

ASBSU CONSTITUTION

Preamble

We, the students of Boise State University, in order to provide for the organized conduct of student affairs, promote the educational, social, and cultural activities of the Associated Students of Boise State University, finance student activities, facilitate student participation, and act as the official voice of the Associated Student Body, do hereby ordain and establish this constitution.

Article I-Name and Membership

Section 1. We, the Associated Students under this Constitution, shall be known as the Associated Students of Boise State University hereafter referred to as ASBSU.

Section 2. All full-fee paying students of the University shall be members of the ASBSU with all the rights, privileges, and responsibilities in any activity to which the authority of the Constitution extends.

Article II-Legislative

Section 1. All legislative powers herein granted shall be vested in a Senate of the Associated Students of Boise State University.

Section 2. The membership of the Senate shall consist of:

One senator representing each academic college and one senator representing the School of Vocational-Technical Education. To represent a college or school, each senator must be enrolled in the college or school he/she represents.

A number of senators representing students-at-large shall be one (1) for every eight hundred (800) full fee-paying students enrolled at Boise State University, based on previous semester full-fee enrollment.

The Vice President of the Associated Students of Boise State University shall be President of the Senate, but shall have no vote, unless they be equally divided, or to make or break a 2/3 majority.

In the absence of the Vice President, or when he/she shall exercise the office of the President of the Associated Students of Boise State University, then the Senate shall choose their other officers, and also a President Pro tempore.

Section 3. The times, places, and manner of holding all elections shall be the responsibility of the Associated Students of Boise State University Election Board, as prescribed

by appropriate senate legislation.

The Senate may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

The Senate shall keep a journal of its proceedings, available for public inspection.

Section 4. The Senate shall have power:

- a. To approve by a majority vote any presidential appointee.
- b. To govern in all matters relating to funds and property of the Associated Students of Boise State University, subject to the provisions of this constitution and the laws of the State of Idaho.
- c. To establish and determine the functions of all committees and boards of the Associated Students of Boise State University.
- D. To enact all legislation which shall be necessary and proper for carrying into execution for foregoing powers, and all other powers vested by this Constitution in the government of the Associated Students of Boise State University

Article III-Executive

Section 1. The executive power shall be vested in a President of the Associated Students of Boise State University, who shall hold office during the term of one year and together with the Vice President, chosen for the same term, be elected by the students of Boise State University.

In case of the removal of the President from office, of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Senate may, by law, provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

Section 2. The President shall be responsible for the execution of all legislation, and shall be the official representative of the Associated Students of Boise State University.

The President may require the opinion, in writing, of any executive officer, upon any subject relating to the duties of their respective offices.

The President shall have the power:

- a. To nominate, and with the advice and consent of the Senate, appoint officers and committee members whose appointments are not herein provided for, but the Senate may, by law, vest the appointment of such inferior officers as they think proper in the President alone, in the Associated Students of Boise State University Judiciary, or in other departments;
- b. To fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session;
- c. To dismiss, with stated cause, any presidential appointee, other than that of an elected office.
- d. To call special meetings of the Senate;
- e. To serve as an ex-officio member of all student government committees;
- f. To recommend for consideration to the Senate such measures deemed necessary and expedient;
- g. To appoint a Treasurer, with the concurrence of the Senate, from a list of applicants forwarded by a committee composed of the Dean of the College of Business, the Chairman of the Department of Accounting, two Senators and chaired by the Vice President of the Associated Student Body of Boise State University.

Article IV-Judiciary

Section 1. The Judicial power of the Associated Students of Boise State University shall be vested in the Associated Students of Boise State University Judiciary. The Justices shall hold office during a term of one year, selected as prescribed by appropriate Senate legislation, and may not be removed from office prior to the end of the said term, except under the Recall and Resignation provisions of Article V.

Section 2. The Judicial power shall extend to all cases arising under this Constitution and the policies of the Associated Students of Boise State University. The Associated Students of Boise State University Judiciary shall have the power upon request.

To determine the constitutionality of any student government action;

To have original jurisdiction in cases involving alleged violations of policies and regulations of the Associated Students of Boise State University, except in cases wherein original jurisdiction has been designated by the University President or by the Office of the Vice President for Student Affairs to a lower Judicial body. In such cases, the Associated Students of Boise State University Judiciary shall serve as the Appellate Board;

To have original jurisdiction, where jurisdiction has been delegated by the President of the University, in cases involving alleged violations of any university rules, regulations and policies;

To review constitutions for, and grant official recognition of student organizations;

To impose sanctions upon individuals and/or groups proven guilty for violation of the Code of Conduct, Associated Students of Boise State University Constitution, Senate legislation or policies, or of misconduct while representing Boise State University;

To grant temporary recognition to a student group organized for a one-time event or single purpose of supporting or opposing a candidate or issue on a ballot measure in any election.

Article V-Impeachment, Recall, and Vacancy

Section 1. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the Associated Students of Boise State University is tried, the Chief Justice shall preside, and no person shall be convicted without the concurrence of two-thirds of the total Senate membership.

Judgement in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of the Associated Students of Boise State University, But the party convicted shall nevertheless be liable and subject to indictment, trial, judgement, and punishment, according to law.

All officers of the Associated Students of Boise State University, excluding the Judiciary, may be removed from office by impeachment.

Section 2. A recall election may be initiated by a validated petition. The petition must be signed by not less than ten (10) percent of the Associated Students of Boise State University.

The petition shall be submitted to the Election Board, which shall verify its validity. The Election Board, upon

receipt of a valid petition, shall conduct a recall election within fifteen (15) school days.

Any officer provided for in this Constitution shall be removed from office by a recall election in which two-thirds of those voting vote in favor of his/her recall.

In the event that an officer is removed from office by a recall election, a special election shall be held to fill that vacancy, or in the case of an appointed position, the President and/or Senate of the Associated Students of Boise State University will start confirmation procedures to fill the vacancy.

Section 3. If a vacancy in any office, other than the President of the Associated Students of Boise State University, is created by other than recall, the President shall fill the vacancy by appointment, subject to concurrence of the Associated Students of Boise State University Senate.

Elections or appointments to vacated offices shall be effective for the remainder of the current term of the filled office.

Article VI-Initiative and Referendum

Section 1. The Associated Students of Boise State University may initiate legislation upon the presentation of a petition signed by ten (10) percent of the Associated Students of Boise State University. Upon presentation to and validation by the Election Board, the Election Board shall conduct a special ballot on the said question within fifteen (15) school days.

Section 2. The Senate of the Associated Students of Boise State University may, with the concurrence of two-thirds of those present, place a measure before the Associated Students of Boise State University.

Article VII-Ratification and Amendments

Section 1. This Constitution shall take effect when it has been passed by two-thirds of the total Senate membership, and is ratified by the Associated Students of Boise State University. This constitution supersedes all existing Constitutions and By Laws of the Associated Students of Boise State University.

The current officers of the ASBSU shall continue in office until the first installation of officers under this Constitution.

Section 2. Amendments to this Constitution, except for title changes of a position or body which do not affect the description, function, or purpose of that position or body, may be submitted to the Senate in writing, signed by ten (10) percent of the Associated Students of Boise State University. Upon

concurrence of two-thirds of the Senate members present, the said amendments shall be placed on a ballot for approval by the Associated Students of Boise State University.

The Senate, upon the concurrence of two-thirds of the total membership, may propose and place amendments to this Constitution on a ballot for approval by the Associated Student of Boise State University.

Amendments to this Constitution in the form of title changes of positions or bodies which do not affect the description, function, or purpose of the position or body in any way, may be adopted by the concurrence of two-thirds of the Senate members present.

Passed by the Associated Students of Boise State University in conjunction with the ASBSU general elections on April 9 & 10, 1985.