Fall 2014

F13RS SGB No. 2 (Amend Constitution)

DeBlieux

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A BILL
TO AMEND THE LSU STUDENT GOVERNMENT CONSTITUTION

PARAGRAPH 1: WHEREAS, THE TEMPORARY STUDENT GOVERNMENT DOCUMENT REVISION COMMITTEE WAS ESTABLISHED IN SPRING 2013 TO IMPROVE ALL GOVERNING DOCUMENTS OF LSU STUDENT GOVERNMENT, AND;

PARAGRAPH 2: WHEREAS, THE TEMPORARY STUDENT GOVERNMENT DOCUMENT REVISION COMMITTEE HAS PROPOSED THE FOLLOWING CHANGES TO THE LSU STUDENT GOVERNMENT CONSTITUTION, AND;

PARAGRAPH 3: WHEREAS, ARTICLE I SHALL BE AMENDED TO READ AS FOLLOWS

ARTICLE I
The Student Government

Section 1. Title
The governmental organization of the students of this institution shall be known as the Student Government of Louisiana State University and Agricultural and Mechanical College (LSU) at Baton Rouge, Louisiana.

Section 2. Student Representation
Any and all students, as defined by the regulations of Louisiana State University, shall be defined as members of the Student Body. These students are entitled to representation through the Student Government.

Section 3. Purpose
The purposes of the Student Government shall be:

A. To represent the concerns and interests of Louisiana State University students;
B. To serve as the official advisory body of the students to the university administration, faculty, staff, the LSU Board of Supervisors, the Louisiana Board of Regents, the Louisiana State Legislature, the federal government and the general public;
C. To empower the student body by providing a medium through which students may actively engage in issues impacting the Louisiana State University community;
D. To provide programs for the betterment and enrichment of the University;
E. To preserve and advance the academic and collegiate experience of the student body;
F. To contribute to a culture of tradition and pride in Louisiana State University.
Section 4. Governing Structure

A. The governing structure of the Student Government shall consist of the following three (3) branches: Executive, Legislative and Judicial;

B. No Executive Branch member or Judicial Branch member shall be permitted to serve as a member of the Legislative Branch. No Executive Branch member, paid appointed officer, or member of the Legislative Branch shall be permitted to serve on the University Court.

PARAGRAPH 4: WHEREAS, ARTICLE II SHALL BE AMENDED TO READ AS FOLLOWS

ARTICLE II
The Executive Branch

Section 1. Executive Power

The executive power of the Student Government shall be vested in the Student Body President and Vice President.

Section 2. Executive Officers

Executive Officers shall include the Student Body President, the Student Body Vice President, all members appointed to the Executive Staff, as well as all College Council Executive Officers, as prescribed later in this Article.

Section 3. Student Body President

The Student Body President shall have the following powers and responsibilities:

A. Serve as the chief executive officer of the Student Government;

B. Act as the chief spokesperson of the Student Body;

C. Call special meetings of the Student Senate, the President’s Cabinet, and the Student Body;

D. Serve as an ex-officio member of all committees appointed by him/her;

E. Execute all enacted legislation of the Student Senate, report the status of all enacted legislation, and address the Student Senate on a regular basis for the purpose of answering questions and for clarification;

F. Serve on and/or nominate and/or appoint representatives of the Student Body to university committees affecting the activities and lives of the students, with such service and/or nominations and/or appointments made upon the request of the proper university officials;

G. Appoint each student member of the Judicial Branch designated as a Presidential appointee with a two-thirds (2/3) approval by the Student Senate;

H. To immediately fill any vacancy on the University Court incurred by the graduation, impeachment, resignation, or expulsion of an appointed University Court Justice with a two-thirds (2/3) approval by the Student Senate. This appointee shall serve out the remainder of the term of the vacated position;

I. Sign or veto all legislation passed by the Student Senate, provided that such power is exercised within four (4) class days after passage of the legislation in question. If the legislation is not signed or vetoed within this period of time, it shall be considered enacted;

J. Submit the Executive Branch Charter to the Student Senate outlining the organization of the Executive Branch, including any officers and their duties, as provided in the Bylaws;

K. Serve as the Student Body’s representative on the Louisiana Council of Student Body Presidents.
Section 4. Student Body Vice President

The Student Body Vice President shall have the following powers and responsibilities:

A. Serve as President in the absence or incapacity of the President;
B. Serve as a member of the President’s Cabinet;
C. Serve as the chair of the College Council Presidents’ Commission;
D. Assist the President in such executive matters as the President sees fit.

Section 5. Executive Staff

The President shall create an Executive Staff as defined by an Executive Charter.

Section 6. President’s Cabinet

In accordance with the provisions of the Bylaws, there shall be a President’s Cabinet to act in an advisory capacity on all matters affecting student welfare.

Section 7. President and Vice President Elections

The President and Vice President shall be elected in the Spring semester for a term of one (1) year with a two (2) term maximum. Candidates for these offices shall not be voted on separately.

Section 8. College Councils

A. Every Academic Unit or Division listed in the Student Government Bylaws shall have a College Council, which shall serve to represent the interests of LSU students on the College level. For the purposes of this Constitution, any Academic Units or Divisions represented shall hereafter be referred to as Academic Areas;
B. The Executive Officers of College Councils shall include a President, Vice President and three (3) members at-large;
C. Composition
   1. Each College Council shall consist of the Executive Officers, who shall be elected in the Spring semester for a one (1) year term.

Section 9. Election Board

A. The Election Board shall be an entity of the Executive Branch and shall report solely to the Student Government Advisor.

PARAGRAPH 5: WHEREAS, ARTICLE III SHALL BE AMENDED TO READ AS FOLLOWS

ARTICLE III
The Legislative Branch

Section 1. Legislative Power

All legislative powers of the Student Government shall be vested in the LSU Student Senate.

Section 2. Abilities By Type of Vote
The Student Senate, commensurate with the subsequent provisions of the Constitution and Bylaws, shall have the power to act as follows:

A. By a three-fourths (3/4) vote of the Senators present and voting at any duly constituted Student Senate meeting, the Student Senate may:
   1. Amend the Rules of Court by its own initiation;
   2. Amend the College Council Constitution by its own initiation;

B. By a two-thirds (2/3) vote of the Senators present and voting at any duly constituted Student Senate meeting, the Student Senate may:
   1. Approve Judicial Branch appointments;
   2. Suspend the Student Senate Rules of Order;
   3. Override any Presidential veto;
   4. Remove the Speaker of the Student Senate;
   5. Impeach any officer of the Student Government;
   6. Amend the Student Senate Rules of Order, the Bylaws, and the Election Code;
   7. Approve an amendment to the Rules of Court following the recommendation of a simple majority (1/2) vote of the University Court;
   8. Approve an amendment to the College Council Constitution following the recommendation of a simple majority (1/2) vote of the College Council Presidents’ Commission;
   9. Approve the Student Government Budget and make appropriations.

C. By a simple majority (1/2) vote of the Senators present and voting at any duly constituted Student Senate meeting, the Student Senate may:
   1. Recommend action and express opinion on behalf of the Student Body in all areas of student life;
   2. Approve any appointments, other than to the Judicial Branch, by the President and/or Speaker requiring Senate approval under this Constitution and Bylaws;
   3. Create any temporary Student Senate committee and approve any appointments made thereto.

Section 3. Student Senate Meetings and Composition

A. Student Senate meetings shall be held as specified in the Bylaws.

B. The Student Senate shall be composed of students representing any Academic Area.

Section 4. Parliamentary Procedure

The most recent edition of Robert’s Rules of Order Newly Revised shall govern the procedure of the meetings of the Student Senate, except as otherwise provided for in this Constitution, the Bylaws, or the Louisiana State University Student Government Rules of Order.

Section 5. Student Senate Apportionment

Apportionment of the Student Senate shall be as follows:

A. By the twentieth (20th) class day of each Fall semester, the number of Student Senators from each Academic Area shall be adjusted so that there is one (1) Senator for each five-hundred (500) students, rounding up to the nearest five hundred, regardless of enrollment numbers;

B. In the case that an Academic Area has fewer than five hundred (500) students, there shall be two (2) senators;

C. Apportionment shall be based on the official university full-time and part-time enrollment figures for that particular Fall semester. This apportionment shall be performed by the Speaker of the Student Senate, and must be approved by a
two-thirds (2/3) vote of the Student Senate. This apportionment shall become effective upon the call to order of the Student Senate Fall Organizational Session;

D. Reapportionment or the discontinuation of any Academic Area shall not affect the term of office of any duly elected and installed member of the Student Senate;

E. Half of the total number of Senators from each Academic Area will be elected in the Fall semester and half will be elected in the Spring semester, for a term of one (1) year. In the event of an odd number of Senators, there shall be one (1) more seat available in the Spring election than in the Fall election.

Section 6. Student Senate Vacancies

Student Senate vacancies shall be appointed by the College Councils within the respective Academic Areas as detailed in the LSU Student Government Bylaws.

Section 7. Speaker of the Student Senate

A. The Student Senate shall be presided over by a Speaker of the Student Senate, who shall be elected by a simple majority (1/2) vote of the members of the Student Senate present and voting. Such election shall be by silent ballot;

B. The election of the Speaker shall be the next order of business following the installation of the Student Body President at the Student Senate Spring Organizational Session;

C. The Speaker's term of office shall run concurrently with that of the Student Body President;

D. The Speaker of the Student Senate shall have the following powers and responsibilities:
   1. To preside over meetings of the Student Senate;
   2. To appoint and/or remove the membership and chairmen of all Student Senate Standing Committees with approval of the Student Senate;
   3. To serve as a member of the President's Cabinet;
   4. To serve as President in the event of the incapacity of both the President and the Vice President;
   5. To certify and present all Legislation passed by the Student Senate to the President within two (2) class days of passage;
   6. All other duties as stipulated in the Student Government Bylaws and the Student Senate Rules of Order.

Section 8. The Speaker pro tempore of the Student Senate

A. The Speaker pro tempore shall have the following powers and responsibilities:
   1. Serve as Speaker in the absence or incapacity of the Speaker;
   2. Assist the Speaker in such legislative matters as the Speaker sees fit;
   3. Serve in any and all capacities as deemed appropriated by the Bylaws.

Section 9. One Vote Per Senator

A. Only members of the Student Senate as defined in this Article may vote; each Senator may cast one (1) and only one (1) vote on any matter under consideration by the Senate;

B. Under no circumstances may a Senator cast a vote on behalf of another Senator on the floor.

PARAGRAPH 6: WHEREAS, ARTICLE IV SHALL BE AMENDED TO READ AS FOLLOWS
Article IV
The Judicial Branch

Section 1. Judicial Power

The judicial power of the Student Government shall be vested in the University Court.

Section 2. Judicial Officers

Members of the Judicial Branch shall include the Chief Justice, Deputy Chief Justice, all Associate Justices, and any Judicial appointments.

Section 3. University Court

A. The University Court shall be composed of nine (9) Justices, as well as the LSU Dean of Students or his/her designee, who shall be non-voting. The Justices shall be selected as follows:
   1. One (1) Justice appointed by the Student Body President for a one (1) year term with a two-thirds (2/3) approval of the Student Senate present and voting in the Spring Organizational Session;
   2. Four (4) Justices appointed by the Student Body President for two (2) year terms with a two-thirds (2/3) approval of the Student Senate present and voting in the Spring Organizational Session;
B. The University Court and its offices shall be the only entity of the Judicial Branch.

Section 4. Powers of the University Court

The University Court shall have the following powers:

A. To hear all cases and controversies arising under the Student Government Constitution, Bylaws, and Rules of Order, and to issue judgments upon such cases and controversies. The Court shall have complete and exclusive authority to interpret and to give meaning to any Constitutional provision, Bylaw, Rule of Order, or legislative instrument;
B. To hear and issue judgments upon all appeals, cases and controversies arising under the Student Government Election Code and elections held by the Election Board;
C. To issue injunctions and to compel any member of the Student Government to appear before it in any case or controversy arising under this section.
D. To elect a Chief Justice by a simple majority (1/2) vote;
E. To recommend by a simple majority (1/2) vote to the Student Senate such changes to the Rules of Court as it deems necessary. The Senate may approve such changes by a two-thirds (2/3) vote of those present at a duly convened meeting. The Student Senate may propose and enact such changes without recommendation from the University Court with a three-fourths (3/4) vote of those present and voting;
F. To hear and to rule upon all case referred to it by the Vice Chancellor for Student Life or the Dean of Students.

Section 5. Jurisdiction

The jurisdiction of the University Court shall be as follows:
In cases arising under Section 4 of this Article, the University Court shall have original
and exclusive jurisdiction. Judgments issuing from the University Court in this capacity
shall be final, but subject to review by the Dean of Students only if the judgment includes
a violation of university regulation excluding Student Government governing documents.

Section 6. Administration

A. University Court shall be administered in accordance with the procedures
outlined in the Rules of Court;
B. Judgments of the University Court shall be expressed in writing and filed in the
records of the Court;
C. Final judgments shall be sent to the Executive Branch for appropriate action.

PARAGRAPH 7: WHEREAS, ARTICLE V SHALL BE AMENDED TO READ AS FOLLOWS

ARTICLE V
Elections

Section 1. Voter Eligibility

Students who are registered for at least part-time enrollment status at the time of the
election shall be eligible to vote in all elections provided for in this Constitution except
those referenda concerning fees that do not affect them.

Section 2. Candidate Eligibility

In order to be eligible for election or appointment to any office under this Constitution, a
student must meet all University-mandated requirements of officers of recognized
campus organizations. Any exception to this Section must be expressly provided for
elsewhere in this Constitution.

Section 3. Elected Officers

All officers elected under this Constitution must receive a majority of votes cast in the
election, unless as otherwise provided as a special case in the Student Government
Election Code.

Section 4. Election Board Composition

The Election Board shall report to the Student Government Advisor and shall be
composed of the following:

A. The Commissioner of Elections, who is a student appointed by the
Student Body President through the Executive Charter and approved by
the Senate, who shall serve as the chairman;
B. At least seven (7) student members appointed by the Student Body
President and approved by the Senate. Appointments shall be made in
accordance with the Student Government Election Code.

Section 5. Election Board Personnel Restrictions

No person who is member of the Election Board may be a candidate in any campus-wide
election or hold any other office under the authority of this Constitution or the Bylaws
while that person serves on the Board.

Section 6. Election Board Powers
The Powers of the Election Board shall include, but not be limited to:

1. To conduct, or delegate authority to conduct, all elections of the Student Government;
2. To disqualify any candidate(s) found in violation of the Student Government Election Code by a two-thirds (2/3) vote, subject to appeal to the University Court;
3. To conduct all other duties defined in the Student Government Election Code.

Section 7. Election Dates

Two (2) campus-wide elections shall be held each year, one (1) in the Fall semester and one (1) in the Spring semester on dates as provided for in the Student Government Election Code.

PARAGRAPH 8: WHEREAS, ARTICLE VI SHALL BE AMENDED TO READ AS FOLLOWS

ARTICLE VI
Terms of Office

Section 1. Assumption of Duties

All officers under this Constitution shall assume their duties upon validation of their election, appointment, or succession to office and after they are duly installed as defined in the Bylaws.

Section 2. Procedures for Termination

The term of office of any officer provided for in this Constitution may be terminated by means of either of the following procedures:

A. Impeachment
   1. By filing of formal impeachment charges at a regular meeting of the Student Senate twenty percent (20%) of the standing Student Senate with a minimum of ten (10) Senators;
   2. By a formal hearing at the next regularly scheduled Senate meeting, to be presided over by the Chief Justice of the University Court (or by the Vice President in case that the Chief Justice is the officer under impeachment); and
   3. By an affirmative vote for conviction at that Student Senate meeting by two-thirds (2/3) of those Senators present and voting by silent ballot; or

B. Recall
   1. By submission of a petition to the Election Board signed by fifteen percent (15%) of the electorate of the office concerned; and
   2. By the Election Board setting provisions for a recall election within ten (10) class days after the petition is submitted; and
   3. By a majority of those voting in the recall election expressing their desire to recall the incumbent.

Section 3. Other Reasons for Termination

The term of office of any person elected or appointed under this Constitution and Bylaws shall be terminated upon occurrence of any of the following conditions:
A. Upon the installation of his/her duly chosen successor;
B. For a member of the Senate whose position has been discontinued, upon the expiration of his/her normal term (i.e. upon the installation meeting held two (2) campus-wide elections after his/her position is normally elected, if the seat in question is a full seat);
C. Upon the acceptance of his/her resignation by a two-thirds (2/3) vote of the Student Senate present and voting;
D. Upon his/her incapacity to continue in office, to be determined by a two-thirds (2/3) vote of the Student Senate present and voting;
E. In addition, for the Student Body President or Vice President, upon acceptance of any paid employment:
   1. Outside the University during the Fall or Spring semesters; or
   2. Outside the Baton Rouge Metropolitan Area during any other time.
F. For Senate members, upon failure to continue to be enrolled in the Academic Area represented, with the exception of UCAC and UCFY senators, who may enroll in a different Academic Area one (1) or two (2) semesters after their election. For all other senators who switch Academic Areas, their current term representing the senior college they switched from will be terminated upon the end of that legislative session;
G. For College Council members, upon failure to regain active status within four (4) legislative weeks of receiving notification of inactive status;
H. Upon failure to meet the University-mandated requirements for officers of registered student organizations;
I. For Senate members, upon failure to meet the attendance requirements specified in the Bylaws;
J. No candidate may resign from a position and remain eligible to be appointed to the same position in the same semester.

PARAGRAPH 9: WHEREAS, ARTICLE VII SHALL AMENDED TO READ AS FOLLOWS

ARTICLE VII
Operational Funds

Section 1. Origin of Funds
Operational funds for the Student Government shall come from a per capita assessment of the Student Body. The amount of this per capita assessment shall be in accordance with the official University Student Fee Schedule.

Section 2. Activity of Funds
Operational funds for the Student Government shall be deposited by the University in a Restricted Fund Account by the Office of the Bursar. These funds may not be expended in a fiscal year until the Student Government Budget for that fiscal year has been adopted.

Section 3. Responsibility of Funds
The President shall be responsible for all operational funds of the Student Government, shall ensure that all expenditures are in accordance with the provision of the Student Government Budget and the Bylaws to this Constitution.

Section 4. Student Government Salaries
No student fees shall be used to pay the salary of any student member of Student Government, except those expressly restricted in any way by the Student Government Constitution from holding another job.

**PARAGRAPH 10:** WHEREAS, ARTICLE VIII SHALL AMENDED TO READ AS follows

**ARTICLE VIII**

**Auxiliary Documents**

**Section 1. Bylaws and Rules of Order**

There shall be a set of Bylaws to this Constitution as well as Louisiana State University Student Government Rules of Order, either of which shall require a two-thirds (2/3) vote by the members of the Student Senate present and voting for the amendment.

**Section 2. Rules of Court**

The Rules of Court shall further specify the procedures and rules of order of the University Court. The Rules of Court may be amended by a two-thirds (2/3) vote of the Student Senate present and voting upon the recommendation of the amendment by a simple majority (1/2) vote of the University Court. The Student Senate may amend the Rules of Court by a three-fourths (3/4) vote by its own initiation.

**Section 3. The College Council Constitution**

The College Council Constitution specifies the procedures of the College Councils of the University Academic Areas. The College Council Constitution may be amended by a two-thirds (2/3) vote of the Student Senate present and voting upon the recommendation of the amendment by a simple majority (1/2) vote of the College Council Presidents Commission. The Student Senate may amend the College Council constitution by a three-fourths (3/4) vote by its own initiation. Notice of any proposed amendment must be given five (5) class days prior.

**Section 4. Election Code**

The Student Government Election Code shall specify the procedures for holding Student Government elections, as well as the powers and duties of the Election Board. The Election Code may be amended by a two-thirds (2/3) vote of the Student Senate present and voting; however, such amendment will not go into effect until one (1) semester following passage, not including the Summer Semester.

**Section 5. Conflicting Documents**

A. No measure may be enacted which would be in conflict with any provisions of this Constitution;

B. No provision may be enacted in any Auxiliary Document which would be in conflict with any provisions of any other Auxiliary Document.

**PARAGRAPH 11:** WHEREAS, ARTICLE IX SHALL AMENDED TO READ AS follows

**ARTICLE IX**

**Amendments**

**Section 1. Proposition by Student Senate**
Amendments to this Constitution may be proposed by any member of the Student Senate;

A. Following a period of at least five (5) class days from the date of proposal, amendments may be approved by a two-thirds (2/3) vote of the Student Senate present and voting;

B. Any amendments must further be ratified by a majority of the students voting in any campus-wide election of the Student Government.

Section 2. Proposition by Student Body

The privilege of initiative is hereby secured to the Student Body. If a petition signed by at least ten percent (10%) of the Student Body requesting an election for consideration of a constitutional amendment be presented to the President, an election for the consideration of such an amendment must be held between ten (10) and fifteen (15) class days following the presentation of the petition to the President.

PARAGRAPH 12: WHEREAS, ARTICLE X SHALL AMENDED TO READ AS FOLLOWS

ARTICLE X
Self-Assessed Student Fees

Section 1. Approval by Student Body

Any proposal to levy, amend, repeal, or otherwise regulate any student self-assessment which affects the entire Student Body must be approved by a majority of the members of the Student Body voting in the Fall or Spring Primary Election.

Section 2. Procedure to Place Assessment of Ballot

Any such proposal may be sent to the Student Body only in either of the following ways:

A. By approval of two-thirds (2/3) of the members present and voting of the Student Senate at least five (5) class days after introduction; or

B. By petition signed by ten percent (10%) of the membership of the Student Body presented to the President;

C. Any such proposal must comply with Louisiana State University System Permanent Memorandum Twenty-Nine (29).

PARAGRAPH 13: WHEREAS, ARTICLE XI SHALL AMENDED TO READ AS FOLLOWS

ARTICLE XI
Area of Application

Section 1. The Student Government

This Constitution and Bylaws, official actions, and rules derived there from, shall be the supreme source of student authority and responsibility of the Student Government of Louisiana State University and Agricultural and Mechanical College, Baton Rouge,
Louisiana. However, nothing herein shall be construed to deny or disparage fundamental rights retained by the students.

Section 2. University Rules and Regulations

Nothing in this Constitution shall be deemed to supersede the power and authority of the official rules and regulations of the Louisiana State University Board of Supervisors of the Louisiana State University System, the Louisiana Board of Regents, the laws of the State of Louisiana, and the laws of the United States.

PARAGRAPH 14: WHEREAS, ARTICLE XII SHALL AMENDED TO READ AS FOLLOWS

Article XII

Ratification

Section 1. Majority Approval

This Constitution, Bylaws, Rules of Order, Election Code, the College Council Constitution and Rules of Court shall be ratified upon the President’s receipt of at least ten percent (10%) of the Student Body requesting consideration of the new constitution and further after majority approval of the students voting in the election for its ratification;

Section 2. Date of Effect

A. The provisions of this Constitution and the auxiliary documents listed in Section 1 of this Article shall go into effect immediately upon ratification, with the exception that all current officers of the Student Government shall be allowed to serve out their regular terms;

B. All previous Constitutions, Bylaws, and related rules shall then be null and void.

PARAGRAPH 15: WHEREAS, UPON PASSAGE OF THIS BILL, THESE AMENDMENTS WILL REQUIRE FURTHER APPROVAL BY A MAJORITY OF THE STUDENTS VOTING IN THE UPCOMING FALL 2013 ELECTION, AND;

PARAGRAPH 16: WHEREAS, AFTER SAID APPROVAL BY THE STUDENT BODY IN THE FALL 2013 ELECTION, THESE AMENDMENTS WILL BE IMMEDIATELY RATIFIED.

PARAGRAPH 17: THEREFORE, BE IT ENACTED BY THE LOUISIANA STATE UNIVERSITY AND AGRICULTURAL AND MECHANICAL COLLEGE STUDENT SENATE THAT THESE AMENDMENTS TO THE LSU STUDENT GOVERNMENT CONSTITUTION BE ADOPTED PENDING APPROVAL OF THE STUDENT BODY.

PARAGRAPH 18: THIS BILL SHALL TAKE EFFECT UPON PASSAGE BY A TWO-THIRDS (2/3) VOTE OF THE LSU STUDENT SENATE AND SIGNATURE BY THE PRESIDENT, UPON LAPSE OF TIME FOR PRESIDENTIAL ACTION, OR IF VETOED BY THE PRESIDENT AND SUBSEQUENTLY APPROVED BY THE SENATE, FOLLOWED BY RATIFICATION BY A MAJORITY OF STUDENTS VOTING IN ANY CAMPUS-WIDE ELECTION OF STUDENT GOVERNMENT.
APPROVED:

_________________________  _______________________
ALEX GRASOFF                JOHN WOODARD
SPEAKER OF THE SENATE       STUDENT BODY PRESIDENT

DATE:____________________  DATE:____________________

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