

## **Bylaws of the Forty-Ninth Senate Legislative Cabinet**

### **Section I. *Establishment***

- A. The Cabinet shall be established according to the ASCSU Constitution and the Senate Bylaws.
- B. These bylaws are superseded by the Senate Bylaws and the ASCSU Constitution.
- C. The ASCSU Supreme Court has the authority to interpret these bylaws.
- D. These bylaws are subject to the Senate Ratification Process.
- E. These bylaws are superseded by University Policy, Local Law, Colorado State Law, and Federal Law.

### **Section II. *Definitions***

- A. Legislative Magistrates - Any Magistrate as outlined in the Senate Bylaws and Constitution.
- B. Cabinet - The Legislative Cabinet composed of all Legislative Magistrates as outlined in the ASCSU Constitution.
- C. Senate - The Senate Body as a whole.
- D. ASCSU - The Associated Students of Colorado State University.
- E. Advisor - Any ASCSU Advisor as outlined in the constitution and bylaws of ASCSU.

### **Section III. *Operation***

- A. The Cabinet will meet at a designated time during the week.
  - a. The Chair will publish the meeting time in the ASCSU Office.
  - b. The meeting time may not conflict with other committee meeting times.
- B. The agenda for the Cabinet will be as follows. Items may be added at the discretion of the Chair.
  - a. The Chair shall gather input from the Cabinet as to what they would like to discuss this week.

### **Agenda**

- i. Call to Order
- ii. Roll Call
- iii. Senate Agenda
- iv. Committee Reports
- v. Advisor Input
- vi. Speaker of the Senate Report
- vii. Speaker Pro Tempore Report
- viii. Recruitment and Retention Officer Report

1. Additions Report (Senate)

2. Leave Report (Senate)

ix. New Business

x. Old Business

xi. Announcements

xii. Adjournment

- C. The meeting shall be open to the public unless an executive session is declared.
  - a. An executive session may only be declared as pursuant to Colorado Sunshine Law and should only be used if for impending legal matters, personnel issues, or other confidential topics should be addressed.
- D. The Cabinet will operate under the Roberts Rules of Order 11<sup>th</sup> Edition unless suspended by the Chair.
  - a. A majority vote in the Cabinet may overrule the Chair's decision to suspend Robert's Rules of Order.
- E. Quorum shall be defined as 2/3 of the Cabinet including the Chair.
- F. Ex Officio status shall be granted to anyone at the Chair's discretion.
  - a. A 2/3 vote of the voting members present may remove or grant Ex Officio status to anyone.
- G. The succession of the Chair of the Cabinet shall be the same as with the Senate Bylaws during a regular Senate session.

**Section IV. *Legislative Authority***

- A. The Cabinet shall have the authority to produce legislation that requires no sponsorship on the floor of the Senate.
  - a. The Cabinet shall be the sole author of the legislation being presented.
  - b. The Chair of the Cabinet shall present the legislation with any other Cabinet Members present at the Senate Meeting.
    - i. While presenting the legislation, one Cabinet member will Chair the Senate at the discretion of the Speaker of the Senate.
- B. The Cabinet may only sponsor or endorse legislation by a unanimous vote of the Cabinet.
  - a. Any dissent from sponsorship or endorsement will be considered a failure of the vote to sponsor or endorse.
  - b. A sponsorship or endorsement on legislation will count as six sponsorships or endorsements of members holding floor rights.
- C. The Cabinet shall recommend changes to legislation as it sees fit, but will have no authority to change any legislation that the Cabinet does not produce.
  - a. In the case of legislation that the Cabinet does produce it may edit the legislation as per the Senate bylaws.
  - b. If the Cabinet shall need to accept friendly amendment(s) on legislation they produce, the Speaker of the Senate or the Speaker Pro Tempore, whichever is not chairing at the time, shall accept or decline the changes.

- D. The Cabinet will have the authority to remove legislation from the Senate Agenda as it sees fit for violations of the Code of Ethics, State and Local Law, Constitution, Senate Bylaws, University Policy, or Federal Law.
  - a. A 2/3 majority shall be required to remove legislation from the Senate Agenda.
  - b. The Chair shall be granted voting rights in this instance.
  - c. If the legislation is removed, the Chair will communicate that to the author at least 1 business day in advance of the next Senate session as to why it was removed.
- E. The Cabinet will have the authority to add items to the agenda after the 5:00PM deadline outlined in the Senate Bylaws in a unanimous vote of the Cabinet as long as it conforms to every other deadline.
- F. The Cabinet will have the authority to send legislation it receives to the committees of the Cabinet's choice after the first reading.
  - a. The Cabinet will decide relevant committees and communicate that to the Senate upon the first reading of a piece of legislation.
  - b. This may be overridden by a motion of the Senate body.
    - i. A simple majority will be required to overturn this decision.

**Section V. *Speaker of the Senate***

- A. The Speaker of the Senate shall chair the Cabinet.
- B. The Speaker of the Senate shall assemble an agenda for consideration of the cabinet.
- C. The Speaker of the Senate shall be considered the head of the legislative branch and have the power to veto decisions by the cabinet.
  - a. A 2/3 vote of the cabinet shall be required to overturn a veto of the Speaker of the Senate.
- D. The Speaker of the Senate shall, during reports, make sure all other members of the Cabinet are performing their duties assigned them.
- E. The Speaker of the Senate shall report out notes from the Executive Branch Cabinet Meeting that are relevant to the Legislative Branch.
- F. The Speaker of the Senate shall act as the Legislative Branch representative in all manners unless deferred to another member via legislation or written deferral by the Speaker of the Senate.
- G. The Speaker of the Senate shall bring to the Cabinet meeting any advisors that would benefit the Cabinet in their deliberation of the agenda and Senate processes.
  - a. This can include ASCSU Advisors, General Counsel, SDPS Directors or any other persons that are deemed relevant.
- H. The Speaker of the Senate shall execute decisions made by the Supreme Court.

**Section VI. *Speaker Pro Tempore of the Senate***

- A. The Speaker Pro Tempore of the Senate shall chair the Cabinet if the Speaker of the Senate is absent.
- B. The Speaker Pro Tempore will report out current attendance of the Senate.
  - a. This shall include all members who have missed 10 or more office hours, missed 2 or more Senate sessions, and/or 2 or more committee meetings missed from the Senate session two weeks before the Cabinet meeting to the current Cabinet meeting.
- C. The Speaker Pro Tempore will also report out any relevant projects they are pursuing.

## **Section VII. *Recruitment and Retention Officer***

- A. The Recruitment and Retention Officer shall use the attached form, “Recruitment and Retention Exit Survey” when a Senator or Associate Senator resigns from office.
  - a. The Recruitment and Retention Officer shall share the reasons for leaving during the leave report section of the agenda.
- B. The Recruitment and Retention Officer will report out all recruitment and retention efforts they are currently undertaking.
- C. The Recruitment and Retention Officer will use the attached form, “Senator Training and Additions Form” to report and verify to the Cabinet newly incoming Senators and Associate Senators.

## **Section VIII. *Parliamentarian***

- A. The Parliamentarian shall act as the clerk of the Cabinet.
  - a. If the Parliamentarian is unable to attend Cabinet meetings the chair shall appoint a clerk for the meeting(s) which the Parliamentarian is unable to attend.
  - b. The clerk shall take the minutes of the Cabinet.
- B. The Parliamentarian shall report any matters pertaining to the Bylaws, Constitution, and Code of Ethics.
- C. The Parliamentarian shall have the authority to interpret the bylaws during Senate sessions and during Cabinet meetings.
  - a. The ruling of the Parliamentarian for questions concerning the bylaws shall be outlined pursuant to attached form “Parliamentary Ruling Form”
    - i. All rulings will be considered final subject to the Speaker of the Senate and Supreme Court Rulings.

## **Section IX. *Committee Chairs***

- A. Committee Chairs shall report on the general attendance of their Committee as well any modifications to legislation that is on the floor for that week.
- B. Any reason for cancelation of a Committee meeting will also be reported on.
- C. Committee Chairs will also present any relevant projects or legislation they are working on to the Cabinet for consideration.
- D. Committee chairs shall oversee their respective committees and defer to the Speaker of the Senate for guidance.

## **Section X. *Recommendation of Removal from Office***

- A. The Cabinet shall have the authority to recommend the removal of Senators and Associate Senators on the grounds of ASCSU Code of Ethics Violations, Senate Bylaw Violations, Constitutional Violations, and/or Student Code of Conduct Violations.
  - a. The Cabinet must explicitly cite at least one of the aforementioned documents

- b. If the Cabinet recommends the removal of a Senator or Associate Senator who has not violated any of the above mentioned codes of conduct or documents, the Cabinet may be held in violation of the ASCSU Code of Ethics and subject to Supreme Court internal complaints.
        - c. The Speaker of the Senate may call a special meeting of the magistrates should they feel it necessary during the recommendation of removal process.
  - B. If the Cabinet wishes to recommend the removal of a Senator or Associate Senator, a member of the Cabinet shall make the motion in a regular meeting of the Magistrates.
    - a. The Cabinet member must motion the meeting into executive session prior to presenting the recommendation of removal inquiry to the Magistrates.
    - b. The member who made the motion must provide reasoning for said motion, including an explicit clause from one of the aforementioned documents in Section X, subsection B.
    - c. The magistrates will determine whether to proceed with a recommendation of removal inquiry via a secret ballot vote.
      - i. To vote on whether to proceed, the Cabinet must meet quorum.
      - ii. The chair of the Cabinet shall be granted voting power and count as a voting member in this instance.
      - iii. A 3/4<sup>th</sup> majority rounded up in favor shall be required to proceed with a recommendation of removal inquiry.
- C. The Recruitment and Retention Officer will solicit the opinion of the Senator or Associate Senator being affected by the decision. The Senator or Associate Senator will provide their perspective on the situation.
  - a. The Senator or Associate Senator in question will present information to the cabinet at the next scheduled meeting.
    - i. This meeting will be in executive session during the presentation.
    - ii. Should the Senator or Associate Senator be unable to attend the next scheduled meeting, they have the right to a meeting time that is accessible for their schedule.
    - iii. The Senator or Associate Senator may also have the option to provide a written statement. The Recruitment and Retention Officer will read the statement.
    - iv. A Senator or Associate Senator may decline to present information.
- D. After the presentation, the magistrates will determine whether to recommend the removal of a Senator or Associate Senator.
  - a. The Cabinet will ask the Senator or Associate Senator to leave the chambers before the vote occurs.
  - b. The chair of the cabinet shall be granted voting power and count as a voting member in this instance.

- c. To vote for a recommendation of removal, the Cabinet must meet quorum.
- E. A 3/4<sup>th</sup> majority secret ballot vote rounded up in favor shall be required to move forward with the recommendation. The Recruitment and Retention Officer shall communicate the decision to the Senator or Associate Senator who is being affected by the decision as well as the ASCSU advisor.
  - a. The Cabinet shall send a personalized letter to the College Council, Student Council, or SDPS Office of the affected Senator or Associate Senator stating the reason for the recommendation of removal, specifically citing which documents were violated.
    - i. An ASCSU advisor must approve of said letter before it is sent.
  - b. After receiving the recommendation from the Cabinet, the College Council or Student Council shall have the full discretion whether to exercise its removal clause in its respective constitution.
  - c. For SDPS offices the recommendation shall go to the director of the office the Senator or Associate Senator represents and they shall have full discretion whether to remove said Senator or Associate Senator.

#### Section XI. Voting

- A. All members of the Cabinet will have the right to vote except the Chair unless otherwise stated in these bylaws.
- B. All votes will be via simple majority of the Cabinet unless otherwise stated in these Bylaws.
- C. The Parliamentarian will record all votes.
- D. All ties will count as fails.

#### Section XII. Cabinet Authority

- A. The Cabinet will have the authority to revise these bylaws as they see fit subject to ratification by the Senate.
- B. The Cabinet shall have the authority to recommend a decision to hold special meetings or cancel Senate meetings to the Speaker of the Senate.
  - a. The Speaker may overturn this recommendation as they see fit.
  - b. The Cabinet shall have the authority to inform the Senate that a cancelation was recommended if the Speaker elects not to cancel Senate meetings.
  - c. The Cabinet will also have the authority to inform the Senate that a special meeting was not held.
- C. The Cabinet shall be available to the Senate as leaders and be expected to uphold the ASCSU Code of Ethics.
- D. All decisions made by the Cabinet should be made in good faith and in accordance with these Bylaws and other relevant documents of ASCSU.
- E. The Cabinet shall have the responsibility to maintain the faith of the Senate to maintain decorum and leadership to the campus community.
- F. The land grant acknowledgement shall be read at every Senate session by the Speaker Pro Tempore, or designee of the Chair.