

ASUCM By-Laws

Financial By-Laws

Updated as of February 17, 2017

Purpose: The purpose of the Financial By-Laws is to provide for the financial stability of ASUCM and prevent fiscal irresponsibility; also these By-Laws shall give direction and purpose to ASUCM's funding allocations. The University of California Policies pertaining to accounting, finance, and business operations shall supersede these By-Laws.

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Article I: Definitions

- A. Budget Call - Budget Call shall be defined as the call made by the ASUCM Treasurer for all budget proposals for the upcoming fiscal year;
- B. Written Budget - The Written Budget shall be defined as a line-by-line spreadsheet detailing all allocations, as well as all previous disbursements, current at the time of submission of the request for additional funding from the ASUCM General Fund;
- C. ASUCM Fiscal Year - The ASUCM Fiscal Year shall be from 12:00am on July 1st to 11:59pm June 30th of the following calendar year; the ASUCM Fiscal Year shall be in alignment with the University of California's Fiscal Calendar;
- D. Net profits - Net Profits shall be defined as the money left after all direct expenses involved with the fund raising event or commercial activities have been paid;
- E. Operation - Operation shall be defined as the universal title for line items within the ASUCM Annual Budget with each line item fulfilling a specific purpose following the ASUCM Constitution and By-Laws;
- F. Operation Director - Operation Director shall be defined as an individual held accountable for a line item in the ASUCM Annual Budget. These By-Laws or regular practice shall indicate who are the operations directors; if it is unclear who the operations director is the ASUCM Treasurer shall name someone the operations director;
 - 1. Educational Enrichment Director - Educational Enrichment Director shall be defined as an individual held accountable for a line item involving their Research Grant and/or Publication;
- G. Political Organizations - Political Organizations shall be defined to include any group which dedicates a part of their activities to, or whose purpose includes, carrying out informational campaigns or propaganda designed to, or resulting in, individuals petitioning Federal/State legislative or executive bodies for policies advocated by that group. For purposes of these by-laws, political organizations shall also include organizations that are affiliated with national political parties or support the election of candidates for public office;
- H. Religious Denominations - Religious Denominations shall be defined as any group that is united under a common religious faith or belief system;
- I. Travel Expenses - Travel Expenses shall be defined as lodging, ground, air, and water travel expenses required to transport UC Merced Undergraduates from the City of Merced to their destination and back;
 - 1. For the purposes of these By-Laws, registration fees shall be considered travel if transportation is required for attendance;
- J. ASUCM Paraphernalia - ASUCM Paraphernalia shall be defined as items of a personal nature that are branded with the ASUCM Logo. If the ASUCM Logo cannot be prominently displayed on the item due to physical constraints of the item

then “ASUCM” must appear in the place of the logo. If an item cannot physically display the ASUCM logo or “ASUCM” then it must be made clear through other means that ASUCM provided the items. These personal items include but are not limited to t-shirts, pens, notebooks, folders, badges, etc;

K. Non-Reimbursement Payments: Payroll & Compensation

1. Payroll is a salary or wage paid out to individuals hired and contracted by ASUCM through the university; this is the ASUCM Civil Service. Undergraduate students can be hired into the civil service and answer to the chief civil service employee;
2. Compensation is what is granted to elected or appointed undergraduates for being part of the ASUCM Leadership; this includes but is not limited to all the constitutional officers, executives, senators, presidential appointments, and other executive office appointments. Compensation can come in multiple forms;

Article II: Membership Fees

Section 1: Fees

- A. All undergraduate students attending the University of California, Merced must pay the Undergraduate Association (UG Assoc) Fee at the beginning of each academic term. These funds are to be under the auspices of the ASUCM in accordance with UC System Wide policies (80 & 60);
- B. The UG Assoc Fee or any other fee voted on by the ASUCM Senate may only be adjusted by a referendum vote of the ASUCM membership.

Article III: Expense & Spending Procedures

Section 1: Authority To Spend

- A. The final authority to release funds from the ASUCM lies with the ASUCM Staff. All purchases shall require the appropriate Operations Director’s authorization (as delineated in these By-Laws) as well as the ASUCM Treasurer’s to release funds. Only authorized Operations Directors may submit requests for purchase orders and reimbursements;
 1. The ASUCM Treasurer shall deny all requests for spending that are:
 - i. Not from the proper Operations Director;
 - ii. Lacking proper documentation, as required by these by-laws and university policy;
 - iii Made prior to receiving approval or authorization.
 - iv. Referred to ASUCM Court.
 - v. Reimbursements submitted later than thirty (30) calendar days after the expenses have been incurred as proven on the submitted supporting

documentation; exceptions are at the discretion of the ASUCM Treasurer or the ASUCM Senate Budget & Finance Committee;

2. The ASUCM Treasurer shall approve/authorize spending requests:
 - i. Related to the activities of the operation's directed area of the ASUCM as stated in the ASUCM Constitution, By-Laws, Budget, and/or legislation;
 - ii. Within approved line items of the ASUCM Annual Written Budget;
 - iii. That all documentation is provided with the request as required by the university accounting and business policies; this includes receipts, invoices, and quotes;
 - iv. Reimbursements submitted within thirty (30) calendar days of the date incurred as proven by the submitted supporting documentation;
- B. The passage of the Annual ASUCM Budget shall be the only legislation to allocate spending outside the current fiscal year; the ASUCM Senate shall only be able to allocate and direct spending for the current fiscal year.
- C. All Senate Allocations shall expire after seventy-five (75) days from enactment unless otherwise specified in the legislation; the unspent portions of senate allocations roll back to the funds in which they came from. This provision does not pertain to Senate's ability to move funding from one line to another in the annual written budget;
 1. The ASUCM Treasurer has the authority to stall rollback for a particular bill for up to ten (10) days after it is schedule to rollback; the reasoning for the stall shall immediately be reported to the senate;
 2. The Senate Budget & Finance Committee can issue a stall to automatic rollback for up to twenty (20) days after the automatic rollback date if the bill does not specify a rollback date; this halt order must be issued on or before the automatic rollback date;
 3. The full senate may adjust a bill's rollback date in anyway at any point before the bill is scheduled to rollback;
 4. The ASUCM Treasurer shall report to the Senate the amount of rollback for the rolled back allocation at the next senate meeting after the rollback has occurred;
- D. After passage of an ASUCM Senate bill that grants an RCO funding for an event or conference, the respective introducer of the bill shall be responsible for providing the club president with an 'ASUCM Post Event Report'. This Report is to be filled out and signed by the RCO President or Treasurer and submitted to the ASUCM Treasurer no later than 2 weeks after the club has concluded their event or conference as well as a sign-in sheet from the event. Reports will be filed by the

ASUCM Treasurer in the ASUCM Archive for future reference upon request by any UC Merced student.

Section 2: Reimbursement Procedure

- A. Prior to the expense occurring by the individual being reimbursed, said individual shall receive authorization to make the purchase from the ASUCM Treasurer and the Operations Director of the line-item being expensed. This permission can come in the form of electronic mail from both parties; proof of the permission must be submitted with the reimbursement request;
- B. After retaining the permission of the ASUCM Treasurer, the person who initiated the purchase shall provide the ASUCM Treasurer with an expense statement of all charges;
 - 1. Only after an expense statement has been submitted will the person initiating the purchase be reimbursed. No reimbursements submitted to the ASUCM Treasurer later than thirty (30) calendar days after the expenses have been incurred as proven by the submitted supporting documentation will be honored. Exceptions are at the discretion of the ASUCM Treasurer or the ASUCM Senate Budget & Finance Committee;
 - 2. Once all proper documentation as been submitted to the ASUCM Treasurer, the university accounting office shall release the funds to the requester;
 - 3. The ASUCM Treasurer shall advise the requester of the time line involved for completing a reimbursement prior to the purchase;

Section 3: Purchase Orders

- A. Only authorized Operations Directors may initiate purchase orders;
- B. Operations Directors submitting a purchase order request shall submit the request fifteen (15) working/business days in advance of the desired date for the items or services;
 - 1. An exemption can be granted by the ASUCM administrative staff;
- C. Identify whether or not the business is a certified vendor with the university;
 - 1. If not a certified vendor inquire if the business would be willing to except a purchase order from the university; if the business refuses to accept a purchase order, reimbursement can be an option or seek additional options from the ASUCM Treasurer;
- D. Request a quote or estimate of the costs that will be paid;
- E. Submit the quote to the ASUCM Treasurer for preliminary authorization/approval;
- F. After obtaining the ASUCM Treasurers preliminary approval, obtain the invoice, receipt, and/or accurate costs of the purchase, submit this documentation with the purchase order request to the ASUCM Treasurer for final approval;

- G. If this procedure is not followed, and items are purchased with out the explicit authorization/approval of the ASUCM Treasurer the individual who initiated the purchase will be held personally responsible for the cancellation and any costs incurred;

Section 4: Inter-Departmental Re-Charge Orders

- A. Only authorized Operations Directors shall initiate an inter-departmental re-charge order;
- B. The Operations Director shall obtain an invoice from the department that will be the recipient of the re-charge. The Operations Director shall submit this invoice to the ASUCM Treasurer in the form of a purchase order request;
- C. Once the ASUCM Treasurer approves/authorizes the re-charge the university accounting office shall proceed with the re-charge;

Section 5: Petty Cash Allocations and Restrictions

- A. Petty cash allows budgetary line items to make small purchases or reimbursements that cost \$500.00 or less, in cash;
- B. A completed Petty Cash Request Form is to be initiated and signed release by the ASUCM Treasurer and the ASUCM Advisor/ holder of the petty cash;
- C. A receipt and spare change form the initial amount of petty cash given out to the requester must be returned to the ASUCM Advisor/ holder of the petty cash, and the initiated Petty Cash Request Form is to be completed and signed and return by the ASUCM Treasurer and the ASUCM Advisor/ holder of the petty cash;
- D. The ASUCM Treasurer is to make note of all completed Petty Cash Request Forms, and transfer the amount of petty cash spent back to the Petty Cash fund from the requester's budget line item;
- E. The ASUCM Treasurer is allowed to refrain from signing any ASUCM Petty Cash Request Form if the authorization of the requester is in question, or the allocated budget of the requester is being misused in any form under the regulations of the ASUCM By-Laws or university petty cash policy;
- F. Petty Cash may only be allocated to Operation Directors recognized by the ASUCM Treasurer and the ASUCM Senate Budget & Finance Committee;
- G. Petty Cash may only be allocated to registered campus organizations who are signatories under the Office of Student Life (OSL);
- H. Petty Cash may only be allocated to Service and Program Directors recognized by the ASUCM Treasurer and the ASUCM Senate Budget & Finance Committee;
- I. Petty Cash may only be allocated to Research Grant and Publication Directors recognized by the ASUCM Treasurer and the ASUCM Senate Budget & Finance Committee;

- J. Petty Cash cannot be used as cash prizes;
- K. University policy on petty cash supersedes these by-laws;

Section 6: Any other types of purchasing processes

- A. The university may allow for other types of purchasing procedures to be implemented, the procedures established in this article shall be followed as closely as permitted by the process; the ASUCM Treasurer has final authority over these procedures for other purchasing types not indicated here in;

Article IV: Funding Regulations

Section 1: Spending Restrictions

ASUCM Funds shall not be used:

- A. To pay for any costs not related to the mission of the ASUCM;
- B. To purchase alcoholic beverages;
- C. The purchase of any items and/or services prohibited by Federal Law, California State Law, and/or university policy;
- D. For any type of political or religious donations of any kind;
- E. As cash rewards or prizes;
- F. By a student organization for investment purposes;
- G. To pay for individual memberships or private lessons;
- H. As contributions to charitable organizations in any form or manner;
 - 1. A student organization may sponsor a fund raising event for the purpose of raising money for contributions. It must be clearly understood that only net profits may be used for contributions;
- I. To pay for sweatshop or child labor created clothing or other products;
- J. To be allocated to any organization that discriminates on any basis;
 - 1. Discrimination shall be defined by the University of California Legal Counsel.
- K. To any organization/operations director that has been found in violation of these By-Laws with in the last academic year by the ASUCM Court;
 - 1. They may appeal this to the ASUCM court who may appeal this by-law;
- L. To any organization that may jeopardize ASUCM's non-profit status;
- M. ASUCM Financial Operations may not maintain funds independently of ASUCM (e.g. checking or savings accounts in a private banking institution);
 - 1. Any outside donations of funds must be reported to the ASUCM Treasurer within five (5) working/business days after receipt of such funds;
 - 2. Violation of this shall result in action by the ASUCM Senate, which may include but is not limited to suspension of the budgeted line item and the removal of the individual(s) responsible for the violation from office;

Section 2: Senate Allocation & Spending Restriction

- A. The ASUCM Senate may only pass bills that allocate spending for the current budget year. The only bills that shall be passed by the senate directing the spending or allocations of future years will be the annual budget and five (5) year financial plans all other future allocations and spending are strictly prohibited.
 - 1. The Senate may set allocations in advance of the budget bill directing allocations that must occur within the budget; some issues should be taken up separately from the rest of the budget. Two-thirds (2/3) of senators present and the President must approve the legislation in accordance with the budget process. Once passed, these advance budget allocations must occur in the Annual Written Budget unless three-fourths (3/4) of senators present and the President agree to remove the allocation in accordance with the budget process;

Section 3: Funding Limits

Funding for the following expenditure areas shall be limited as follows:

- A. Funds for travel may not exceed the level of funding approved in the operation's approved budget without special approval from the ASUCM Treasurer;
- B. Travel expenses do not include food for the attendees being transported; ASUCM does not fund food expenses for traveling UC Merced Students; with the exception of ASUCM members, who are elected or appointed, are required to travel for their position;
- C. Food for regularly scheduled meetings shall not be funded. An exception may be made for food functions that are an integral part of an operation's program. The ASUCM Treasurer and ASUCM Senate Budget and Finance Committee shall issue such an exception;
- D. Items of a personal nature shall not be funded with the exception of ASUCM paraphernalia;
- E. Telephone equipment included in an operation's budget shall be funded only if the operation has a permanent office for a minimum of five hours per day. Toll charges will not be funded;
- F. Non-refundable conference registration shall be funded with a contracted agreement made between attendees and ASUCM stating that all attendees unable to attend the conference after registration has occurred must appoint a representative to attend in their place; otherwise, contracted attendees shall receive a bill from the ASUCM Treasurer and pay the cost of registration and any other costs back to the ASUCM General Fund;

- G. ASUCM global, national, statewide, and regional memberships must be approved by a two-thirds vote of the ASUCM Senate and the President;
- H. ASUCM will not honor charges, receipts, agreements, mileage reimbursements, or any other commitment of allocated funds made without an approved purchase order or contract, except with the approved signature of the ASUCM Treasurer. Such charges incurred without approval will be the responsibility of the individual who initiated the purchase;

Section 4: Failure to Comply

Failure to comply with any of the following requirements will prevent any expenditure of ASUCM funds by any operation, including reimbursements and rentals, until the situation is rectified:

- A. Operation Directors authorized to sign for budgeted expenditures must be registered students and will be asked to present proof of both authorization and registration;
- B. A mid-year progress report to the ASUCM Treasurer shall be required of all student organizations receiving ASUCM funding including ASUCM Student Services and Programs. Reports must be turned into the ASUCM Treasurer two (2) weeks prior to the close of the Fall Academic Semester;
 - 1. With the exception of Government Operations, failure to submit a mid-year progress report shall result in the automatic transfer of the remaining funds balance for the organization back to the Fund Reserves.
 - 2. The ASUCM Senate Budget & Finance Committee may recommend further sanctions on the organization by prohibiting general funding for the rest of the fiscal year and/or prohibiting the group from receiving a line-item in the next Annual Budget; these sanctions shall require a two-thirds (2/3) vote of the ASUCM Senate;
 - 3. Extensions will be issued at the discretion of the ASUCM Budget and Finance Committee;
 - 4. Mid-Year Reports are a matter of public record, and shall be made available to the public by the Director of Communications;
- C. Student Organizations may be financially responsible for any damage or defacement of ASUCM property;
- D. Organizations must abide by ASUCM policies and procedures as stated in the ASUCM Constitution and By-Laws;

Section 5: Spending Mandates

All ASUCM money spent must include ASUCM paraphernalia or acknowledgement within the parameters of how the monies are being spent:

- A. Acknowledgement shall include, but is not limited to, vocal or written advertisement of ASUCM endorsements;
- B. ASUCM paraphernalia shall be any item branded with the ASUCM official logo;
- C. ASUCM paraphernalia is allowed to be fiscally generated through the individual budgets being used within the parameters of how the monies are being spent;
- D. The operation directors are eligible to request from the ASUCM Treasurer and ASUCM Director of Communications for paraphernalia fiscally generated outside of their budget used within the parameters of how the funding is being spent;

Article V: Budget Administration

Section 1: Initiation of Budget Process

The ASUCM President and ASUCM Treasurer shall initiate the budget process on the first (1st) academic day of the Spring Semester. To initiate the process, the ASUCM Treasurer shall:

- A. Announce a Budget Call to all ASUCM Government Operations requesting:
 - 1. An Operation's Report, which evaluates the operation's successes and failures;
 - 2. Objective information concerning ASUCM needs and student demand for that government operation;
 - 3. A proposed budget, which includes complete justifications for all line items;
- B. Announce a Budget Call to all student organizations requesting:
 - 1. A Constitution approved by the Office of Student Life (OSL);
 - 2. OSL verification of registration to the University of California, Merced;
 - 3. A proposed budget, which includes complete justifications for all line items;
- C. All ASUCM Budget Requests & Proposals are due to the ASUCM Treasurer by the close of the second (2nd) Academic Week of the Spring Semester;
- D. ASUCM Budget Requests & Proposals are internal ASUCM Documents and shall not be made available to the public until after the budget has been passed by the ASUCM Senate; once the budget has been passed the Director of Communications may make them available to the public as justification for the budget. Also, the Director of Communications shall release a statement to the press and the public regarding the budget once it is passed;

Section 2: Budget Hearing and Approval

- A. The ASUCM Budget Hearings shall be open to the public and advertised by the Director of Communications as soon as scheduled by the Treasurer;
- B. The ASUCM President will receive all budget requests and reports after an initial screening by the ASUCM Treasurer before the end of the fourth (4th) week of the Spring Semester. After consultation with the ASUCM Treasurer and ASUCM

Senate Budget & Finance Committee, the ASUCM President shall formulate his/her recommendations for the ASUCM Annual Budget, to be presented during the ASUCM Budget Hearings;

- C. During the third (3rd) academic week of the Spring Semester, the ASUCM Treasurer shall schedule the ASUCM Budget Hearings to begin the fourth (4th) academic week of the Spring Semester. The budgets shall be heard in the following order:
1. Auxiliary budgets which an income component exceeds the expense component;
 2. Government Operations:
 - i. Student Activities, Student Advocacy, Academic Affairs;
 - ii. Leadership & Civic Engagement;
 - iii. Educational Enrichment;
 - iv. External Vice President;
 4. Student Services and Programs;
 5. Registered Student Organizations;
 6. General Funds:
 - i. Proposed and ongoing Savings and Investments;
 - ii. Petty Cash;
 - iii. Fund Reserves;
- D. The ASUCM President will present copies of his/her recommendations to the ASUCM Treasurer and the ASUCM Senate Budget & Finance Committee by the fourth (4th) academic week of the Spring Semester, which is the start of the Budget Hearings;
1. Copies of the ASUCM President's recommendations for each Operation shall be sent to the appropriate Operation Director and be made available to the public by the Director of Communications;
- E. The ASUCM Treasurer and ASUCM Senate Budget & Finance Committee shall hold ASUCM Budget Hearings between the fourth (4th) and ninth (9th) weeks of the Spring Semester;
- F. The ASUCM President and Treasurer will introduce a budget bill, to the ASUCM Senate at the Senate Meeting preceding the Spring Academic Recess (The Spring Academic Recess is scheduled by the UC Merced Office of the Registrar.).
- G. The ASUCM President is to be present at the ASUCM Senate Meeting immediately following the Spring Academic Recess to sign the ASUCM Annual Budget after the ASUCM Senate has approved it;
- H. The ASUCM Senate Meeting held immediately following the Spring Academic Recess shall not adjourn until the ASUCM Annual Budget has been passed and made official by the ASUCM President. Neither the ASUCM President nor the Senate shall leave until the ASUCM Annual Budget has been approved;

- I. The ASUCM Senate must permit the ASUCM President and Treasurer to actively participate in the budget debate;
- J. The ASUCM President shall send copies of the official ASUCM Annual Written Budget to the University of California, Merced administration for recognition;
- K. The ASUCM Annual Written Budget shall go into effect on July 1 at 12:00am, beginning the new fiscal year;

Section 3: Budget Initiation Accountability

- A. In the event the ASUCM Treasurer is unable to, or has not initiated the budget process as stated in these By-Laws, the ASUCM Senate and/ or ASUCM President shall issue a memo to the ASUCM Treasurer stating a deadline of five (5) business days to introduce and delineate a new budget timeline to the ASUCM Senate and ASUCM President allowing adequate amounts of time for open discussion and debate to be heard during the Budget Hearings;
 - 1. The issued memo shall be documented in the minutes of whichever government branch had initiated it;
- B. The ASUCM Treasurer shall continue to follow all rules and procedures stated by Article 6: Budget Administration aside from the timeline requirements;

Section 4: Budget Proposal Standards

The following standards must be incorporated into the ASUCM Budget Call Process:

- A. The ASUCM Senate shall pass a maximum budget outline of the permanent budget sections with percentages by their last meeting of the Fall Semester; failure to do shall result in the Senate's inability to allocate funding until the outline has been passed;
- B. No Line Item shall be greater than \$25,000; the government operation and general fund sections as well as the Inter-Club Council line-item shall be exempt from this provision;
- C. UC Merced registered campus organizations requests' must in some way be prohibited by the Inter-Club Council in by-law and/or practice or must be a regular event at UC Merced annual or otherwise; also, events that occur within the first six (6) weeks of the Fall Academic Semester are permitted to have a line-item in order to secure funding due to the lengthy legislative process and the Inter-Club Council's inability to meet early in the Fall Semester;
- D. The ASUCM President & Treasurer shall use the following criteria when drafting the ASUCM Annual Budget that will be presented to the Senate as prescribed above. If the ASUCM President & Treasurer are in disagreement over whether a proposal meets a criterion the ASUCM Internal-Vice President shall mediate the dispute, and if needed break the tie;

1. The proposal is written and presented in a professional and business like manner;
 2. The proposal clearly shows the requesting organization, club, or department's previous allocation of ASUCM Funds and expenditures for the previous year. Additional funding sources to ASUCM should be indicated if they were used;
 3. All requesting organizations, clubs, or departments must hold all of their funds in an on-campus account through the university accounting system;
 4. The proposal must be submitted on time, as prescribed above;l
 5. If the line-item is for an event, it must be a regularly scheduled annual or other wise. Events must be open to all undergraduates at UC Merced. Events must be proven regularly schedule not proposed to be; in other words, it must have occurred at least once prior in UC Merced history. Also, if an event does not meet the previously mentioned criteria but is scheduled for the first six (6) weeks of the Fall Academic Semester it is permitted to have a line-item due to the lengthy legislative process. The ASUCM Director of Student Activities has oversight over all events occurring with the use of ASUCM Funds; this oversight includes the events occurring within the first six (6) weeks of the Fall Academic Semester that have a line-item. The ASUCM Director of Student Activities can re-apportion the line-items for the events occurring in the first six (6) weeks to other events or to the Student Activities sub-section of the government operations section. if he/she believes proper planning has not occurred for the individual event; this re-apportionment is subject to the ASUCM Treasurer's approval;
 6. All information presented in the proposal is accurate;
 7. No budget proposal may violate the Financial By-Laws by requesting funds to perform activities not permitted there in; if after two business days, the proposal is not revised within accordance to the Financial By-laws, the entire proposal shall be rejected in whole;
 8. The proposal author/representative of the organization, club, or department must sign a written affidavit confirming that the information presented in the proposal is correct and accurate and that any testimony given to any ASUCM Official is correct and accurate as well;
- E. The President & Treasurer shall provide good cause and reasoning for rejecting a proposal to its author;
- F. The ASUCM President & Treasurer shall announce their version of the ASUCM Annual Budget to the UC Merced general undergraduate student population the same day it is to appear on the ASUCM Senate's Agenda under new business;

Article VI: Permanent Budget Line-Items & Requirements

Section 1: ASUCM Budget Sections

Budget Sections act as permanent funds that are to be apart of the ASUCM Annual Budget until amended otherwise:

- A. Adding, amending, and deleting permanent budget sections require a three-fourths (3/4) majority vote of the ASUCM Senate;
- B. Amending restrictions of Budget Sections does not preclude the ASUCM President and ASUCM Treasurer to add non-permanent sections to the ASUCM Annual Budget during the duration of the processes stated in ASUCM Financial By-Laws, Article VII: Budget Administration;

Section 2: ASUCM Government Operations Funds

- A. The ASUCM Government Operations Funds are to have a permanent section on the ASUCM Annual Budget title Government Operations. The purpose of Government Operations is to cover the internal needs and operations of all ASUCM branches as defined by the ASUCM Constitution and By-Laws.

Section 3: ASUCM Student Activities Funds

- A. The ASUCM Student Activities Funds are to have a permanent section on the ASUCM Annual Budget titled Student Activities;
- B. The purpose of the ASUCM Student Activities Fund is to have a part in fulfilling the mission of the ASUCM through the hosting of activities, events, and/ or programs which are open to the entire ASUCM membership;
- C. The ASUCM Director of Student Activities shall serve as the Operation Director for these funds;
- D. There shall be an early year event fund for the purpose of allocations to RCO's during the first six (6) weeks of the Fall Semester. The Operations Director for the early event fund shall be the director of student activities, for events that will occur within the first six (6) weeks of the Fall Semester;

Section 4: ASUCM Student Advocacy Funds

- A. The ASUCM Student Advocacy Funds are to have a permanent section on the ASUCM Annual Budget titled Student Advocacy;
- B. The purpose of the ASUCM Student Advocacy Fund is to have a part in fulfilling the mission of the ASUCM through the hosting of activities, events, and/ or programs that promote awareness and advocate student rights;
- C. The ASUCM Director of Student Advocacy shall serve as the Operation Director for these funds;

Section 5: ASUCM Academic Affairs Funds

- A. The ASUCM Academic Affairs Funds are to have a permanent section on the ASUCM Annual Budget titled Academic Affairs;
- B. The purpose of Academic Affairs is to fulfill the mission of the ASUCM through the hosting of events, activities, and/ or programs that serve academic matters on campus, as well as represent the ASUCM to the university administration and faculty on matters of academic policy;
- C. The ASUCM Director of Academic Affairs shall serve as Operations Director for these funds.
- D. There shall be a permanent sub-line-item under the Academic Affairs section called Student Personal Educational Resources; these resources shall include scantrons, green books, and other items that can be provided to a significant number of undergraduate students to ensure their ability to succeed academically. These items are considered ASUCM paraphernalia generated through an ASUCM program;

Section 6: ASUCM Student Leadership and Civic Engagement Funds

- A. The ASUCM Student Leadership and Civic Engagement Funds are to have a permanent section on the ASUCM Annual Written Budget titled Student Leadership and Civic Engagement;
- B. The ASUCM Internal Vice-President shall serve as Operation Director for these funds;
- C. The purpose of Student Leadership and Civic Engagement Fund is to fulfill the mission of the ASUCM through the hosting of events, activities, and/ or programs that engage and educate the various aspects of leadership and civic engagement, as well as promote leadership development and citizenship;
- D. Also, these funds can be a resource for various student groups wishing to develop and continue various community service and civic engagement projects through out the Merced Community;

Section 7: ASUCM External Vice-President Funds

- A. There shall be a permanent subsection under government operations in the ASUCM Annual Budget titled External Vice-President Funds.
- B. The ASUCM External Vice-President shall act as operations director for these funds.
- C. These funds shall be for the External Vice-President to carry out his/her duties as established in the ASUCM Constitution, By-Laws, and any association membership agreement that ASUCM shall enter into.

- D. The permanent line-items under the External Vice-President shall be: General, EVP Travel, UCSA Congress, Lobby Corps, Student Lobby Conference, Students of Color Conference, and Events/Programs.

Section 8: ASUCM New Programs and Services

- A. The ASUCM New Programs and Services general fund is to have a permanent section on the ASUCM Annual Budget titled new programs and Services General Fund;
- B. The purpose of the ASUCM New Programs and Services is to have a part in fulfilling the mission of the ASUCM through the creation of new programs, and/or services as well supporting continuing programs that are designed to meet the needs of the students;
- C. The ASUCM Treasurer and the senate shall serve as the Operation Director for these funds;
- D. ASUCM Speaker Series:
 - 1. Under the New Programs & Services section there shall be a line-item titled ASUCM Speaker Series. Student groups to attract prominent and noteworthy speakers to the UC Merced Campus shall use this fund. The ASUCM Speaker Series Commission shall serve as the operations director of this fund;
 - 2. The ASUCM Speaker Series Commission shall consist of the ASUCM President, Treasurer, and three (3) Senators; the ASUCM Senate at the first (1st) ASUCM Senate Meeting following the spring swearing-in ceremony shall select the three senators. The ASUCM Advisor shall serve as an ex-officio commission member with no voting capability;
 - 3. The Speaker Series Commission shall advertise the fund to student groups and announce the deadline(s) for submitting proposals to the commission for consideration. The Commission can select multiple speakers for a given academic year or semester if the commission believes it has the funding possible to do so;
 - 4. All speaker series proposals shall show a plan to recover the funding through ticket sales to the general public, graduate students, faculty and staff. All ticket sales revenue shall return to the ASUCM Speaker Series Line-item;

Section 9: Registered Campus (Student) Organizations Funds

- A. The Registered Campus Organizations Fund is to have a permanent section on the ASUCM Annual Written Budget titled Registered Campus Organizations;
- B. The purpose of the Campus Organizations Fund is to encourage a culture of leadership and provide opportunities for student development and personal and

social enrichment which derive from participation in extracurricular activities; to create a forum for the expression of diverse interests, views, ideas, and knowledge; and to provide a balanced educational perspective for the student body at the University of California, Merced by providing a supplemental source of funding for student organizations that is consistent with each organization's specified goals and objectives as stated in their constitution and by-laws - providing that funds shall not be allocated for activities that are restricted on the basis of race, religion, gender, age, ideology, or culture;

- C. The Treasurer of the registered campus organization shall be the Operations Director of any line-items for the registered student organization;
- D. Requirements:
 - 1. The organization must be composed primarily of registered undergraduate students of UCM;
 - 2. The organization must submit a current constitution, which has been approved by OSL;
 - 3. The organization must submit a budget to the ASUCM Treasurer and the ASUCM Senate Budget & Finance Committee;
 - 4. The organization must not spend any of their ASUCM funds to pay for activities and/or publications in support of or against any ASUCM candidates and propositions;
 - 5. All elected and appointed officers of the organization must be registered University of California, Merced Students;
 - 6. Only registered University of California, Merced undergraduate students shall have access to funds contributed by the ASUCM;
 - 7. The student organization's activities cannot jeopardize the ASUCM's non-profit status;
 - 8. The registered campus organization must keep all its non-ASUCM funds in an on campus account to be maintained by the university;

Section 10: General Funds and Eligibility Requirements

- A. The ASUCM General Fund shall have a permanent section on the Annual Written ASUCM Budget titled General Funds:
 - 1. The Chair of the ASUCM Senate Budget & Finance Committee shall be the Operations Director for the General Funds;
 - 2. Fund Reserves:
 - i. Fund Reserves is to be represented as a permanent line item within ASUCM General Funds;
 - ii. All unallocated funds of the ASUCM are to be allocated within this line item;

- iii. All reimbursed/expropriated funds from unused line items and sections of the ASUCM Annual Written Budget are to be transferred into this line item at the end of the fiscal year unless given permission and authority to not do so by the ASUCM By-Laws, or the ASUCM Treasurer and the ASUCM Senate Budget & Finance Committee in consensus;
3. Petty Cash:
- i. Petty Cash is to be represented as a permanent line item within the ASUCM General Funds;
 - ii. An amount of \$500 is to be allocated to this line item each year;
 - iii. Petty Cash may be used as a resource/tool by any line item on the ASUCM Annual Written Budget;
4. Contingency Funds:
- i. Contingency Funds is to be represented as a permanent line item within ASUCM General Funds;
 - ii. Contingency Funds are to be used as a budgetary tool and safety net for any situation occurring by chance, accident, or possibility not likely intended.
 - iii. The Contingency fund shall be at least five (5) percent of the total revenue of the Annual Written Budget.
 - iv. At the end of the fiscal year, the remaining Contingency Funds shall be moved to the Savings and Investments Fund;
 - v. Allocation of Contingency Funds:
Requests for contingency funding must be submitted in written in the form of legislation to the ASUCM Treasurer and ASUCM Senate Budget & Finance Committee. The ASUCM Contingency Fund shall be allocated by ASUCM Senate with the approval of the ASUCM President, when needed, as follows:
 - a. No allocations from the ASUCM Contingency Fund shall exceed \$1500 per allocation, or 5% of the total current balance of the Contingency Fund for that fiscal year per allocation, whichever amount is greater;
 - b. No allocation from the ASUCM Contingency Fund for an event, as determined by the Treasurer, shall exceed \$2500 per allocation per fiscal year, or 7.5% of the total balance of the Contingency Fund for that fiscal year per allocation, whichever is greater;
 - c. All allocations from the ASUCM Contingency Fund shall have ten (10) working/business days from the date of passage of the allocation or the event, whichever is later, to spend the totality of the allocation. Any amount not spent shall be returned to the

Contingency Fund unless given extended permission with a stated time limit by a two-thirds (2/3) vote from the Senate;

- B. Any student group that has been registered as an official university registered campus organization by the Office of Student Life (OSL) or any other UC Merced Department or Office for more than one (1) full academic year and has an active volunteer advisor who is a full-time employee of the university is eligible to apply for general funding unless deemed ineligible by another section of these By-Laws;
- C. Funding requests by student organizations receiving general funding must be predominately educational, recreational, or social in nature;
- D. Membership must be open to all individuals within the undergraduate student body;
- E. Student Organizations that serve as social identity interest groups of the student population; examples could include under-served populations, veterans, gender, abilities, sexual orientation, and under-represented populations are eligible for general funding provided that membership is open to all undergraduate students;
- F. ASUCM may fund social fraternities and sororities that are members of the campus Fraternity & Sorority Council.
- G. The ASUCM Treasurer and ASUCM Senate Budget & Finance Committee shall decide priority for the allocation of general funding to all organizations' based on the following criteria:
 - 1. Past and expected future performance of the specific program/ event;
 - 2. Educational value of the program/ event to the undergraduate student body;
 - 3. Completion of all organization proposed budget forms.
 - 4. The organizations ability to adhere to these By-Laws and all university policies;

Section 11: Groups Ineligible for General Funding

- A. Social Fraternities and Sororities that are not full members of the campus Fraternity and Sorority Council.
- B. Organizations whose membership receives academic credit for participation;
- C. Organizations whose students are limited by their curriculum to attend or join;
- D. Any organization or group who discriminates on any basis as defined by the University of California Legal Counsel;

Section 12: Special Case Funds

Student organizations, not eligible for general funding, may apply for Special Case Funds:

- A. The ASUCM Senate Budget & Finance Committee may appropriate funds to an organization that would otherwise be ineligible for general funding;
- B. Special Case Funds given to student organizations must be used in support of programs with either educational benefits or neutral content, with the purpose of

benefiting the university as a whole. The ASUCM Treasurer and ASUCM Senate Budget & Finance Committee shall review all such requests at their discretion;

- C. Two-thirds (2/3) of the ASUCM Senate Budget and Finance Committee must approve of the special case funds bill for the full senate to consider it;

Section 13: ASUCM Savings and Investments

- A. The ASUCM Savings and Investment Funds are to have a permanent section on the ASUCM Annual Budget titled Savings and Investments;
- B. The ASUCM Savings and Investments Fund may not be allocated to any use other than the purchase of significant assets. Such purchases shall be reviewed by the ASUCM Senate Budget & Finance Committee and approved by the ASUCM Senate; it shall require a two-thirds (2/3) vote of the ASUCM Senate Budget and Finance Committee to send the legislation to the ASUCM Senate, once sent to the ASUCM Senate it shall require a two-thirds (2/3) vote of senators present to pass the legislation;
- C. For capital projects such as the construction of a building, the Savings and Investment funds for a particular project may be moved out of the ASUCM General Accounting Ledger to a Capital Project Interest Baring Account within the universities accounting system with the consensus of the ASUCM Treasurer and Senate Budget and Finance Committee;
 - 1. All funding pledged to the planned Student Union shall be held in a Capital Planning Interest bearing Account;

Section 14: ASUCM Student Services and Programs Funds

- A. The ASUCM Student Services and Programs Funds are to have a permanent section on the ASUCM Annual Budget titled Student Services and Programs;
- B. The purpose of Student Services and Programs is to provide all ASUCM members with the programs and services which will enhance student life and create a better environment for higher education;
- C. All Student Services shall register one (1) individual as the Operations Director with the ASUCM Treasurer;

Article VII: Budgetary Maintenance

Section 1: ASUCM Treasurer Authority

- A. The ASUCM Treasurer is the executive enforcer of these By-Laws and is charged with the administration of these By-Laws, and shall refer any and all violations to the ASUCM court or the ASUCM Senate Budget and Finance Committee at the discretion of the Treasurer;

1. The ASUCM Treasurer's interpretation of these By-Laws shall stand unless over-ruled by the ASUCM Court.
- B. The ASUCM Treasurer shall provide an up-to-date budget as expenses occur through out the fiscal year.
- C. The ASUCM Treasurer shall have the authority to freeze any line-item of the ASUCM Annual Budget for a maximum of ten (10) working/business days.
 1. The ASUCM Treasurer shall provide a reason for the freeze at the next ASUCM Senate Budget and Finance Committee Meeting;
 2. The ASUCM Senate Budget & Finance Committee can lift the Treasurer's freeze or extend the freeze by up to an additional ten (10) working/business days;
 3. The Treasurer shall not issue a freeze less than three days prior to an event.
 4. The ASUCM Senate may freeze a line-item indefinitely.
- D. Unused Funds: All allocated funds that have not been spent by the end of the fiscal year must be forfeited and returned to the ASUCM Fund Reserves.
- E. ASUCM Financial Responsibility: The ASUCM Annual Budget does not represent a guarantee of financial responsibility for any specific item in the budget. ASUCM funding is committed by the ASUCM Treasurer through means of a purchase order, contract, request for check, or written request for the transfer of funds. Only the ASUCM Treasurer may sign payments of ASUCM funds to individuals and vendors outside of the ASUCM.

Section 2: Appeal of the ASUCM Treasurer's Authority

In the event that a student organization or Operations Director wishes to appeal the decisions of the ASUCM Treasurer, it may appeal to the ASUCM Senate Budget & Finance Committee. The procedure for appeal is as follows:

- A. Student organizations or Operations Directors wishing to appeal the decisions of the ASUCM Treasurer have a total of ten (10) working days from the date of the decision to come forth to the ASUCM Senate Budget & Finance Committee to state their concerns. The Committee will decide either to reject or bring the case to the ASUCM Senate;
- B. If the case is brought before the ASUCM Senate, the Senate must allow the student organization or Operations Director adequate time to state their concerns and has one (1) week from the date of the appeal to deliberate and come to a decision.
- C. if the petitioner or defendant involved in the appeal case wishes to appeal a decision made by ASUCM Senate, they may file a petition with the ASUCM Court.

Section 3: Funding Transfers Between Budget Line-Items

Transfers between line-items in the ASUCM Annual Budget shall be permitted in the following amounts:

- A. Up to 20% of the current balance with the approval of the ASUCM Treasurer;
- B. Up to 40% of the current balance with the approval of the ASUCM Treasurer and ASUCM Senate Budget & Finance Committee;
- C. The ASUCM Senate shall have the authority to make transfers of any amount through a simple motion or legislation; the ASUCM President has the ability to veto the transfer.
- D. The ASUCM Treasurer may transfer any amount of funding from line-items whose current balance is less than \$500;

Article VIII: Student Services & Programs Governance

Section 1: Student Services Governance

- A. All ASUCM Student Services shall be created through a piece of legislation delineating the mission and purpose of the service and how it will be organized and operated;
- B. There shall be two types of services:
 - 1. Independent Agency whereas, the service has full autonomy over its governance and operations. It shall require a three-fourths (3/4) vote on a piece of legislation to close/eliminate an independent service; the legislation should delineate the reasoning for closing/eliminating the independent service.
 - 2. Dependent Service committees, councils, or boards whereas the ASUCM Executives, Senate, Court have direct control over the service. All dependent services must have By-Laws delineating the service's organizational structure, capabilities, and duties. It shall require a two-thirds (2/3) vote of the ASUCM Senate through a piece of legislation to amend dependent service By-Laws, and it shall require a three-fourths (3/4) vote of the ASUCM Senate through a piece of legislation to close/eliminate a dependent service;

Section 2: ASUCM Programs

- A. ASUCM Programs are operations that occur in conjunction with other units of ASUCM or in partnership with other UC Merced Departments or Offices.
 - 1. UCM Offices & Departments may only have line-items in the Annual ASUCM Budget under ASUCM Programs & Services. The chief financial/accounting officer for the particular office or department shall act as the operations director.

Article IX: Commercial & Fundraising Profits

Section 1: ASUCM Commercial Profits

- A. A registered campus organization may request funding from ASUCM for a fundraising event. The entirety of the requested amount must be repaid to ASUCM plus ten (10) percent of the net profit; if any money remains after the student organization has repaid ASUCM ten (10) percent of that remaining amount must be paid to ASUCM. The remaining amount of money is to be deposited into the student organizations on campus account. The ten (10) percent shall be deposited into the ASUCM Savings & Investment Fund;
- B. The ASUCM Senate may, in the allocation of funds, issue an exemption to the payment of the 10 (ten) 10% to the savings and investments fund; this exemption can be for fundraisers for charitable organizations or events so long as 100% of the proceeds go to the charitable organization;

Article X: Compensation

Section 1: Regulations & Changes In Compensation

The bellow regulations shall apply to all “non-reimbursement payments” classified as compensation; this article does not apply to the “civil service” and employees. This article only applies to elected officials and political appointments:

- A. Chief justice and associate justices of the court shall be compensated: (Chief Justice, and Justices) only.
- B. Anyone may decline compensation at the start of her/his term with email confirmation sent to the ASUCM Treasurer and ASUCM Administrative Staff; it cannot be reinstated once declined. Declined compensation shall be transferred to Fund Reserves;
- C. Upon resignation, recall, or removal from office compensation is forfeited by the individual. If compensation is an on-going payment throughout the term, payment of compensation shall stop upon exit from office. If compensation is a lump sum payment, the individual may be required to repay ASUCM a prorated amount for exiting the office prior to the expiration of the term;
- D. Compensation shall be set and altered through a piece of legislation; this legislation must be passed prior to the end of the Fall Semester before the passage of the annual budget it would affect. Also, it shall require two-thirds (2/3) of the senators present for the legislation to pass, and the President must approve for enactment to take place in accordance with the budget process. Finally, this legislation may only pertain to compensation; no other by-law amendments are permitted or other topics not related to compensation;
- E. Compensation cannot be increased for the current fiscal year; increases and

establishment of new compensation will come in the new budget;

F. By-Law 5.1.1 Senate Allocation & Spending Restriction does not apply to this by-law

since the allocation is made in the annual written budget; the legislation sets the allocation to be allocated in the annual written budget. This is meant to separate the compensation issue from the rest of the budget issue- See 5.1.1A;

- G. Compensation shall remain at the previous year's level unless adjusted.
- H. Increases cannot exceed ten percent (10%) of the previous year;
- I. Individual compensation shall not exceed \$0.02 per undergraduate student enrolled at UC Merced per month; the most recent spring semester student census published by the university prior to the passage of the annual written budget shall be used to calculate this formula;
 - 1. This maximum shall only be increased by a three-fourths (3/4) vote of the constitutional membership of the Senate and Presidential approval; the President must approve in accordance with the budget process.
 - 2. The increase cannot exceed \$0.01 per undergraduate student per month.
- J. Scholarships issued by ASUCM shall not exceed the combined total of the Student Services Fee (as set by the UC Regents) and all the UC Merced Campus-Based Fees;
- K. Others in ASUCM may be compensated, in order for compensation to take effect a by-law must be created under this article prescribing the method and possible restrictions;

setting compensation must come as prescribed above. Others in ASUCM includes interns, commissioners, chairs, vice-chairs, leadership of student services, or any other position not prohibited from compensation by ASUCM By-Law;
- L. Amounts of compensation do not have to be enumerated in these by-laws;
- M. The ASUCM Senate Budget & Finance Committee shall conduct a comprehensive review of compensation in the years ending in zero (0) and five (5) (i.e. 2010, 2015). The review shall be presented at the last meeting in the month of October of that year. The ASUCM Treasurer shall assist in the review;

Section 2: Senate Compensation

- A. The Senate, as enumerated in Article V of the ASUCM Constitution, compensation shall come in the form of a payroll check or stipend; a Senator may request the ASUCM Advisor to receive compensation in scholarship form instead. All Senators shall be compensated at the same amount. The set amount of compensation may be lower than the received amount by the individual due to required taxation;

Section 3: Executive Compensation

- A. The Executive, as enumerated in Article III & IV of the ASUCM Constitution, compensation shall come in the form of a payroll check or stipend; an executive may request the ASUCM Advisor to receive compensation in scholarship form instead. The set amount of compensation may be lower than the received amount by the individual due to required taxation;
- B. The Executives listed in Article IV Sections 1-4 may be compensated in a larger

amount than those listed in Article IV Sections 5-8;

Section 4: Court Compensation

- A. The Court, as enumerated in Article VI of the ASUCM Constitution, Compensation shall come in form of a payroll check or stipend; a Justice may Request the ASUCM Advisor to receive compensation in scholarship form instead. The Set amount of the compensation may be lower than the received amount by the individual due to required taxation;

Section 5: Staff Compensation

- A. The Staff, compensation shall come in form of a payroll checks or stipend; a staff member may request the ASUCM Advisor to receive compensation in scholarship form instead. The set amount of the compensation may be lower than the received amount by the individual due to required taxation;

Article XI: Amendments

Section 1: Amending the ASUCM Financial By-Laws

- A. A The ASUCM Financial By-Laws may be amended by two-thirds (2/3) majority of the ASUCM Senate;
- B. The amendment process shall start with an informal review of the By-Laws by the ASUCM Treasurer; this review shall be conducted at an ASUCM Senate Budget and Finance Committee Meeting;
- C. The proposed revision or amendments shall be submitted to the ASUCM Senate in the form of a bill by the Chair of the ASUCM Senate Budget & Finance Committee;
- D. The ASUCM Treasurer shall be informed of all proposed and amended by-laws;
- E. The recommendations of the ASUCM Treasurer and ASUCM Senate Budget & Finance Committee are to be taken into consideration by the ASUCM Senate and ASUCM President before approving amendments to the ASUCM Financial By-Laws.