

THE
SENATE BYLAWS
OF THE
ASSOCIATED STUDENTS
OF THE
UNIVERSITY OF NEBRASKA – KEARNEY



Signed this day of February 25, 2020

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Speaker of the Senate, 2019-2020

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Table of Contents

ARTICLE I Definition.....Page 3

ARTICLE II Purpose of Senate.....Page 3

ARTICLE III Senate Requirements.....Page 3

ARTICLE IV Officers.....Page 3

ARTICLE V Meetings.....Page 6

ARTICLE VI Senate Executive Committee.....Page 6

ARTICLE VII Senate Committees.....Page 6

ARTICLE VIII Parliamentary Procedure.....Page 10

ARTICLE IX Ratification.....Page 10

ARTICLE I

Section I - The name of this body shall be the Student Senate of the Associated Students of the University of Nebraska – Kearney and shall be hereinafter referred to as the Senate.

ARTICLE II

Section I - The purpose of the Senate shall be to exercise the legislative power of the Student Government under the direction of and retaining all the rights and responsibilities enumerated within the Constitution of the Associated Students of the University of Nebraska – Kearney.

ARTICLE III

Section I - A member shall refer to any Senator elected or appointed to the Senate of the Associated Students of the University of Nebraska – Kearney.

Section II - The Senate shall be composed of Senators in the manner established and enumerated in the Constitution of the Associated Students of the University of Nebraska – Kearney.

Section III - Whenever a vacancy occurs in the representation from any college or category for any reason, the remaining delegation of the college or category in which the vacancy occurs shall have the right to nominate an individual to fill the seat who shall meet all of the requirements of the seat. The delegation shall have two (2) weeks to name a nominee. A two-thirds (2/3) vote of the Senate shall be required to seat the nominee. If the delegation does not nominate an individual before the two (2) week deadline, and if no delegation exists to fill the vacancy, or if the delegation so chooses to defer to the committee, the Rules & Ethics Committee shall approve one (1) candidate per seat to be passed to the full Senate where a two-thirds (2/3) vote shall seat the individual.

ARTICLE IV

Section I - The officers of the Senate shall be the Speaker of the Senate, the Secretary of the Senate, and the Parliamentarian of the Senate.

Section II A - Election of the Speaker of the Senate shall be held at the second meeting of the legislative session and at any other meeting when the chair has been permanently vacated. Each Senator shall have one (1) vote, only Senators may vote for the Speaker of the Senate, and only Senators shall be eligible for the Office of Speaker of the Senate. Nominations for the position may be made only by Senators and shall be made prior to the election of the Speaker of the Senate. The Vice President of the Student Body shall preside over the Senate until a Speaker of the Senate is elected and at any time the Speaker of the Senate is absent and/or the Speaker of the Senate chair is vacated for any reason prior to the election of a new Speaker of the Senate. Election of a Speaker of the Senate shall require a majority of the Senate. A Senator's term as Speaker of the Senate shall be from the moment of election by the Senate until the adjournment of the final meeting of the legislative session of the Senate in which he or she was elected or until death, resignation, or permanent vacancy of the chair for any reason.

A Senator may be removed from the Speaker of the Senate chair by a two-thirds (2/3) vote of the Senate, in which case he or she shall retain full rights as a Senator but shall no longer hold the Office of Speaker of the Senate.

Section II B - The Senate, through a committee screening process, shall choose the Secretary of the Senate. The Rules & Ethics Committee shall hold interview hearings of candidates who shall apply to the committee for the office and the committee shall nominate, by a majority vote, one (1) candidate to be sent to the full Senate. A two-thirds (2/3) vote of the Senate shall constitute confirmation of the committee's nominee. The Speaker of the Senate may appoint an Interim Secretary of the Senate until a permanent Secretary of the Senate is confirmed and during the duration of any time when the Office of Secretary of the Senate is vacated for any reason prior to the confirmation of a new Secretary of the Senate. If the Interim Secretary of the Senate is also a Senator, he or she shall retain full rights as a Senator. The Office of Secretary of the Senate shall be open to any member of the Associated Students of the University of Nebraska – Kearney. The permanently chosen Secretary of the Senate may not at the same time hold any other office in Student Government except those derived from being the Secretary of the Senate. The term of Secretary of the Senate shall be from the moment of confirmation until the adjournment of the final meeting of the legislative session of the Senate in which he or she was confirmed or until his or her death, resignation, or permanent vacancy of his or her office for any reason. The Secretary of the Senate may be removed by a two-thirds (2/3) vote of the Senate.

Section II C - The Parliamentarian of the Senate shall be chosen by the Senate through a committee screening process. The Rules & Ethics Committee shall hold interview hearings of candidates who apply to the committee for the office and the committee shall nominate, by a majority vote, one (1) candidate to be sent to the full Senate. A two-thirds (2/3) vote of the Senate shall constitute confirmation of the committee's nominee. The Speaker of the Senate may appoint an Interim Parliamentarian of the Senate until a permanent Parliamentarian of the Senate is confirmed and during the duration of any time when the Office of Parliamentarian of the Senate is vacated for any reason prior to the confirmation of a new Parliamentarian of the Senate. If the Interim Parliamentarian of the Senate is also a Senator, he or she shall retain full rights as a Senator. The Office of Parliamentarian of the Senate shall be open to any member of the Associated Students of the University of Nebraska –Kearney. The term of Parliamentarian of the Senate shall be from the moment of confirmation until the adjournment of the final meeting of the legislative session of the Senate in which he or she was confirmed or until his or her death, resignation, or permanent vacancy of his or her office for any reason. The Parliamentarian of the Senate may be removed by a two-thirds (2/3) vote of the Senate. The permanently chosen Parliamentarian of the Senate may not at the same time hold any other office in Student Government except those derived from being the Parliamentarian of the Senate.

Section III A - The Speaker of the Senate shall be the presiding officer, the Chief Executive, of the Senate. His or her powers shall include to call, preside over and conduct all meetings of the Senate; shall be a non-voting, ex-officio member of all Senate committees; shall have the sole power to direct all legislation of the Senate at his or her discretion to the appropriate committee(s); shall direct all appointment applications and constitutions submitted for review to the appropriate committee; shall be the official representative of the Senate as a whole and shall have the power to appoint representatives of the Senate for whatever purpose necessary; shall retain those powers granted by the current edition of *Robert's Rules of Order Newly Revised* that are not inconsistent with these bylaws or the Constitution of the Associated Students of the University of Nebraska – Kearney; and shall retain those powers consistent with the Office of Speaker of the Senate and

necessary to carry out that function and the overall direction of the Senate. The Speaker of the Senate shall retain those rights of debate and voting consistent with the current edition of *Robert's Rules of Order Newly Revised* guidelines for voting be the chair. The Speaker of the Senate shall have full power to construct the agenda for each meeting of the Senate.

Section III B - The Secretary of the Senate shall be the official recorder of the proceedings of the Senate. His or her office's responsibilities shall include the accurate recording for the proceedings of the Senate; keeping attendance records of each Senator for Senate and committee meetings and shall report any violations of any attendance policy to the Speaker of the Senate; shall author any official communications of the Senate as a whole when so directed by the Speaker of the Senate; shall see to it that all Senate committees keep timely minutes of their meetings and shall report problems to the Speaker of the Senate; shall see the accurate numbering and filing of Senate legislation and resolutions and shall maintain, in an orderly fashion, all records of the Senate's proceedings, legislation and resolutions; shall be the official keeper, for historical purposes, all official actions, declarations, legislation, and resolutions passed, and internal proceedings of the Senate; and shall assist the Speaker of the Senate in any way necessary. The Secretary of the Senate shall be considered a member of the Senate, but shall not have the power to vote except in the Senate Executive Committee, shall not be a member of a committee except the Senate Executive Committee, shall not chair a committee, and shall not partake in debate except in the Senate Executive Committee or at the discretion of the Speaker of the Senate on the Senate Floor.

Section III C - The Parliamentarian of the Senate shall be the official assistant to the Speaker of the Senate. His or her office responsibilities shall include ensuring that the proceedings and actions of the Senate, its committees, and any other of its commissions, are carried out according to the parliamentary authority and in accordance with the Bylaws of the Senate and the Constitution of the Associated Students of the University of Nebraska – Kearney; that all actions of the officers and members of the Senate are carried out in accordance with the parliamentary authority, the Bylaws of the Senate and the Constitution of the Associated Students of the University of Nebraska – Kearney; the Senate, its members, officers, and subsidiaries act in accordance with proper protocol as defined by the Senate and/or the structure of the Student Government, the Bylaws of the Senate, and the Constitution of the Associated Students of the University of Nebraska – Kearney; to be an ex-officio co-chair of the Rules & Ethics Committee; to enforce as directed by the Speaker of the Senate any attendance policy of the Senate; to advise members of the Senate and members of the Student Government on matters of parliamentary procedure and questions concerning the Bylaws of the Senate of the University of Nebraska – Kearney; shall be available to any student organization to help in writing or revising their constitution or advise them on points of parliamentary procedure; and shall assist the Speaker of the Senate in any way necessary. The Parliamentarian of the Senate shall be considered a member of the Senate, while serving as duly confirmed, shall never have the power to vote on the Senate floor or in any other committee except the Senate Executive Committee, the Rules & Ethics Committee, shall be a member of only the two (2) aforementioned committees, and shall not partake in debate except in the two (2) committees of which he or she shall be a member and at the Speaker's discretion on the Senate floor.

Section IV A - In the absence of both the Speaker of the Senate and the Vice President of the Student Body, the Senate shall elect a Senator as Speaker Pro Tempore for the duration of the absence of the Speaker of the Senate at a meeting of the Senate. Either the Vice President of the Student Body or a Speaker Pro Tempore shall retain all the powers of the Speaker of the Senate while serving as the presiding officer over the Senate.

ARTICLE V

Section I A - The Senate shall meet on Tuesdays of the fall and spring semesters when classes are in session, except during finals week unless the Speaker of the Senate, with the consent of two-thirds (2/3) of the Senate, shall cancel any meeting for any reason. Meetings will be weekly committee meetings and joint sessions. The Senate shall determine the time of Senate meetings.

Section I B - Two-thirds (2/3) of all senators shall constitute quorum required for the Senate to conduct business.

Section I C - The Speaker of the Senate may call special sessions of the Senate at any time.

ARTICLE VI

Section I A - The Senate Executive Committee shall include the Speaker of the Senate, who shall chair this committee, the Secretary of the Senate, and the Parliamentarian of the Senate.

Section I B - This committee's primary role shall be to act as a planning and steering committee for the Senate as directed by the Speaker of the Senate, to coordinate legislative efforts between the Senate and the Presidency and may be utilized by the Speaker of the Senate as an advisory board. The Speaker of the Senate shall define the role of this committee more thoroughly.

ARTICLE VII

Section I A - The Senate shall function on a committee structure. The purpose of the committees shall be to serve as the initial point wherein Senate business is first considered.

Section I B - The standing committees of the Senate shall be Student Affairs & Public Relations, Constitutional Review, Rules & Ethics, Facilities & Campus Development, and Student Programming Board.

Section I C - The Speaker shall construct the committees, including the chairmanships of each committee after Senate members have submitted committee preferences to the Speaker of the Senate. Two (2) weeks after the initial request of committee formation, if Senators have not submitted preferences, these vacancies and all vacancies, thereafter, will be assigned by the Speaker of the Senate. The Speaker of the Senate shall retain full power to remove a chairman or member of a committee at any time for any reason and a replacement shall be named by the Speaker of the Senate and approved by a majority vote of the Senate.

Section I D - Each Senator shall be required to serve on two (2) committees, unless he or she is a chair of a committee, in which case he or she must serve on only one (1) committee.

Section I E - Non-senate personnel may serve on committees of the Senate provided they meet all the requirements of service as if serving on the Senate, are approved by the Rules & Ethics Committee, are approved by two-thirds (2/3) of the Senate, and are seated on a committee. No committee shall be constructed of more than one-third (1/3) of non-senate personnel.

Non-senate personnel shall serve on the committee(s) to which they applied from the moment of their confirmation by the Senate assignment until the end of the legislative term in which they are confirmed, until their death or resignation, or until their removal or vacated of their seat on the committee they serve. Non-Senate committee personnel shall retain full committee member rights and obligations.

Section I F - Each committee should, whenever possible, be constructed of at least two (2) members plus a chair or co-chairs and whenever possible constructed of an odd number including the chair or co-chairs.

Section I G - A member of the Senate shall be selected to chair each committee of the Senate.

Subsection i - All standing committees of the Senate shall meet regularly as scheduled by the chair.

Subsection ii - The chairman shall be responsible for insuring that the minutes of their committee are recorded and filed regularly, and attendance records are kept and properly reported.

Subsection iii - Committee chairman shall give a report of their committee's work at the request of the Speaker of the Senate at meetings of the Senate or at any other time the Speaker of the Senate requests a written or oral report.

Subsection iv - Any vote on a matter to be reported out of the committee that ties; committee chairs shall have the right to vote only in breaking a tie. The object of the vote shall remain that committee for not more than two (2) weeks during which time the committee may attempt to resolve the tie. If that is not accomplished, the matter shall be reported to the full Senate where the matter shall be decided by a majority vote.

Section II - The Student Affairs & Public Relations Committee shall be charged with the duty of handling legislation dealing with the general welfare of the students, campus life, student activities, and student concerns. The commission shall, by nature, be the most general by its name, and the Speaker of the Senate shall use his or her judgment when assigning legislation to this committee. It will fall chiefly upon the Speaker of the Senate to define the scope of its role.

Section III A - The Constitutional Review Committee shall be charged with the duty to hold hearings concerning Student Government recognition of new or existing student organizations by reviewing the constitutions of such organizations.

Section III B - To be considered a recognized student organization, the organization must be able to prove they have a minimum of five (5) part-time or full-time student members. Any student organization wishing to be recognized by the Student Government, must submit a constitution for their organization to the Senate which will be automatically referred to this committee. The existing organizations will be required to submit their constitutions in like fashion at least every four (4) years in order to retain Student Government recognition. Approval of such constitutions and Student Government recognition shall require a hearing by this committee on the constitution presented by a prospective or current member of the organization, a simple majority passage of the constitution by the committee, a two-thirds (2/3) vote of approval by the full Senate and signing or veto by the President of the Student Body.

Section III C - Interviews or hearings concerning all constitutions applications shall be held by the Constitutional Review Committee prior to the second regular Senate meeting after the application/submission date. Upon approval by the Constitutional Review Committee, a constitution shall be presented to the full Senate no later than the third regular Senate meeting after the original application/submission date. If the Constitutional Review Committee should fail to meet these guidelines, it is the duty of the Speaker of the Senate, to present a constitution for review by the full Senate at the second regular scheduled meeting after the application/submission date. Failure by the Constitutional Review Committee to meet these prescribed guidelines shall warrant an investigation into the committee's practices, which may be requested by any involved party.

Section IV A - The Rules & Ethics Committee shall be charged with the duty of handling proposals for amendments to the Constitution of the Associated Students of the University of Nebraska – Kearney and/or the Bylaws of the Senate, shall handle legislation concerning procedural issues of the Student Government, shall guard the protocol of the Senate, shall enforce any attendance policy of the Senate, shall create or update an index for the Constitution of the Associated Students of the University of Nebraska – Kearney, shall be charged with the duty of holding confirmation hearings for Presidential appointments and interview hearings for candidates applying for open/vacant Senate positions, shall be the initial body which considers issues of impeachment brought before the Senate, and shall act as an investigative committee into the actions and ethics of Student Government officials and the possible misuse of Student funds. The proceedings of such investigative meetings shall be confidential.

Subsection A i – All Senators shall be required to attend each meeting of the Senate and the committee(s) on which they serve. Attendance of Senate and committee meetings shall bear equivalent importance.

Subsection A ii – Each unexcused absence from a Senate or committee meeting shall earn a Senator two (2) demerits and excused absences from a Senate or committee meeting shall earn a Senator one (1) demerit, which shall be reported to the Secretary of the Senate by the Speaker of the Senate and/or committee chairs. The Secretary of the Senate shall keep an official attendance record of Senate and committee meetings. Senators must submit an electronically recorded written excuse to the Speaker of the Senate and/or the chair prior to the meeting time for which they will be absent. The Speaker of the Senate and/or chair then retain the right to rule whether the absence should be excused or unexcused, in accordance with established Senate attendance policies.

Subsection iii – The accumulation of six (6) demerits within one term and/or the request to investigate a Senate member's conduct, they at the report and/or request of the Speaker of the Senate or two-thirds (2/3) of the Senate, shall require a member to appear before this committee for official investigation; failure to schedule or appear before the committee will be grounds for removal from the Senate by a simple majority vote. The Speaker of the Senate shall be required to attend all investigative meetings of this committee.

Section IV B – The Rules & Ethics Committee shall retain the right to deal with breaches of the ethics and/or attendance policies as defined in Senate Resolution 1999-18 and the Senate Bylaws Article Seven (7), Section Four (4) C. The committee may recommend to the Senate the removal of any member of the Senate for ethics and/or attendance policy violations. The Senate can accomplish this with a two-thirds (2/3) vote, following the same procedure as impeachment

proceedings, as outlined in Article Five (5), Section Eight (8) of the Constitution of the Associated Students of the University of Nebraska – Kearney.

Subsection IV i – Any person removed or who voluntarily resigns his or her Student Government position may not apply for the previously removed/resigned position or any other Student Government position until the beginning of the next Student Government term. In instances where the removal/resignation is within ninety (90) days prior to the end of the current term, the said individual will be ineligible to compete in elections or occupy a seat to which he or she is elected to for the upcoming term. Furthermore, the said individual will be ineligible to apply for any Student Government position until the beginning of the following academic school year. A member of Student Court will be eligible to compete in elections only if the said Court member resigns his or her position prior to filing for election, as described in Senate Bill 2001-01, Section Ten (10). Any such person may appeal his or her status to the Rules & Ethics Committee, and the said committee may grant permission for the said individual to run and/or apply for available Student Government positions, including, but not limited to, the previously removed/resigned position. Additionally, the said individual may appeal the decision of the Rules & Ethics Committee to the entirety of the Senate. The individual may appeal the decision of the Senate following the procedures outlined in Article Five (5), Section Eight (8) of the Constitution.

Section IV C - The Rules & Ethics Committee shall retain the right to establish the attendance policy pertaining to what shall constitute an excused absence effective for each legislative term. The committee's recommendation must be approved by two-thirds (2/3) of the Senate. The previous attendance policy shall be effective until a two-thirds (2/3) vote of the Senate is obtained.

Section IV D - The Rules & Ethics Committee shall consider amendments to the Constitution of the Associated Students of the University of Nebraska – Kearney before the Senate as a whole may consider them. The Rules & Ethics Committee shall report their recommendation of the proposed amendment to the Senate as a whole. If the committee disapproves, the Senate may, with a two-thirds (2/3) vote, override the recommendation of the committee and debate the amendment, in the forum of the Senate as a whole.

Section IV E - The Rules & Ethics Committee shall be required to create or update a comprehensive index of the Constitution of the Associated Students of the University of Nebraska – Kearney before the sixth (6th) Senate meeting of each new term.

Section IV F - All Presidential appointments to the Executive Cabinet of the President, to the Student Court, of anyone to act as a representative of the Student Government “to any faculty committee or governing body to which student representation is required or necessary”, pursuant to Article Two (2), Section Six (6) in the Constitution, and of anyone to the Election Commission shall automatically be referred to the Rules & Ethics Committee for confirmation hearings. Once this committee approves an appointment by a majority vote, the nominee shall be sent to the full Senate for final confirmation, which in all of the aforementioned cases requires a two-thirds (2/3) vote of the Senate.

Section IV G - This committee shall also be the committee which candidates and appointees for Senate positions are initially referred.

Subsection IV i - Interviews or confirmation hearings concerning all appointments shall be held by the Rules & Ethics Committee prior to the second regular Senate meeting after the application/submission date. Upon approval by the Rules & Ethics Committee, a candidate shall be presented to the full Senate no later than the third regular Senate meeting after the original application/submission date. If the Rules & Ethics Committee should fail to meet these guidelines, it is the duty of the Speaker of the Senate, or the President of the Student Body in cases involving the appointment of executive officers or court justices, to present a candidate for review by the full Senate at the second regular scheduled meeting after the application/submission date. Failure by the Rules & Ethics Committee to meet these prescribed guidelines shall warrant an investigation into the committee's practices, which may be requested by any involved party.

Section V - The Student Affairs & Public Relations Committee shall be charged with the duty of performing any and all public relations activities for the Senate as directed by the Speaker of the Senate and to handle all legislation dealing with public relations concerning the Senate. It may issue press releases, announce open positions on the Senate, and/or handle relations with the press. This committee shall derive much of its role from the direction of the Speaker of the Senate.

Section VI - The Facilities & Campus Development Committee shall be charged with the handling of legislation concerning the facilities of the University of Nebraska – Kearney. This committee shall, address concerns regarding facilities at the University of Nebraska – Kearney.

Section VII - The Student Programming Board shall be charged with the duty of appropriating student funds to those student organizations that have submitted their budgets in accordance with the board's guidelines.

Section VII A - The Student Programming Board shall have the power to cut, for any reason, any student organization budget it deems necessary to cut.

Section VII B - There shall be one (1) Senator from each college or category as well as the Secretary of the Treasury and the Chief of Staff on the board. Each member shall have full voting rights in all business of the board.

Section VII C - The Speaker of the Senate shall appoint Senate members to the Student Programming Board.

ARTICLE VIII

Section I - The official parliamentary authority used to govern all proceedings of the Senate, its committees, and any other commission of the Senate shall be the current edition of *Robert's Rules of Order Newly Revised*, and in these assemblies the current edition of *Robert's Rules of Order Newly Revised* shall not be violated unless in accordance with a specific portion of the Bylaws of the Senate herein established or the Constitution of Associated Students of the University of Nebraska – Kearney, or any special rules of order the Senate may adopt.

ARTICLE IX

Section I - The Rules & Ethics Committee shall consider amendments to the Bylaws of the Senate,

brought forth by members of the Senate and the Student Body, before the Senate as a whole may consider them. The Rules & Ethics Committee shall report their recommendation of approval or disapproval of the amendment to the Senate as a whole. If the committee disapproves, the Senate may, with a two-thirds (2/3) vote, override the recommendation and consider the amendment.

Section II - Previous notice and a two-thirds (2/3) vote is needed by the full Senate to approve amendments to the Senate Bylaws.

Section III - These bylaws shall be the preeminent bylaws for the Senate and shall hereby supersede and replace all prior Senate Bylaws.

Section IV A - The Speaker of the Senate shall, in the event that he or she is engaged in debate on the Senate floor in accordance with the parliamentary authority, shall vacate the Speaker of the Senate chair and the Vice President of the Student Body, or if he or she be absent, a Senator appointed as temporary Speaker Pro Tempore shall assume the Speaker of the Senate chair until the official Speaker of the Senate re-assumes the chair. Once the Speaker Pro Tempore has assumed the duties of the chair, and the Speaker has engaged in debate, he or she shall not re-assume the duties of the chair until the item of business which they engage in debate has been settled.

Section IV B - The Speaker of the Senate shall have the power, but not the obligation, to recognize any member of the Executive Branch or member of the gallery during a Senate meeting.

Section IV C - Cloture shall constitute the revocation of the floor from the Senator who presently has the floor. A motion for cloture requires no recognition by the Speaker of the Senate, shall require a second, and shall then require an immediate vote, needing a two-thirds (2/3) vote for passage. If a two-thirds (2/3) vote is achieved, the floor shall pass to the Speaker of the Senate; but if the motion for cloture fails, the floor shall remain with the Senator who originally had the floor.

Section IV D - In compliance with the Open Meeting Laws of the United States Code, the Senate will recognize items of business which can properly be presented, under the provisions of Article Nine (9) of the Constitution of the Associated Students of the University of Nebraska – Kearney, by a member of the Associated Students of the University of Nebraska – Kearney during the Public Comment section of the agenda.

Section IV E - A copy of the standing rules shall be made available for review, along with the Constitution, Bylaws and special rules order as pertains to the proceedings of the Senate.