

DRAFT CONSTITUTION - FINAL

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PREAMBLE

We, the students of the University of Wisconsin-Madison, in order to promote a well-rounded college experience, to strengthen and protect the quality and accessibility of public education, to foster a vibrant student life, to fulfill our shared responsibilities in the governance of the university, to cultivate a diverse and inclusive campus, and to advocate for the attainment of these principles and ensure all students share in the bounty from their realization, do establish this constitution of the Associated Students of Madison.

ARTICLE I: ESTABLISHMENT

SECTION 1: NAME

The name of the student government shall be the Student Government of the Associated Students of Madison, hereafter Student Government.

SECTION 2: MEMBERSHIP

Subsection 2(a): All students enrolled in the University of Wisconsin-Madison during regular or summer academic periods are members of the Associated Students of Madison, hereafter ASM. Members of the ASM during the spring semester shall remain members of the ASM through the summer unless upon graduation.

Subsection 2(b): Except as provided in §2(a), members not enrolled in the current academic period shall lose membership in the ASM upon the first day of class after the late enrollment deadline. Members who withdraw or are expelled from the University

shall lose membership immediately. Members withdrawing from the University shall regain membership immediately upon registration for classes in any subsequent semester, and shall hold membership in the ASM without prejudice.

Subsection 2(c): Only members of the ASM, as per §2(a), can serve in an elected or appointed position of the Student Government. Eligibility for Student Government positions shall be established in the ASM Bylaws.

SECTION 3: CONSTITUTIONAL SUPREMACY

No law, bylaw, governing document or any other document or policy of the Student Government shall contradict any part of the ASM Constitution.

ARTICLE II: CHARGE

The Student Government, on behalf of the ASM, shall take action:

- To advocate for the concerns of the ASM in every realm of student life and to ensure all students share in the Wisconsin Experience
- To guarantee the existence of adequate support for the personal, social and educational needs of students
- To foster a robust and expansive student life and to provide support when students unite to create and pursue such endeavors
- To challenge students to expand their boundaries and participate in the marketplace of ideas
- To ensure the greatest participation by students in the immediate governance of their University, to provide support to shared governance appointees, to ensure the optimal utilization of shared governance appointees, and to open lines of communication between and across campus
- To advocate for the expansion of shared governance opportunities and to be vigilant of the protection of our responsibilities under ss. 36.09(5)
- To create opportunities that provide for student participation and input in Student Government processes and to ensure communication between the Student Government and the ASM in order to promote accountability within the Student Government
- To pursue a more socially just and inclusive campus which respects and celebrates diversity in all its forms and manifestations
- To accept and bear responsibility, in consultation with the Chancellor and subject to final review by the Board of Regents, for the disposition for all fees which constitute substantial support for campus student activities, pursuant to ss. 36.09(5)
- To serve as a liaison between the ASM and other auspices of the University and beyond
- To protect students' primary responsibility in the formation and review of all policies concerning student life, services and interests
- And to take any such action as may be necessary to better the campus community

ARTICLE III: DECLARATION OF RIGHTS

SECTION 1: NON-DISCRIMINATION

Subsection 1(a): The Student Government shall not discriminate on the basis of race, color, creed, religion, sex, gender identity, class, national origin, disability, ancestry, age, sexual orientation, veteran status, pregnancy, marital status, parental status, arrest or conviction record, political ideology, command of the English language, or any other arbitrary social construct, unless pursuant to an exception recognized by local, state, or federal law and necessary for the operations of the organization.

Subsection 1(b): The Student Government will not provide any funding or support to any organization which prohibits participation by any member of the ASM based upon the social construct outlined in §1(a), except for otherwise permitted by state or federal law.

SECTION 2: DUE PROCESS

All members of the ASM and all student organizations shall be guaranteed due process under law.

SECTION 3: OPEN MEETINGS AND FREE ACCESS

Pursuant to State of Wisconsin Open Meeting Laws, every meeting of the Student Government bodies shall be preceded by public notices at least twenty four (24) hours prior to the commencement of the meeting. At each meeting of Student Government bodies, all discussion shall be held and all action of any kind, formal or informal, shall be initiated, deliberated upon, and acted upon only in sessions open to all ASM members. All Student Government bodies shall make available all records for inspection and copying by members of the ASM. Exceptions to this Section may be established in the Bylaws in compliance with State Law.

SECTION 4: THE RIGHT TO PETITION

All members of ASM have the right to petition the Student Government about any issue and receive a response concerning said petition.

ARTICLE IV: SEGREGATED FEE POLICY

SECTION 1: DUTY

All aspects of segregated university fee policy, including, but not limited to allocation, eligibility, review, requirements, expensing and revenue generating shall be consistent

with the policies of the University of Wisconsin System and all federal and state laws and court opinions.

SECTION 2: IMPLEMENTATION

The Student Government shall, through bylaws, establish a process to implement and execute the duty stated in Section 1 of this Article.

ARTICLE V: EXECUTIVE BRANCH

SECTION 1: GENERAL QUALIFICATIONS, TERM OF OFFICE, VACANCIES

Subsection 1(a): The executive officers of the Student Government shall consist of the President, Vice President, and Cabinet of Directors as established by the ASM Constitution and Bylaws

Subsection 1(b): The President and Vice President shall be elected, on a joint ticket, during the Spring elections. The term of office for all executive officers shall be from May 1st to April 30th of the following years.

Subsection 1(c): The President shall appoint the Directors, Justices, Student Election Commission Chair and Vice Chair, and Appropriations Committee positions allotted to the Executive. Interviews shall be conducted for all positions. Interviews shall be conducted by the President, or his or her designee, with at least two members of Senate leadership in attendance. All aforementioned executive appointments must be approved by two-thirds (2/3rd) of the Senate. The President may hire an executive staff, established in the Bylaws, to assist in the operational duties of the Executive Branch.

Subsection 1(d): When an executive officer position is vacated, the President shall ensure the duties of that office that are urgent and necessary to the functioning of the Student Government are performed until such time as a replacement is appointed.

Subsection 1(e): When the position of the President is vacant, the Vice President shall assume the position of the President. The President shall select a new Vice President, with confirmation by two-thirds (2/3rd) vote of the Senate. A line of succession shall be established in the Bylaws.

SECTION 2: POWERS & RESPONSIBILITIES OF THE EXECUTIVE

Subsection 2(a): The Executive shall oversee the administration and execution of government directives established through law and executive orders.

Subsection 2(b): The Executive shall represent the Student Government in official capacity to the ASM, university administration, the local, state, and federal government and the public.

Subsection 2(c): The Executive shall maintain records of executive functions.

Subsection 2(d): The Executive shall establish a mechanism to communicate to the media, student body and the public.

SECTION 3: PRESIDENT

Subsection 3(a): No one may serve as President who has not completed at least one full semester as a member of the ASM. No one shall be eligible to run for President unless he or she is a current member of the ASM.

Subsection 3(b): The President shall not serve more than two full terms.

Subsection 3(c): The President shall act as the primary representative of the Student Government and the ASM.

Subsection 3(d): The President may direct, through Executive Order, the taking of urgent actions necessary for the continued functioning of the Student Government until the Senate can reconvene. Any such Executive Order shall automatically expire at the third Senate meeting following its publication or upon action of the Senate to adopt or terminate the order. For six months following the expiration of an Executive Order, the President may not issue another Executive Order with identical or substantially similar language.

Subsection 3(e): The President, with the Cabinet of Directors, must execute all duties assigned through legislation.

Subsection 3(f): The President, in consultation with the Cabinet of Directors, must prepare an annual budget for the Executive Branch to be forwarded to the Appropriations Committee.

Subsection 3(g): The President, in consultation with the Cabinet of Directors, must see to the proper and appropriate execution of approved budgets, with the exception of the budgets of the Senate, Student Judiciary, Student Elections Commission, and Appropriations Committee.

Subsection 3(h): The President shall sign or veto all bills or proposed bylaws within ten (10) days, pursuant to Article VIII.

SECTION 4: VICE PRESIDENT

Subsection 4(a): No one may serve as Vice President who has not completed at least one full semester as a member of the ASM. No one shall be eligible to run for Vice President unless he or she is a current member of the ASM.

Subsection 4(b): The Vice President shall fulfill all presidential duties and responsibilities

if the President is unable to fulfill these duties.

Subsection 4(c): The Vice President shall act as the primary liaison to the Senate.

Subsection 4(d): The Vice President shall perform all tasks and duties assigned by the President.

SECTION 5: CABINET OF DIRECTORS

Subsection 5(a): Directors shall execute directives as established through law and executive orders, under the supervision and direction of the President.

Subsection 5(b): The Cabinet of Directors shall include a Finance Director and a Shared Governance Director. The Finance Director shall assist the President in the execution of the Budget and shall lead a committee to facilitate this process. The composition and appointment process of the committee shall be established in the Bylaws.

Subsection 5(c): Directors shall lead interns and volunteers in the implementation of law and executive orders.

Subsection 5(d): Directors shall serve at the pleasure of the President.

ARTICLE VI: LEGISLATIVE BRANCH

SECTION 1: GENERAL QUALIFICATIONS, TERM OF OFFICE, VACANCIES

Subsection 1(a): The Senate shall be composed of 33 student senators, elected by popular election with representation based on academic units as specified in the Bylaws.

Subsection 1(b): Senators serve one-year terms.

Subsection 1(c): Vacancies in the Senate shall be filled with a student, who represents the appropriate academic unit, by two-thirds (2/3rd) vote of the Senate.

SECTION 2: POWERS & RESPONSIBILITIES OF THE SENATE

Subsection 2(a): All Senators are granted one (1) vote in the Senate.

Subsection 2(b): The Senate shall provide directive to the ASM through legislation pursuant to VIII.1.

Subsection 2(c): The Senate shall establish bylaws, pursuant to VIII.2, in order to define all structural questions of the Student Government, not established in the Constitution.

Subsection 2(d): The Senate shall appoint members of ASM to all appointed positions, unless designated to the Executive Branch in §V.1(b).

Subsection 2(e): The Senate shall have the exclusive power to determine the Rules of Procedure for the Senate. Rules of Procedure cannot contradict the ASM Constitution and Bylaws.

Subsection 2(f): The Senate may pass non-binding resolutions with a majority vote establishing an opinion of the Senate.

Subsection 2(g): The Senate shall appoint a Speaker to preside over Senate meetings, represent the Senate on official matters, and to perform any other duties established in the Bylaws.

Subsection 2(h): The Senate shall maintain records of all legislative procedures.

Subsection 2(i): The Senate shall ensure communication to the student body. Each Senator shall represent and communicate with their constituents.

Subsection 2(j): Senators may not hold another formal position established in the ASM Bylaws or Constitution, in another branch of the Student Government. The Senate Speaker and Committee Chairs may not hold any position, formal or informal, in another branch of the Student Government.

Subsection 2(k): The Senate may, by a two-thirds vote, establish a spending freeze for the entire student government. This spending freeze shall not affect the salaries and benefits of any professional staff nor any funding stream designated as exempt in the financial code.

SECTION 3: IMPEACHMENT AND REMOVAL

Subsection 3(a): The Senate shall have sole power to impeach the President, Vice-President, Senators, Directors, Justices, Student Elections Commission Officials, Finance Committee positions, and Appropriations Committee positions.

Subsection 3(b): A designated Senate committee shall conduct all investigations of any aforementioned officer accused of malfeasance in office, intentional violations of the ASM Constitution or Bylaws, violation of state or federal law, violation of the Student Code of Conduct, or failure to perform responsibly the duties of the office.

Subsection 3(c): Any member of the ASM may petition the appropriate Senate committee to initiate an investigation against a Student Government officer. The committee shall decide whether to initiate an investigation. The committee must investigate an officer upon request by the President or Speaker. The Student Judiciary Chief Justice may initiate an investigation against any sitting Justice.

Subsection 3(d): If the investigation reveals that the officer likely committed the malfeasance, the designated Senate committee shall impeach the officer with a majority vote. All decisions by the committee shall be forwarded to the Senate.

Subsection 3(e): In the event that the Senate committee does not impeach, the Senate may reopen an investigation with a majority vote to be heard by the full Senate. Upon the conclusion of the Senate investigation, the Senate may vote to impeach with a majority vote.

Subsection 3(f): The Chief Justice shall preside over all impeachment and removal hearings, except when concerning Justices, in which case the Vice President shall preside over the hearing.

Subsection 3(g): Upon impeachment, the Senate may convict the officer by a two-thirds ($2/3^{\text{rd}}$) vote.

Subsection 3(h): Upon conviction any justice can be removed with a three-fourths ($3/4^{\text{th}}$) vote. All other Student Government officers may be removed with a two-thirds ($2/3^{\text{rd}}$) vote of the Senate. The Senate may impose other sanctions on any officer with a two-thirds ($2/3^{\text{rd}}$) vote.

SECTION 4: SENATE COMMITTEES

Subsection 4(a): The Senate shall establish standing senate committees in order to process and forward legislation, bylaws, resolutions, and appointments to the whole Senate. Senate committees may not make any binding decisions independent of the Senate.

Subsection 4(b): The Senate shall consist of no more than eight (8) senate committees. Each committee shall be composed of either five (5) or seven (7) senators. Each Senator shall sit on at least one (1) and no more than two (2) senate committees. Senators who sit on Appropriations shall not sit on any senate committee. This clause shall not be construed to preclude the Senate from forming ad-hoc committees as deemed necessary.

Subsection 4(c): Senate committees may subpoena any officer of the Student Government to appear at a committee meeting to testify. Proper lenience should be granted to accommodate the needs of the subpoenaed.

Subsection 4(d): Senate committees shall internally select the leadership of the committee.

Subsection 4(e): At a minimum, the Senate must establish committees with responsibilities for shared governance oversight, personnel matters, and conducting organizational audits.

SECTION 5: SENATE APPOINTMENTS

Subsection 5(a): Nominations for senate appointees shall be forwarded by the appropriate senate committee to the Senate for approval. The Chair of the senate committee has provisional authority to make temporary appointments, pending confirmation through the appointment process.

Subsection 5(b): The Senate may amend and adopt the appointment recommendations with a majority vote.

Subsection 5(c): Appointments approved by the Senate shall be forwarded to the President. The President may veto individual recommendations. Presidential vetoes may be overturned by a two-thirds (2/3rd) vote of the Senate.

ARTICLE VII: JUDICIAL BRANCH

SECTION 1: GENERAL QUALIFICATIONS, TERM OF OFFICE, VACANCIES

The Student Judiciary shall be a reactionary body composed of nine (9) Justices, who shall be members of the ASM not holding any other elected or appointed office in the Student Government. Justices shall be appointed pursuant to V.1(c). Justices shall serve until withdrawal, expulsion or graduation from the University. Justices who matriculate into new programs at the University following graduation do not retain their seat on the Judiciary.

SECTION 2: POWERS AND RESPONSIBILITIES OF THE JUDICIARY

Subsection 2(a): The Student Judiciary shall render interpretations of the Constitution and have the authority to declare laws, bylaws and executive orders unconstitutional.

Subsection 2(b): The Student Judiciary shall have jurisdiction over all cases and controversies arising under the Constitution, Bylaws and Laws of the Student Government.

Subsection 2(c): Decisions by the Student Judiciary shall establish precedent, until nullified by revisions of the ASM Constitution, Bylaws or Law, or until overturned by the Student Judiciary.

Subsection 2(d): The Student Judiciary shall have jurisdiction over the discipline of Registered Student Organizations.

Subsection 2(e): The Student Judiciary may establish Rules of Procedure to govern internal operations.

Subsection 2(f): The Student Judiciary shall supervise and investigate the Student Elections Commission, but no Justice may sit on the Student Elections Commission.

Subsection 2(g): The Student Judiciary shall certify all election results.

ARTICLE VIII: LEGISLATION, BYLAWS, AND FINANCIAL CODE

SECTION 1: LEGISLATION

Subsection 1(a): Law, established through ratified legislation, shall guide the operations of Student Government.

Subsection 1(b): Any Senator may forward a bill to the Senate secretary, indicating the senate committee to which the bill shall be forwarded. The designated senate committee must formally consider the bill within four (4) weeks of receiving the bill from the Senate secretary.

Subsection 1(c): The President may forward bills directly to the floor of the Senate. In these cases, the President may present the bill to the Senate and answer questions on the bill, but may not debate the bill.

Subsection 1(d): Bills shall be passed by the Senate with a majority vote and forwarded to the President for ratification.

Subsection 1(e): The President shall have the power of veto over any legislation forwarded by the Senate. The President may only sign or veto the legislation in whole, unless the Senate is forwarding nominations, where the President may veto individual nominees. The President cannot veto non-binding resolutions of the Senate.

Subsection 1(f): The President must act to affirm or veto the bill within ten (10) school days of the action by the Senate. Without presidential action, the bill becomes law after ten (10) school days. All bills must be affirmed or vetoed in the same session as they were passed by the Senate. Any bill passed in the last 10 days of the session, but not acted upon by the President by the end of the session shall not become law.

Subsection 1(g): A presidential veto may be overridden by a two-thirds ($2/3^{\text{rd}}$) vote of the Senate, within four (4) weeks of the veto. If the veto is overridden, the bill becomes law.

Subsection 1(h): ASM law is binding on the entire Student Government, until repealed through the legislative process.

SECTION 2: BYLAWS AND FINANCIAL CODE

Subsection 2(a): Bylaws shall direct all structural questions not addressed in the ASM Constitution. A financial code shall be maintained. This document shall govern every form of government funding, excluding student government administrative budgets. For each funding stream, the code shall state the purpose, characteristics and criteria for entry

and funding in the stream. Additionally, the code shall establish a schedule for the budgeting process. A funding stream is any mechanism through which funding is allocated to non-student governmental organizations.

Subsection 2(b): The President or any Senator may forward a new bylaw or revision directly to the floor of the Senate. The President or any Senator may forward a financial code revision to Appropriations for review and recommendation to the full Senate. Revisions to the financial code may originate in Appropriations and be forwarded to the Senate. The Appropriations Committee may, by a majority vote, establish financial policies that do not contradict the code

Subsection 2(c): The Student Judiciary may recommend to the Senate such Bylaws and election laws or amendments thereto as may be necessary to govern Student Judiciary operations. The Student Judiciary may veto any amendment made by the Senate to the Student Judiciary Bylaws by a majority vote within four weeks of adoption by the Senate.

Subsection 2(d): The Senate may refer the proposed bylaw to a senate committee. All revisions to the financial code must be referred to Appropriations. All parties affected by a proposed financial code revision must be given due notice as established per timeline in the code before the revision may be finalized.

Subsection 2(e): Bylaws and financial code revisions shall be passed by the Senate with a two-thirds ($2/3^{\text{rd}}$) vote in two (2) consecutive meetings and forwarded to the President for ratification.

Subsection 2(f): The President shall have the power of veto over any bylaw or financial code revision forwarded by the Senate. The President may only sign or veto the bylaw in whole.

Subsection 2(g): The President must act to affirm or veto the bylaw or financial code revision within ten (10) school days of the action by the Senate. Without presidential action, the proposed bylaw or financial code revision is ratified after ten (10) school days.

Subsection 2(h): A presidential veto and student judiciary vetoes may be overridden by a three-fourths ($3/4^{\text{th}}$) vote of the Senate, within four (4) weeks of the veto. If the veto is overridden, the proposed bylaw or financial code revision becomes binding.

ARTICLE IX: APPROPRIATIONS

SECTION 1: STUDENT GOVERNMENT BUDGET

The Executive Branch, Legislative Branch, Judicial Branch, Student Elections Commission and Appropriations Committee shall each have a budget. The designated budgetary officer of each of these branches shall be responsible for presenting the budget to the Appropriations Committee.

SECTION 2: GENERAL QUALIFICATIONS, TERM OF OFFICE, VACANCIES

Subsection 2(a): The Appropriations Committee shall have fifteen (15) members, of which: five (5) shall be Senators, five (5) shall be students appointed by the President with confirmation by the Senate, and five (5) shall be students elected in the general election for a one-year term. No person may concurrently hold more than one position on the Appropriations Committee.

Subsection 2(b): Vacancies in elected positions shall be filled by appointments alternating first between the Executive Branch with confirmation by the Senate and then the Senate through the appropriate senate committee with confirmation by the President. This person shall serve until the next election. Vacancies in the seats designated to the Student Senate after the third meeting following the vacancy shall be filled by the Executive Branch with confirmation by the Senate. Vacancies in the seats designated to the Executive Branch following the third Senate meeting following the vacancy shall be appointed by the Senate through the appropriate Senate committee with confirmation by the President. The Senate may not appoint any at-large student positions until five (5) positions have been filled by Senators.

SECTION 3: POWERS AND RESPONSIBILITIES OF THE APPROPRIATIONS COMMITTEE

Subsection 3(a): The Appropriations Committee shall review and approve all budgets for segregated fee expenditures and all expenditures constituting substantial support for campus student activities, as the designated Segregated University Fee Allocation Committee.

Subsection 3(b): Appropriations Committee shall oversee the allocation of all space controlled by the Student Government.

Subsection 3(c): The Appropriations Committee shall forward all budgets and space allocations as legislation to the Senate. The Senate may approve budgets and space allocation legislation with a majority vote. This legislation cannot be amended. Following approval, the Senate shall forward the legislation to the President for ratification.

Subsection 3(d): If budget and space allocation legislation fails to pass the Senate or is vetoed by the President, the legislation shall be referred to a Conference Committee composed of an equal number of delegates from the Appropriations Committee, the Senate and the Executive Branch.

Subsection 3(e): The Conference Committee may amend the budgets and space allocation decisions by a majority vote. Prior to March 1st, all Conference Committee decisions shall be forwarded to the Senate for approval, as legislation as per Subsection 3(c). After March 1st, the decisions of the Conference Committee are final.

Subsection 3(f): Neither the Senate, President, nor Conference Committee may delay action on the budgets or space allocation legislation for more than two weeks. Failure to act within two weeks shall constitute an automatic approval by that party.

Subsection 3(g): The Appropriations Committee may establish Rules of Procedure to govern internal operations.

Subsection 3(h): No bylaws, legislation, or executive orders may be issued concerning the Appropriations Committee until all student segregated fee budgets have been ratified.

ARTICLE X: SHARED GOVERNANCE

SECTION 1: SHARED GOVERNANCE OVERSIGHT

Subsection 1(a): The Student Government shall have a Shared Governance Director. This director shall be a member of the Cabinet and appointed by the President pursuant to V.1(c).

Subsection 1(b): The Shared Governance Director shall oversee the work of all Shared Governance appointees and provide a line of communication between the appointees and the Student Government.

SECTION 2: APPOINTMENT PROCESS

Subsection 2(a): The Director shall, in consultation with the Senate, establish a nominations process for Shared Governance appointees.

Subsection 2(b): The Shared Governance process shall follow the Senate appointment process, as outlined in VI.5.

SECTION 3: POWER AND RESPONSIBILITIES OF APPOINTEES

Subsection 3(a): Shared Governance appointees shall be vested with actively representing student points of view while working toward the aims of their respective University Shared Governance Committees.

Subsection 3(b): Student Government may not mandate or unduly influence the viewpoint expressed by Shared Governance appointees.

SECTION 4: CREATION OF UNIVERSITY SHARED GOVERNANCE COMMITTEES

Subsection 4(a): The Student Government may establish through legislation University Committees to address issues of student life, services and interest.

Subsection 4(b): The composition of these committees must be a majority of students. The chairperson of these committees must be a student.

Subsection 4(c): The Senate may establish in the bylaws a specific process through which these University Committees shall be created.

Subsection 4(d): The legislation creating the University Committees must specify the exact composition of the committees, including ex-officio members, and the scope and authority of the committees.

ARTICLE XI: ELECTIONS

SECTION 1: STUDENT ELECTIONS COMMISSION

Subsection 1(a): The Senate shall establish in the Bylaws a Student Elections Commission to run all Student Government elections.

Subsection 1(b): The Student Elections Commission Chair and Vice Chair shall be appointed pursuant to V.1(c). Officers cannot serve in any elected or appointed position elsewhere in the Student Government.

Subsection 1(c): The Chair and Vice Chair shall recommend appointments for the Student Elections Commission to the appropriate senate committee. The committee shall approve appointments, pursuant to VI.5.

SECTION 2: ELECTION SCHEDULE

Fall elections shall be held in October. The Senate shall set the date for the spring election prior to the December 1st preceding the election. The spring elections shall not begin: a) during the first six (6) weeks of the semester; b) during the week preceding and following Spring Break; or c) after the thirteenth week of the semester. Special elections may be called if the Bylaws so provide. All elections shall be held over a period of at least two (2) consecutive class days.

SECTION 3: PROCEDURES

Subsection 3(a): Seats shall be filled by candidate(s) who gain a plurality of votes. The Student Judiciary shall break all ties using a method of random selection as specified in the Bylaws.

Subsection 3(b): Voters may cast a number of votes in each district equal to a majority of seats available in the voters' district. The Senate may specify in the Bylaws a provision for cumulative voting.

Subsection 3(c): The Student Judiciary shall certify all election results.

SECTION 4: BALLOT

Ballots must protect the anonymity of the voter.

ARTICLE XII: PROFESSIONAL STAFF

The Student Government shall have no less than one professional staff member. Professional staff positions shall be established in the bylaws. Students shall have a direct role in the hiring and performance evaluation of the professional staff. No professional staff members may hold any office, elected or appointed, in the Student Government.

ARTICLE XIII: INITIATIVES, REFERENDA, AND RECALLS

SECTION 1: SUBJECTS

Subsection 1(a): Initiatives, referenda, and recalls may be submitted to an election only upon petition of the ASM members or by action of the Senate, filed with the Student Elections Commission.

Subsection 1(b): Any petition forwarded by members of the ASM must be signed by seven (7) percent of the total membership of the ASM.

Subsection 1(c): The Senate may place an item on the ballot with two-thirds (2/3rd) vote at two consecutive senate meetings.

Subsection 1(d): All initiatives, referenda and recall measures must be consistent with state and federal law and University of Wisconsin System Administration policies.

Subsection 1(e): All petitions must be submitted three (3) weeks prior to the elections.

Subsection 1(f): All questions placed on an initiative, referenda, or recall measure shall be submitted in such a way that members of the ASM may vote for or against each question separately.

SECTION 2: PROCEDURES

The Students Elections Commission shall submit the proposed initiative, referendum, or recall measure to ASM members at the next election. The Student Elections Commission is responsible for ensuring the proposed initiative, referendum, or recall measure is brought to the attention of ASM members by reasonable methods as specified in the Bylaws and through legislation.

SECTION 3: ADOPTION

A majority vote of those casting votes on the measure shall adopt the initiative, referendum, or recall.

SECTION 4: EFFECT

Subsection 4(a): A recall shall take effect immediately upon adoption.

Subsection 4(b): An initiative or referendum adopting, amending, or rescinding bylaws, rules or laws of the Student Government shall take effect immediately upon adoption. Such an initiative or referendum may not be amended or rescinded except by initiative or referendum for two years following adoption.

Subsection 4(c): An initiative or referendum allocating or prohibiting the allocation of funds in the control of ASM shall take effect at the beginning of the next budget cycle following the adoption. Such an initiative or referendum may not be amended or rescinded except by initiative or referendum during the budget cycle.

SECTION 5: LONG TERM FINANCIAL OBLIGATIONS

Referenda or initiatives establishing a segregated fee obligation greater than five (5) years shall require no less than ten (10) percent of the members of ASM to cast a vote. These initiatives and referenda shall be adopted with a majority of the votes.

ARTICLE XIV: TRANSITION

SECTION 1: RATIFICATION

The Constitution shall take effect on May 1st 2009. The election processes of the 15th session shall ensure the appropriate transition to the new government. The election results for the Constitution shall be ratified per the processes in place for ASM 15th session.

SECTION 2: INITIAL ELECTIONS

Initial elections for the new government shall be facilitated by the 15th Session Student Elections Commission. All elected offices within the new government shall be eligible for election. Term of office for newly elected officials shall begin May 1, 2009.

SECTION 3: APPOINTED AND OTHER ELECTED POSITIONS

All legislatively and executively appointed positions within the new student government shall be open with the exceptions listed below:

Subsection 3(a): All Student Judiciary Justices shall continue to serve until the end of their current two-year term.

Subsection 3(b): The 15th Session Shared Governance Committee and Student Council reserve the right to appoint Shared Governance appointees to Shared Governance Committees for up to one year via a process determined by the 15th Session.

Subsection 3(c): Freshmen Council Representatives shall continue to serve the remainder of their terms with the inception of the new Constitution. These Freshman Council Representatives shall maintain their equivalent position within the new government until the conclusion of their allotted term.

SECTION 4: STUDENT ORGANIZATION FINANCIAL SUPPORT

All Registered Student Organizations (RSOs) allocated segregated fee funding for fiscal year 2008-2009 and fiscal year 2009-2010 shall continue to receive the funding guaranteed to them for the above fiscal years according to the rules and regulations of the 15th Session.

ARTICLE XV: DISBANDMENT

SECTION 1: PROPOSALS

A proposal to amend this Constitution or disband the Student Government shall be submitted to an election by the members of the ASM upon the filing with the Student Judiciary of a petition signed by ten percent of the members of the ASM, or of a resolution of the Senate receiving a two-thirds vote at two consecutive meetings. No disbandment proposal shall be valid without an accompanying constitution for a student government to succeed the Student Government of the ASM. The succeeding government at a minimum must provide a mechanism to appoint students to shared governance committees and provide for the allocation and disposition for all fees that constitute substantial support for campus student activities, so as to fulfill the responsibilities of ss 36.09(5).

SECTION 2: ELECTION

The Student Elections Commission shall submit the proposed amendment or call for disbandment to an election in accordance with the procedures provided for initiatives and referenda. A majority vote of those casting votes on the question shall adopt the amendment or disbandment. The amendment shall take effect immediately upon adoption. Upon the adoption of disbandment, the Student Government of the ASM shall cease to conduct its affairs except insofar as may be necessary to transition to the succeeding government.

