASSOCIATED STUDENTS OF MONTANA TECH

As Amended: April 2016

TABLE OF CONTENTS

Preamble		2
Article 1.	Name	2
Article 2.	Membership	2
Article 3.	Management & Structure	2
Article 4.	Executive Branch & Terms of Office	2
Article 5.	Duties & Responsibilities of the Executive Officers	4
	ASMT President.....	4
	ASMT Vice President.....	5
	ASMT Treasurer.....	6
Article 6.	Legislative Branch	7
	Freshman Class Senators	7
	Senators at Large.....	7
	Graduate Student Senator	7
	COT Senator	7
	Advisors to the ASMT Senate	7
	Qualifications of all ASMT Senators.....	8
	Duties of Senators	8
	Powers of Senate.....	9
	Senate Meetings, Quorum, Rules, and Proxies.....	9
	Overriding President's Veto	9
Article 7.	Judiciary Branch	10
	College Community Expectations Program.....	12
Article 8.	Finance	12
	General Fund.....	12
	Budgeted Fund	13
	Academic Year Allocations	13
	Contingency Fund.....	13
	Powers and Disclaimers of ASMT	14
Article 9.	Elections.....	15
Article 10.	Resignations & Removal from Office	16
	Absences	16
	Executive Cabinet Vacancies.....	17
	Recall	17
	Impeachment.....	17
Article 11.	Initiative Referendum	17
Article 12.	Amendments	18
Article 13.	By-Laws	19
Article 14.	Severability	19
Article 15.	Approval of ASMT Constitution	20
Appendix A	Amendment History.....	21

CONSTITUTION OF THE ASSOCIATED STUDENTS OF MONTANA TECH

Preamble

We, the Associated Students of Montana Tech in order to encourage constructive relationships among the students, the faculty, and the administration; to supplement and complement formal education on the Montana Tech campus; to represent student interests, needs and welfare within the college campus; to provide for the expression of student opinion and interests to the community at large on issues affecting student life; and to protect the privileges and rights of students herein stated, do hereby establish and affirm this constitution for the Associated Students of Montana Tech (ASMT).

ARTICLE 1. - Name

The name of this association shall be the Associated Students of Montana Tech, hereinafter called ASMT.

ARTICLE 2. - Membership

All registered students of Montana Tech enrolled for one (1) or more credits, and only such persons, shall be members of the Association. As members, they shall be entitled to vote, to hold office in the Association if qualifications for candidacy are met, be entitled to participate in the programs and activities provided by ASMT, and to exercise the various rights and privileges of membership.

ARTICLE 3. - Management and Structure

- Sec 1. The management of ASMT shall be vested in the Executive Branch, which shall employ necessary staff and shall maintain student administration as hereinafter provided.
- Sec. 2 The ASMT shall function through the Executive Branch, the Legislative Branch, and the Judiciary Council.
- Sec. 3 All officers and branches shall have the primary duties of determining and representing student opinion and executing appropriate action.

ARTICLE 4. - Executive Branch & Terms of Office

- Sec. 1 The Executive Branch shall administer the affairs of ASMT. It shall enforce and put into effect all statutes duly passed by the Legislative Branch. The Executive Branch shall consist of the following:

- A. Executive Cabinet
- B. Executive councils, boards, and bureaus appointed by and responsible to the Executive Cabinet.

Sec. 2 The Executive Cabinet shall consist of the following:

A. Officers:

ASMT President
ASMT Vice President
ASMT Treasurer

B. Advisory Staff:

Administrative Advisor to the ASMT Senate
Faculty Advisor to the ASMT Senate

Sec. 3 All members of the Executive Cabinet shall serve with voice and vote, except the Advisory Staff, who serve with voice only.

Sec. 4 Qualifications and terms of office of Executive Cabinet.

- A. The Officers shall be enrolled for twelve (12) semester credits at the time of their election and shall maintain at least twelve (12) credit hours during their term of office. The Officers shall have at the time of their election and maintain throughout their term of office a cumulative grade point average of at least 2.00.
- B. The President after the completion of the semester which he/she is elected to office shall be in at least a junior standing. The Vice-President and Treasurer after the completion of the semester which he/she is elected to office shall be in at least a junior standing. In the event that there are no qualifying candidates, the Senate can override any class standing qualifications.
- C. The Officers shall have been members of the ASMT senate one (1) semester preceding assumption of office.
- D. The Officers' term of office shall begin during the month of May of the spring semester of the year in which they are elected. The term of office shall end during the month of May after inauguration ceremonies.
- E. No ASMT officer shall hold any stipend position that is directly

funded, controlled or overseen by the ASMT senate.

Sec. 5

The duties and responsibilities of the Executive Cabinet are:

- A. To meet at least once every other week during the academic year at a specified time and place. All three ASMT officers must be present to constitute a quorum.
- B. To recommend legislation to the Senate.
- C. To hire student government support staff (non-students). For college administrative purposes, the supervisor of such support staff shall be the Director of Student Activities. Members of support staff may be removed by a recommendation of two-thirds (2/3) of the voting members of the Executive Cabinet to the Director of Student Activities and subsequent concurrence of the Director of Student Activities.
- D. To establish councils, committees, boards, and bureaus to take action on any matter within the jurisdiction of ASMT that may not be covered by statute or ASMT Senate By-Laws, providing such action is reported to the Senate at the next Senate meeting. Senate may, at that time, take appropriate action as necessary.
- E. To serve as the ASMT Financial Board and make recommendations on all ASMT budget allocations to the ASMT Senate.
- F. To attend all Senate meetings unless absence is directly related to other Executive Cabinet position requirements or unless absence is excused as determined by the remaining Executive Cabinet Members. Any Executive Cabinet member shall be removed from office on his/her third (3rd) unexcused absence per semester from any Senate meetings or third (3rd) unexcused absence per semester from the respective committee of which that Executive officer is a member.

ARTICLE 5. - Duties and Responsibilities of the Executive Officers

Sec. 1

The ASMT President:

- A. Shall act as the official representative of ASMT at all times during his/her term of office.
- B. Be the means of communication between the administration or faculty and ASMT.
- C. Have the authority to request and receive reports as necessary.

- D. Serve as Chairperson of the Executive Cabinet.
- E. Shall appoint student members to campus-wide committees as required and assist in the coordination of said committees, and shall promote student participation therein with the approval of the Executive Cabinet and/or Student Senate.
- F. Has the power to veto all approved ASMT bills and resolutions. Veto may be overridden by the ASMT Senate by three-fourths (3/4) majority of all votes cast.
- G. Be responsible for the public relations of ASMT.
- H. Act as the official ASMT representative in all statewide student organizations.
- I. To serve as a voting member of the Montana Associated Students (M.A.S.).
- J. Shall establish a minimum of five (5) office hours per academic week during the semester (office hours can be scheduled 8 a.m. to 5 p.m., Monday through Friday) not including any regular Senate-related meetings.

Sec. 2

The ASMT Vice President:

- A. Shall assume the President's duties in his/her absence, if said absence impairs the functioning ability of ASMT.
- B. Develop Senate agendas and call all meetings, regular or special. He or she must notify senators of senate meetings two (2) days prior to a meeting.
- C. Serve as Chairperson of the Student Publication Board of Montana Tech.
- D. Be the Presiding Officer of the ASMT Senate. In the event of physical absence or when the ASMT Vice President wishes to enter debate, the gavel will be passed to another member of the Executive Cabinet.
- E. Be responsible for overseeing all ASMT elections.
- F. Shall establish a minimum of five (5) office hours per academic week

during the semester (office hours can be scheduled between 8 a.m. and 5 p.m., Monday through Friday) not including any regular Senate related meetings.

- G. Fulfill other duties as assigned by the ASMT President
- H. To serve as a voting member of the Montana Associated Students (MAS)

Sec. 3

The ASMT Treasurer/Secretary:

- A. Shall be responsible to the ASMT Senate for the management of the business and financial affairs of the ASMT, and shall keep the Executive Cabinet and the Student Senate apprised of the financial condition of the ASMT.
- B. Shall, as fund controller of all student accounts, endorse all expenditures of funds with the consent of the ASMT President. In emergency situations when the ASMT Treasurer is absent, the ASMT President shall act temporarily as fund controller and review all expenditures of funds with the consent of the ASMT Vice President, until the ASMT Treasurer can resume his/her duties.
- C. Shall provide financial leadership relating to business and financial matters, and serve as financial advisor to the Executive Cabinet and the Student Senate.
- D. Shall be the chairperson of all boards, commissions or committees created by the Constitution or by Student Senate relating to business or financial matters.
- E. Shall be responsible for providing detailed monthly accounting reports for each ASMT-funded account and shall perform audits of said accounts at his/her discretion.
- F. Shall meet with the business staff to verify all ASMT accounts.
- G. Shall establish five (5) office hours per academic week during the semester (office hours can be scheduled from 8 a.m. to 5 p.m., Monday through Friday) not including any regular Senate-related meetings.
- H. Fulfill other duties as assigned by the ASMT President or Student Senate.
- I. Shall be responsible for providing ASMT minutes and extenuation Secretarial duties.

ARTICLE 6. - Legislative Branch

Sec. 1 The Legislative Branch shall consist of the Student Senate. Its membership shall be as follows:

- A. The ASMT Vice President, who shall be the Presiding Officer of the Senate.
- B. Two (2) Senators from the North Campus freshman class elected by the student body in the fall of each year. The term of office begins upon the day of being elected and ends on the day immediately following the final academic day of spring semester. In the event the positions cannot initially be filled, or in the event the positions become open during the year, the candidates shall have the same qualifications as the senator-at-large requirements. Preference will be given to freshman students.
- C. Nine (9) Senators-at-Large, elected by the entire student body in April of each year. The term of office shall begin during the month of May of the spring semester of the year in which they are elected. The term of office shall end during the month of May after inauguration
- D. One (1) graduate student elected by the ~~entire~~ student body. In the event the position cannot initially be filled, or in the event the position becomes open during the year, the candidate shall have the same qualifications as the senator-at-large require. Preference will be given to graduate students.
- E. One (1) student from the Highlands College elected by the students of the Highlands College. The election shall take place at the same time as the North Campus. In the event that the position becomes vacant during the academic year, the Executive Officers of the Highlands College shall appoint a replacement.

Sec. 2 Advisors to the ASMT Senate shall be:

- A. One Faculty Advisor to be appointed by the ASMT Executive Cabinet with the majority consent of the ASMT Senate.
- B. One Administrative Advisor appointed by the Chief Executive of the College, with the final consent of a majority vote from the Executive Cabinet and the ASMT Senate.

Sec. 3 The voting membership shall consist of all ASMT Senators. The Presiding Officer shall vote only in the case of a tie. Advisory members shall serve by voice only.

Sec. 4 Qualifications for all ASMT Senators:

- A. Shall be members of the Associated Students (carry twelve (12) or more semester hour credits) during both the semester of election and during the term of office.
- B. Shall at the time of election and maintain throughout their term of office a cumulative grade point average of at least 2.00.
- C. Shall be in good academic standing at Montana Tech. Good standing shall be defined as not being on academic or disciplinary probation. Academic probation will be determined by the student's cumulative GPA. The cumulative GPA shall be determined by the most current records in the Registrar's Office. Special arrangements with professors which may affect the GPA will not be considered.
- D. Shall have attended Montana Tech for at least one (1) semester within the calendar year prior to the election (freshmen senators are exempt).
- E. No ASMT Senator shall hold any director position that is directly funded, controlled or overseen by the ASMT Senate, as defined in the ASMT by-laws. IF a Senator hold any position other than Director he/she is expected to abstain should an issue arise which might constitute a conflict of interest.
- F. The status of freshman senators shall be determined by the Registrar's Office prior to their election.
- G. The status of graduate senators shall be determined by the Registrar's Office prior to their election.

Sec. 5 Duties of ASMT Senators:

- A. Attend all ASMT Senate meetings as required by Article 10 of this Constitution.
- B. Attend all ASMT Senate committee meetings as required by Article 10 of this Constitution.
- C. Attend all ASMT Senate retreats (exceptions granted by the

Executive Cabinet).

- D. Fulfill other duties as assigned by the Executive Cabinet or the majority of the ASMT Senate.

Sec. 6 The legislative and budgetary power of ASMT shall be vested in the ASMT Senate, which has the power to:

- A. Meet during the month of April to conduct hearings for and approval of the next year's ASMT budget, subject to item veto by the ASMT President, which veto may be overridden by a three-fourths (3/4) majority of the votes cast by Senate.
- B. Adopt by-laws for ASMT and make revisions to them.
- C. Assume whatever additional responsibilities it deems necessary to fulfill its obligations to students, faculty, and/or administration.
- D. Require reports from the Executive Cabinet and any or all other entities of ASMT; to investigate, adopt resolutions and to perform all normal legislative functions on matters within the jurisdiction of ASMT.

Sec. 7 The ASMT Senate shall meet at least once every two (2) weeks during the academic year at a specified time and place. Special meetings may be called by the Presiding Officer of the Senate or by a petition signed by a majority of the membership of the Senate.

Sec. 8 A simple majority of all filled Senate member positions shall constitute a quorum. Should filled Senate membership fall below seven (7), the remaining members must elect new senators to fill vacancies prior to conducting any business (see Article 9, Section 6).

Sec. 9 The ASMT Executive Cabinet, the ASMT Senate and ASMT Committee meeting shall be governed by Robert's Rules of Order, latest edition. When Robert's Rules of Order and the ASMT Constitution or ASMT By-Laws conflict, the ASMT Constitution shall prevail.

Sec. 10 No Senator may hold more than one (1) proxy vote during any ASMT Senate meeting. Proxies can count for all votes taken in the Senate meetings. Senators shall sign all written ballots.

Sec. 11 The Senate shall have the power to override the ASMT President's veto with a three-fourths (3/4) majority of the votes cast no later than the next regularly-scheduled meeting of Senate during the academic year.

ARTICLE 7. - Judiciary Branch

- Sec. 1 The judicial power of ASMT shall be vested in the Judiciary Council.
- Sec. 2 Membership of the Judiciary Council
- A. The council shall consist of seven (7) members as follows:
- Item 1. Five (5) students shall be appointed by the incumbent ASMT Executive Cabinet with the advise and consent of the ASMT Senate. These appointments require a three-fourths (3/4) majority of votes cast by the Senate.
- Item 2. One (1) Faculty member appointed by the ASMT Executive Cabinet with the advice and consent of the ASMT Senate. Senate approval shall require a three-fourths (3/4) majority. The faculty member shall be under the same term conditions as those in Article 7, Section 3C. The Faculty member shall serve in an ex-officio capacity only.
- Item 3. One (1) seat shall be held by the Dean of Students. He/she will serve in an ex-officio capacity only.
- Sec. 3 A. The incumbent ASMT Executive Cabinet, with the advice and consent of the ASMT Senate, shall appoint replacements for student vacancies on the Judiciary Council. These vacancies shall be filled within ten (10) academic days after the vacancy is known to exist, as provided for in Article 7, Section 2-A, Item 1 above.
- B. If the Faculty member should resign, the ASMT Executive cabinet, with the advice and consent of the ASMT Senate, shall appoint a successor. Should the Dean of Students resign, the ASMT Executive Cabinet, with the advice and consent of the ASMT Senate, shall appoint a temporary successor to serve until a new Dean of Students assumes said duties. Senate approval requires a three-fourths (3/4) majority.

- C. The appointment/approval process must be completed before the Freshman Elections are held each school year. Terms begin immediately after completion of the appointment/approval process and end as soon as the new Judiciary Council is approved the following year.
- D. If any party to a dispute before the Judiciary Council challenges a member of the Council for conflict of interest, and the council deems said conflict reasonable, that member shall be ineligible to serve on the Judiciary Council for that dispute.
- E. No member of the Judiciary Council shall be a member, advisory or regular, of Student Senate. In addition no member of the Judiciary Council shall be a Director of any entity funded in the ASMT By-Laws. These conditions must be true for all members of the Judiciary Council.
- F. Student members shall have at the time of appointment and maintain throughout their terms of office, a cumulative grade point average of at least 2.00; shall have attended Montana Tech for the two (2) semesters immediately preceding their appointment; and shall be members of the ASMT during both the semester of appointment and term of office.
- G. The incumbent ASMT Executive Cabinet members and ASMT Senators shall not be eligible for appointment to the Judiciary Council.

Sec. 4

Upon completion of the appointment process of Judiciary Council, Faculty Member and Dean of Students shall call a meeting of the Judiciary Council, at which meeting the members of Judiciary Council shall elect one of its members as Chairperson. His/her responsibilities shall be:

- A. To call meetings of the Judiciary Council.
- B. The Chairperson is mandated to convene a meeting within five (5) academic days of receiving a request signed by six (6) members of the ASMT Senate, or a petition signed by 10% of the members of the Associated Students, or a request from the Executive Cabinet.
- C. To give notice of the meeting to all parties of the issues to be dealt with at that meeting.
- D. To control the meeting of Judiciary Council through granting equal, limited floor time to the contending parties (and/or their

representatives) and through granting time to members of Judiciary Council to ask questions.

- Sec. 5 Duties and Responsibilities of the Judiciary Council shall be:
- A. To interpret the Constitution or make rulings on any action taken under said Constitution.
 - B. To try cases of impeachment excluding those impeachments of Judiciary Council members, in which case the Executive Cabinet will decide the impeachment cases.
 - C. It will be the duty of the Judicial Board to make the final decision in any student cases that are elevated to the attention of the Board, as long as this decision is in the best interest of the student and abides by campus discipline policies.

- Sec. 6 Meetings
- A. Meetings shall take place in order to fulfill the requirements of appointing a Chairperson, and to hear cases brought before the Council through proper channels.
 - B. A quorum of three (3) members must be present to make any official ruling(s). Ruling(s) must be approved by a majority vote of the Council members present. If the quorum is lost, the Chairperson shall adjourn the meeting and call a new meeting to be held within ten (10) academic days.

- Sec. 7 Binding Authority
- A. The parties involved will be bound to accept any ruling by the Judiciary Council made in accordance with this article.
 - B. All rulings will remain in effect until superseded by Constitutional change or a subsequent ruling by the Judiciary Council.
 - C. The five (5) student members of the Judicial Council shall serve as voting members on the College Community Expectations Program (in accordance with campus policy). For more information on the College Community Expectations Program contact the Dean of Students.

ARTICLE 8. - Finance

- Sec. 1 The Associated Student Activity Fee is the fee paid by all registered students of Montana Tech for the financing of student activity areas as approved by the Board of Regents.
- Sec. 2 In order to initiate a change in the Associated Student Activity Fees, a referendum election must be held and the proposal Activity Fee must be approved by a majority of the votes cast by the members of the Association.
- Sec. 3 ASMT Funds
- A. The **General Fund** shall be derived from the total money collected from the Associated Student Activity Fees. The General Fund shall be divided into the Budgeted Fund and the Contingency Fund.
- B. The **Budgeted Fund**
- Item 1. **Academic year allocations** shall normally not exceed the total amount of Associated Student Activity Fees collected (as determined by the college business office) for the previous year.
- Item 2. In the event the ASMT Senate determines that they have valid requests for funds exceeding the previous year's collections, they may, by separate resolution, approved by a three-fourths (3/4) majority of the votes cast, agree to exceed the previous year's collections by an amount not to exceed ten percent (10%) of said previous year's collections, should such money be available in the Contingency Fund.
- Item 3. Final allocation of ASMT funds shall be determined by the Student Senate after receiving recommendations from the Executive Cabinet.
- C. The **Contingency Fund** must maintain a minimum balance through April 1 of each year of three thousand dollars (\$3000.00).
- Sec. 4 The Treasurer of ASMT shall be fund controller for ~~all~~ student accounts. The ASMT President shall act as fund controller in the absence of the ASMT Treasurer.

- Sec. 5 The Student Senate must pass all budget allocations with a three-fourths (3/4) majority of the votes cast.
- Sec. 6 There shall be no earmarking of student fees. Earmarking is defined as pre-allocating funds or a percentage of funds to any student account prior to budget hearings.
- Sec. 7 A base stipend shall be established each year during budget hearings for the following year and shall not be changed during that year.
- Sec. 8 Powers and Disclaimers of ASMT Student Government
- A. The ASMT Treasurer shall have access to pertinent information regarding any funded area.
 - B. All budgeted money remaining in non-club accounts at the end of the fiscal year according to the final fiscal year-end report (as determined by the College business office), shall remain in those ASMT accounts. The ASMT Senate may reallocate the end of the year balances by a two-thirds (2/3) majority of all votes cast.
 - D. Any club receiving ASMT appropriations shall be required to report to the ASMT Treasurer as to how funds were spent.
 - E. The ASMT Treasurer, with the advice and consent of the ASMT Executive Cabinet, shall have the authority to temporarily freeze any ASMT account for a negative balance pending a resolution to the issue.
 - E. All programs, activities, and ASMT entities that are funded, either partially or fully, by Associated Student Activity Fee money shall be required to declare its use through the designation of a logo, written declaration, or spoken words.
- Sec. 9 Requests to establish new student club accounts must be submitted by the fund controller to the Executive Cabinet for approval. Clubs may not have more than one account without prior Senate approval.
- Sec. 10 Requests for expenditure of funds from any student activity accounts must be initiated by the account's club executives and then submitted through the SUB Office. If the club actions are in question by the SUB Office the ASMT Treasurer will be summoned for approval. Additionally, the ASMT Treasurer will inspect the list of requests once a week to insure proper fund uses.

ARTICLE 9. - Elections

- Sec. 1 All members of ASMT are entitled to vote in any election.
- Sec. 2 A fall semester election shall be held within three (3) weeks after classes convene to elect the two (2) freshmen senators and the one (1) graduate student senator.
- Sec. 3 An annual Spring election shall be held to elect the ASMT President, ASMT Vice President, and ASMT Treasurer.
- A. New Officers of the Executive Cabinet shall be non-voting members of the Executive Cabinet from the time they are elected until they officially assume office.
- B. Officers elected in the spring election shall officially assume office during the month of May of the spring semester of each year.
- Sec. 4 The annual spring election shall be held during the month of April to elect the nine (9) Senators-at-Large. To be elected to the position of ASMT Senator, a candidate must receive a minimum of fifty (50) votes. The nine (9) students receiving the highest number of votes above the minimum shall be elected. In the case of a tie vote for the nine (9) Senator-at-large positions, the ASMT Senate shall vote and the candidate receiving the majority of the votes shall be elected.
- A. New members of the ASMT Senate elected at the annual spring election shall be non-voting members of the ASMT Senate from the time they are elected until they officially assume office.
- B. Members elected in the annual spring election shall officially assume office during the month of May of the spring semester of each year.
- C. If an at large position is vacant, it may be included in the fall election.
- Sec. 5 A person shall hold only one ASMT elected office in an official capacity per academic school year.
- Sec. 6 In the event that a vacancy occurs on the Senate during the academic year, the position will be advertised ~~in the student newspaper~~, and applications will be accepted when accompanied by a petition of fifty (50) signatures of Association members. Final selection will be made by a majority vote of the ASMT Senate. The person appointed to the Senate to fill a vacancy shall have the same qualifications as a Senator-at-Large position requires.
- Sec. 7 All elections called under the provisions of this Constitution shall be

conducted according to the rules as established in this Constitution's By-Laws.

ARTICLE 10. - Resignations and Removals from Office

- Sec. 1 Any regular member of ASMT Senate shall be allowed no more than two (2) unexcused absences per academic semester. Excused and unexcused absences are defined in the ASMT By-Laws.
- A. In the event of a special meeting of the ASMT Senate, absences may be counted at the discretion of the chairperson with the approval of the ASMT Senate by a simple majority vote.
- Sec. 2 Any regular member of an ASMT Senate committee shall be allowed no more than three (3) unexcused absences from respective committee meetings per academic semester.
- Sec. 3 Any ASMT Senator or ASMT Officer shall be removed from office on his/her third (3rd) unexcused absence from any Senate meetings or fourth (4th) unexcused absence from the respective committee meeting of which that individual is a member per academic semester. Any ASMT Officer or ASMT Senator removed from office under this section shall be ineligible to hold office for a period of one (1) semester.
- Sec. 4 Any student government officer or member of Senate who feels they cannot fulfill their duties of office shall submit a written resignation to the Executive Cabinet.
- Sec. 5 The ASMT President shall notify in writing the Dean of Students for verification that a student has become ineligible for academic or disciplinary reasons to hold office as set forth in this Constitution. When determined that there has been no clerical or administrative error, the Dean of Students shall inform the Executive Cabinet in writing that the office is vacant.
- Sec. 6 Resignations or removals from office shall be placed on the Senate agenda for the next Senate meeting as an announcement so that Senate will be made aware that a vacancy exists. Any resignation may be withdrawn prior to said meeting.
- Sec. 7 Should the position of ASMT President become vacant, the ASMT Vice President shall become the acting president.
- Sec. 8 Should the position of ASMT Vice President become vacant, the position

shall be filled by a vote of the majority of Senate positions, electing a current Senate member to become acting ASMT Vice President.

Sec. 9 Should the position of ASMT Treasurer become vacant, the position shall be filled by a vote of the majority of Senate positions, electing a current Senate member to become acting ASMT Treasurer.

Sec. 10 The Associated Students have the right to recall any elected Officer and/or Senator by submitting a petition to the Student Senate, signed by at least the number of students equal to fifty percent (50%) of the number of students voting in the election in which that Officer/Senator was elected. The Student Senate shall place the issue before the Associated Students in a recall election within three (3) weeks after receipt of said petition. If the recall is approved by a two-thirds (2/3) majority of the Associated Students who vote on the issue in the recall election, the term of the Officer and/or Senator in question will terminate immediately. Election ballots where students fail to vote either for or against the issue shall not be counted in the two-thirds (2/3) vote.

Sec. 11 The Student Senate may begin impeachment procedures for ASMT officers and/or ASMT Senators of Student Government by a three-fourths (3/4) vote of all elected senators.

- A. Grounds for Impeachment - Any member failing to fulfill his/her duties shall be subject to impeachment. Any member who conducts himself/herself in a manner that reflects unfavorable on the College or the Student Government shall be subject to impeachment.
- B. Cases of impeachment shall be heard by the Judiciary Council excluding those impeachments of Judiciary Council members, in which case the Executive Cabinet will decide the impeachment cases.
- C. If the impeachment charges are sustained by the Judiciary Council, the officer's or member's term of office shall terminate immediately.

ARTICLE 11. - Initiative Referendum

In any general case of issues passed, deleted, or ignored by the ASMT Student Senate, the Associated Students have the right of initiative referendum by petition with the signatures of at least one hundred (100) members of the Associated Students. Within three (3) weeks after receipt of the petition by the Student Senate, the issue shall be submitted to the Associated Students for their approval or disapproval by vote. A two-thirds (2/3) majority of the Associated Students who vote on the issue shall be required for it to pass. Election ballots where students fail to vote either for or against the issue shall not be counted in the two-

thirds (2/3) vote.

ARTICLE 12. - Amendments

- Sec. 1 This Constitution may be amended at either a regular or special election.
- A. Amendments may be proposed by a petition to Student Senate endorsed with signatures of at least one hundred (100) members of the Associated Students, or by Student Senate through a three-fourths (3/4) majority of the Senate votes cast.
 - B. Student Senate shall submit such proposed amendments to the Associated Students for approval or disapproval.
 - C. Approval by two-thirds (2/3) of the members of the Associated Students who vote on the amendment shall be required for it to pass. All approved amendments become effective immediately.
 - D. Election ballots where students fail to vote either for or against an amendment shall not be counted in the two-thirds (2/3) vote.
 - E. Such election shall be held not earlier than two academic (2) weeks and not later than four academic (4) weeks after the proposed amendment has been submitted to Student Senate.
- Sec. 2 Copies of any proposed amendment(s) must be made available to members of the ASMT and written publicity must be circulated among the student body for five (5) academic days prior to the time of voting on said amendment(s).
- Sec. 3 The Chief Executive of the College may approve or disapprove of an amendment to the Constitution of the Associated Students.
- A. If the Chief Executive of the College does not approve an amendment he/she shall return the amendment to the Senate with his/her objections with seven (7) calendar days after it is submitted to him/her by the Presiding Office of the Student Senate.
 - B. If any amendment is not returned by the Chief Executive with seven (7) calendar days after it has been presented to him/her the amendment shall be considered approved in a like manner as if he/she signed it.
- Sec. 5 Whenever during any academic year, amendments have been adopted to this Constitution, there shall be a republication of the revised Constitution. Copies of the revised Constitution shall be made available to College Administration and members of the Student Senate, Executive Cabinet,

and the Association no later than ten (10) academic days after the adoption of the amendment. The academic year shall be defined as consecutive fall and spring semesters.

ARTICLE 13. - By-Laws

- Sec. 1 By-Laws shall be established to include, but not limited to:
- A. ASMT Senate Committees
 - B. Election Rules and Regulations
 - C. ASMT Financial Policy
 - E. ASMT Radio Station (KMSM-FM) Policy
 - F. ASMT Newspaper (Technocrat) Policy
 - G. ASMT Entertainment and Traditional Events Policy
- Sec. 2 Changes may be made in By-Laws by a three-fourths (3/4) majority of votes cast by the ASMT Senate.
- Sec. 3 The ASMT By-Laws should be in accordance with and not conflict with the ASMT constitution.

ARTICLE 14 - Severability

If any section, clause, paragraph, or item of this Constitution is found to be illegal or in conflict with the laws of the State of Montana, the validity of the remaining portions or provisions shall not be affected, and the remainder of this Constitution shall be construed and enforced as if it did not contain the particular part, term or provision held to be invalid.

ARTICLE 15. - Approval of ASMT Constitution

- Sec. 1 Results of the election held on April 5, 1993:
- 176 - Students voted for the Constitution
 - 101 - Students against the Constitution

APPENDIX A AMENDMENT HISTORY

Approved: April 5, 1993
Amended: April 28, 1993
Amended: February, 1994
Amended: April 6, 1995
Amended: September 17, 1999
Amended: April 15, 2003
Amended: February 26, 2004
Amended: May 2014
Amended: April 25, 2016

Disclaimer: This section of the ASMT Constitution serves as an amendment history following the Constitution's inception on April 5, 1993. As such, any changes made to this section do not have to be made through the regular amendment process as specified in Article 7 of this document.

February, 1994:

- Article 8, Sec. 3, C

Old: The Contingency Fund must maintain a minimum balance through April 1 of each year of three percent (3%) of that years general fund. Special allocations may be made directly from the Contingency fund with two-thirds (2/3) approval of the Associated Students, to a special or budgeted account for projects or items not included in the regular budgeted fund. In no event may the combined total of these special allocations exceed twenty-five percent (25%) of the balance of the Contingency Fund as of October 1st of each year (as determined by the College business office).

New: See Article 8, Sec. 3, C of this document.

- Article 8, Sec. 5

Old: The ASMT Senate must pass all budget allocations and financial policies with a three-fourths (3/4) majority of the votes cast.

New: See Article 8, Sec. 5 of this document.

- Article 8, Sec. 7

Old: A base stipend shall be established each year during budget hearings for the following year.

New: See Article 8, Sec. 7 of this document.

- Article 8, Sec. 8, B

Old: All budgeted money remaining in non-club accounts at the end of the fiscal year according to the final fiscal year-end report (as determined by the College business office), shall be returned to the ASMT Contingency Fund. The ASMT Senate may reallocate the end of the year balances by a three-fourths (3/4) majority of all votes cast.

New: See Article 8, Sec. 8, B of this document.

- Article 10, Sec. 1

Old: Any regular member of the ASMT Senate shall be allowed no more than three (3) total absences per academic semester.

New: See Article 10, Sec. 1 of this document.

April 6, 1995:

- Article 8, Sec. 7

Old: The following rating system shall be used for all student-stipend positions:

ASMT President	1.000
ASMT Vice President	0.625
ASMT Treasurer	0.625

KMSM

Manager	1.000
Assistant Manager	0.500
Assistant Manager	0.500

Magma

Editor	1.000
Assistant Editor/Layout Editor	0.625
Photo Editor	0.625
Photographer/Layout Assistant	0.250
Photographer/Layout Assistant	0.250

Photographer/Layout Assistant	0.250
Photographer/Layout Assistant	0.250

Technocrat

Editor	1.000
Assistant Editor	0.625
Layout Editor	0.500
Graphic Editor	0.500
Business Manager/News Editor	0.500
Typist	0.375

SEC

Coordinator	0.750
Publication Coordinator	0.375
Coffee House Coordinator	0.375
Traditional Events Coordinator	0.375

A base stipend shall be established each year during budget hearings for the following academic year, and shall not be changed during that year.

New: See Article 8, Sec. 7 of this document.

September 17, 1999:

- Article 6, Sec. 1, E

New: See Article 6, Sec. 1, E of this document.

April 15, 2003:

- Article 4, Sec 4, B

Old: The Officers shall have at the time of election accumulated a minimum of 60 semester credits.

New: See Article 4, Sec 4, B of this document.

February 26, 2004

- Article 5, Sec 3,

Old: The ASMT Treasurer

New: See Article 5, Sec. 3 of this document

- Article 5, Sec. 3, D

Old: Be the chairperson of all boards, commissions or committees created by the Constitution or by Student Senate relating to business or financial matters.

New: See Article 5, Sec. 3 D

- Article 5, Sec. 3, I

New: See Article 5, Sec. 3, I of this document

Amendments of May 2007

Amendments to

Article 7, Judiciary Branch

New Text

Article 7, Section 2A, Item 1:

Five (5) students shall be appointed by the incumbent ASMT Executive Cabinet with the advise and consent of the ASMT Senate. These appointments require a three-fourths (3/4) majority of votes cast by the Senate.

Original Text

Five (5) students shall be appointed by the incumbent ASMT Executive Cabinet with the advise and consent of the ASMT Senate. These appointments require a three-fourths (3/4) majority of votes cast by the Senate. This shall be done during the month of October of each school year.

Article 7, Section 2A, Item 2:

One (1) Faculty member appointed by the ASMT Executive Cabinet with the advice and consent of the ASMT Senate. Senate approval shall require a three-fourths (3/4) majority. The faculty member shall be under the same term conditions as those in Article 7, Section 3C. The Faculty member shall serve in an ex-officio capacity only.

Article 7, Section 2A, Item 3:

One (1) seat shall be held by the Dean of Students. He/she will serve in an ex-officio capacity only.

Article 7, Section 3B:

If the Faculty member should resign, the ASMT Executive cabinet, with the advice and consent of the ASMT Senate, shall appoint a successor. Should the Dean of Students resign, the ASMT Executive Cabinet, with the advice and consent of the ASMT Senate, shall appoint a temporary successor to serve until a new Dean of Students assumes said duties. Senate approval requires a three-fourths (3/4) majority.

Article 7, Section 3C:

The appointment/approval process must be completed before the Freshman Elections are held each school year. Terms begin immediately after completion of the appointment/approval process and end as soon as the new Judiciary Council is approved the following year.

One (1) Faculty member appointed by the Faculty Senate during the month of October of each school year to serve in an ex-officio capacity.

One (1) member of the Administration appointed by the President of the College during the month of October of each school year to serve as an ex-officio capacity.

If the Administrative or Faculty member should resign, the President of the College shall appoint a successor.

Members shall take office upon completion of the appointment process and shall serve until the appointment of a new Judiciary Council the following October.

Article 7, Section 3D:

If any party to a dispute before the Judiciary Council challenges a member of the Council for conflict of interest, and the council deems said conflict reasonable, that member shall be ineligible to serve on the Judiciary Council for that dispute.

If any party to a dispute before the Judiciary Council challenges a member of the Council for conflict of interest, that member shall be ineligible to serve on the Judiciary Council for that dispute and the aforementioned appointive procedure shall be used to secure a replacement.

Article 7, Section 4E:

Section completely removed from Constitution

To report within a week of the hearing of the case to the requesting party and to the ASMT Senate in written form, the decision(s) and reason(s) for the decision(s) by the Council.

Article 7, Section 6B:

A quorum of three (3) members must be present to make any official ruling(s). Ruling(s) must be approved by a majority vote of the Council members present. If the quorum is lost, the Chairperson shall adjourn the meeting and call a new meeting to be held within ten (10) academic days.

A quorum of five (5) members must be present to make any official ruling(s). Ruling(s) must be approved by a majority vote of the Council members present. If the quorum is lost, the Chairperson shall adjourn the meeting and call a new meeting to be held within two (2) academic days.

Amendments to

Article 8, Finance

New Text

Old Text

Article 8, Section 3C:

The **Contingency Fund** must maintain a minimum balance through April 1 of each year of three thousand dollars (\$3000.00).

Article 8, Section 8C:

Any club receiving ASMT appropriations shall be required to report to the ASMT Treasurer as to how funds were spent.

Article 8, Section 8D:

The ASMT Treasurer, with the advice and consent of the ASMT Executive Cabinet, shall have the authority to temporarily freeze any ASMT account for a negative balance pending a resolution to the issue.

The **Contingency Fund** must maintain a minimum balance through April 1 of each year of three thousand dollars (\$3000.00) of that year's general fund. Special allocations may be made directly from the Contingency Fund with three-fourths (3/4) approval of the Associated Students, to a special or budgeted account for projects or items not included in the regular budgeted fund. In no event may the combined total of these special allocations exceed twenty-five percent (25%) of the balance of the Contingency Fund as of October 1st of each year (as determined by the College business office).

Balances in all club accounts funded by ASMT shall be reported to the ASMT Treasure as to how created by all accounts funded by ASMT Treasurer as to how the excess revenue will be spent. ASMT shall approve the plan by a three-fourths (3/4) majority of the votes cast. (ASMT shall identify for the College Business office all clubs that receive ASMT funding).

No original text, this section was added

Article 8, Section 8E:

All programs, activities, and ASMT entities that are funded, either partially or fully, by Associated Student Activity Fee money shall be required to declare its use through the designation of a logo, written declaration, or spoken words.

All programs, activities, and ASMT entities that are funded, either partially or fully, by Associated Student Activity Fee money shall be required to display the following notice:

"This event, program, or publication was made possible in total or in part by funds allocated by the Associated Students of Montana Tech," through the designation of a logo or written words.

General Amendments

Title changes and error corrections.

New Text

Article 10, Section 11:

The Student Senate may begin impeachment procedures for ASMT officers and/or ASMT Senators of Student Government by a three-fourths (3/4) vote of all elected senators.

Chief Executive of the College

No particular section, a correction over the entire Constitution wherever original text appears

Dean of Students

No particular section, a correction over the entire Constitution wherever original text appears

Old Text

The Student Senate may begin impeachment procedures for ASMT officers and/or ASMT Senators of Student Government by a three-fourths (3/4) vote of the ten (10) elected senators.

President of the College

Vice President of Student Affairs

Amendments of May 2014

Amendments April 2016

Amendment Article 4, Section 4, Part B

Previous language:

The President after the completion of the semester which he/she is elected to office shall be in at least a (1) senior standing. The Vice President and Treasurer after the completion of the semester which he/she is elected to office shall be in at least a junior standing. (2)

Amendment:

The President after the completion of the semester which he/she is elected to office shall be in at least a (1) junior standing. The Vice President and Treasurer after the completion of the semester which he/she is elected to office shall be in at least a junior standing. (2) In the event that there are no qualifying candidates, the Senate can override any class standing qualifications.

Reasoning:

(1) To fulfill the duties as ASMT President, it is not necessary to be a senior standing, a junior standing is sufficient.

(2) There may be a time in which there are no candidates that qualify for an Executive office. Should this occur, it would be better to fill the position with an otherwise qualified candidate rather than have the position remain vacant.

Amendment 3-5: Article 4, Section 4, Part C

Previous language:

The Officers shall have been members of (3) ASMT the (4) four consecutive semesters (5) immediately preceding assumption of office.

Amendment:

The Officers shall have been members of (3) the ASMT senate (4) one semester (5) preceding assumption of office.

Reasoning:

(3) To clarify language.

(4) One semester on the ASMT senate is sufficient to learn how the senate works prior to taking an executive office. Immediately preceding is unnecessary.

(5) Requiring that the prior experience happened immediately preceding assumption of office is unnecessary.

Amendment 6-8: Article 4, Section 5, Part F

Previous language:

To attend all Senate meetings unless absence is directly related to other Executive Cabinet position requirements (6). Any Executive Cabinet member shall be removed from office on his/her (7) third (3rd) absence per semester from any Senate meetings or (8) third (3rd) absence per semester from the respective committee of which that Executive officer is a member.

Amendment:

To attend all Senate meetings unless absence is directly related to other Executive Cabinet position requirements (6) or unless absence is excused as determined by the remaining Executive Cabinet members. Any Executive Cabinet member shall be removed from office on his/her (7) third (3rd) unexcused absence per semester from any Senate meetings or (8) third (3rd) unexcused absence per semester from the respective committee of which that Executive officer is a member.

Reasoning:

(6) Some excused absences can be for circumstances such as illness, emergencies, school functions, etc.

(7) & (8) To clarify language.

Amendment 9: Article 5, Section 1, Part F

Previous language:

Has the power to veto all approved ASMT bills and resolutions. (9) If, at the next regularly scheduled meeting of the Student Senate, after Senate's passing of the bill or resolution, the ASMT President has not returned said bill or resolution to the Senate, the same shall be deemed to be approved as if the President had signed it. If, by adjournment, the Senate prevented its return, action may be taken at the first following regularly scheduled meeting. Veto may be overridden by the ASMT Senate by three-fourths (3/4) majority of all votes cast.

Amendment:

Has the power to veto all approved ASMT bills and resolutions. (9). Veto may be overridden by the ASMT Senate by three-fourths (3/4) majority of all votes cast.

Reasoning:

(9) Removed unnecessary language.

Amendment 10: Article 5, Section 1, Part J

Previous language:

Shall (10) work twelve (12) office hours per academic week during the semester (office hours can be scheduled 8 a.m. to 5 p.m., Monday through Friday) not including any regular Senate-related meetings.

Amendment:

Shall (10) establish a minimum of five (5) office hours per academic week during the semester (office hours can be scheduled 8 a.m. to 5 p.m., Monday through Friday) not including any regular Senate-related meetings.

Reasoning:

(10) To clarify language and make office hours more realistic with the job description. Many hours are committed to outside of the office in meetings and projects so less office hours need to be required.

Amendment 11: Article 5, Section 2, Part F

Previous language:

Shall (11) work ten (10) office hours per academic week during the semester (office hours can be scheduled 8 a.m. to 5 p.m., Monday through Friday) not including any regular Senate-related meetings.

Amendment:

Shall (11) establish a minimum of five (5) office hours per academic week during the semester (office hours can be scheduled 8 a.m. to 5 p.m., Monday through Friday) not including any regular Senate-related meetings.

Reasoning:

(11) To clarify language and make office hours more realistic with the job description. Many hours are committed to outside of the office in meetings and projects so less office hours need to be required.

Amendment 12: Article 5, Section 3, Part F

Previous language:

Shall meet with the business (12) office controller or person so designated to verify all ASMT accounts.

Amendment:

Shall meet with the business (12) staff to verify all ASMT accounts.

Reasoning:

(12) To clarify language.

Amendment 13: Article 5, Section 3, Part G

Previous language:

Shall (13) work ten (10) office hours per academic week during the semester (office hours can be scheduled 8 a.m. to 5 p.m., Monday through Friday) not including any regular Senate-related meetings.

Amendment:

Shall (13) establish a minimum of five (5) office hours per academic week during the semester (office hours can be scheduled 8 a.m. to 5 p.m., Monday through Friday) not including any regular Senate-related meetings.

Reasoning:

(13) To clarify language and make office hours more realistic with the job description. Many hours are committed to outside of the office in meetings and projects so less office hours need to be required.

Amendment 14-15: Article 6, Section 1, Part B

Previous language:

Two (2) Senators from the (14) freshman class elected by the (15) entire student body in the fall of each year.

Amendment:

Two (2) Senators from the (14) North Campus freshman class elected by the (15) student body in the fall of each year.

Reasoning:

(14) To clarify language.

(15) Removed unnecessary language.

Amendment 17: Article 6, Section 6, Part A

Previous language:

Meet during the month of (17) March to conduct hearings for and approval of the next year's ASMT budget, subject to item veto by the ASMT President, which veto may be overridden by a three-fourths (3/4) majority of the votes cast by Senate.

Amendment:

Meet during the month of (17) April to conduct hearings for and approval of the next year's ASMT budget, subject to item veto by the ASMT President, which veto may be overridden by a three-fourths (3/4) majority of the votes cast by Senate.

Reasoning:

(17) To have the budget hearing after Senate elections and the hiring of Entity directors.

Amendment 18: Article 6, Section 11

Previous language:

The Senate shall have the power to override the ASMT President's veto with a three-fourths (3/4) majority of the votes cast (18) at the next regularly-scheduled meeting of Senate during the academic year.

Amendment:

The Senate shall have the power to override the ASMT President's veto with a three-fourths (3/4) majority of the votes cast (18) no later than the next regularly-scheduled meeting of Senate during the academic year.

Reasoning:

(18) To clarify language.

Amendment 19: Article 7, Section 4

Previous language:

Upon completion of the appointment process of the Judicial Board, the (19) Presiding Officer of the Senate shall call a meeting of the Judicial Board, at which meeting the members of the Judicial Board shall elect one of its members as Chairperson.

Amendment:

Upon completion of the appointment process of the Judicial Board, the (19) Faculty Member and Dean of Students shall call a meeting of the Judicial Board, at which meeting the members of the Judicial Board shall elect one of its members as Chairperson.

Reasoning:

(19) To update the language to match the process.

Amendment 20: Article 7, Section 5, Part C

Previous language:

None

Amendment:

It will be the duty of the Judicial Board to make the final decision in any student cases that are elevated to the attention of the Board. As long as this decision is in the best interest of the student and abides by campus discipline policies.

Reasoning:

(20) To clarify the additional duties of the Judicial Board.

Amendment 21: Article 8, Section 10

Previous language:

Requests for expenditure of funds from any student activity accounts must be initiated by the account's fund controller and then submitted to the ASMT Treasurer for approval with the consent of the ASMT President.

Amendment:

Requests for expenditure of funds from any student accounts must be initiated by the account's club executives and then submitted through the SUB Office. If the club actions are in question by the SUB Office the ASMT Treasurer will be summoned for approval. Additionally, the ASMT Treasurer will inspect the list of requests once a week to insure proper fund uses.

Reasoning:

(21) To clarify language.

Amendment 22: Article 9, Section 4, Part C

Previous language:

None

Amendment:

If an At-Large position is vacant, it may be included in the Fall Election.

Reasoning:

(22) To add clarifying language.

Amendment 23: Article 10, Section 3

Previous language:

Any ASMT Officer or ASMT Senator removed from office under this section shall be ineligible to hold office for a period of one (1) (23) year.

Amendment:

Any ASMT Officer or ASMT Senator removed from office under this section shall be ineligible to hold office for a period of one (1) (23) semester.

Reasoning:

(23) To update the language to match the process.

Amendment 24: Article 12, Section 4

Previous language:

If any amendment shall not be returned by the Chief Executive of the College within seven (7) calendar days after it shall have been presented to him/her, the same shall be approved, in like manner as if he/she had signed it.

Amendment:

Stricken from the constitution.

Reasoning:

(24) Removing unnecessary language.