

Summer 8-19-2013

Senate Statutes - Title I (Definitions) - Updated 08-19-13

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Aldridge, Adam, "Senate Statutes - Title I (Definitions) - Updated 08-19-13" (2013). *Legislative Branch Publications*. 401.

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University of South Florida at Tampa Student Government Statutes

Title

1

Definitions, Amendments to, and Compliance with the Student Government Statutes

Chapter

100

System of Student Government Statutes

100.1 The following shall be the System of the Student Government Statutes.

100.2 Student Government Statutes shall be divided into titles, each dealing with related and similar topics. Each title shall be composed of numerically designated chapters, each dealing with a specific topic. The current table of contents is as follows:

Title 1 – Definitions, Amendments to, and Compliance with the Student Government Statutes

Chapter 100: System of Student Government Statutes

Chapter 101: Amendments to the Student Government Statutes

Chapter 102: Compliance and Enforcement of the Student Government Statutes

Chapter 103: Definitions of Terms in the Student Government Statutes

Title 2 – Memberships, Powers, and Purpose of Student Government

Chapter 200: Mission Statement of the University of South Florida Student Government

Chapter 201: Official Seal of the University of South Florida Student Government

Chapter 202: Official Logo of the University of South Florida Student Government

Chapter 203: Oath of Office

Chapter 204: Student Government Sunshine Laws

Chapter 205: Student Government Public Records Act

Chapter 206: Order of Succession

Chapter 207: Student Government Remuneration Policies

Chapter 208: Student Government Anti-Discrimination Policy

Chapter 209: Student Government Code of Ethics, Decorum, and Professionalism

Chapter 210: Student Government Investigations

Chapter 211: Censure Resolutions

Chapter 212: Grounds for Removal from Office

Chapter 213: Impeachment Proceedings

Chapter 214: Removal of Student Government Supreme Court Justices

Chapter 215: Student Government Hiring Procedure

Chapter 216: Student Government Contracts and Agreements

Title 3 – The Executive Branch

Chapter 300: Composition and Authority of the Executive Branch

Chapter 301: Powers and Responsibilities of the President

Chapter 302: Powers and Responsibilities of the Vice President
Chapter 303: Student Government Transition
Chapter 304: Standing Positions
Chapter 305: Executive Branch Composition and Structure
Chapter 306: Executive Branch Structure
Chapter 307: Executive Branch Employment Policy and Procedure
Chapter 308: Lakeland Student Council

Title 4 – The Legislative Branch

Chapter 400: Legislative Branch Composition and Authority
Chapter 401: General Requirements
Chapter 402: Officers of the Senate
Chapter 403: Order of Succession
Chapter 404: Election of Senate Officers
Chapter 405: Summer Sessions
Chapter 406: Confirmations
Chapter 407: Alternate Senators
Chapter 408: Senate Ad-Hoc Committees Act

Title 5 – The Judicial Branch

Chapter 500: Judicial Branch Composition and Authority
Chapter 501: Duties and Responsibilities of the Supreme Court
Chapter 502: Duties and Responsibilities of Justices of the Supreme Court
Chapter 503: Judicial Ethics Act
Chapter 504: Declaratory Judgment Panel

Title 6 – Student Government Functional Groups

Chapter 600: Judicial, Senate, and Executive Committee
Chapter 601: Funding Committees
Chapter 602: University Wide Committees
Chapter 603: Personnel Policy Board
Chapter 604: Marshall Student Center Board
Chapter 605: Branch Campuses
Chapter 606: Student Government Programming Council

Title 7 – Election Code

Chapter 700: Definitions of Terms for Student Government Elections
Chapter 701: Election Rules Commission
Chapter 702: General Requirements and Regulations for Candidacy in the General Election
Chapter 703: General Requirements and Regulations for Senate Midterm Elections
Chapter 704: General Elections and Student Government Supreme Court
Chapter 705: Special Elections

Title 8 – Finance Code

- Chapter 800: Activity and Service Fee Monies**
- Chapter 801: Activity and Service Fee General Regulations and Guidelines**
- Chapter 802: Funding Eligibility**
- Chapter 803: The Application and Funding Procedure**
- Chapter 804: Activity and Service Fee Proviso Language**
- Chapter 805: Activity and Service Fee Interim Funding**
- Chapter 806: Sports Club Council**
- Chapter 807: The Student Council of the College of Medicine**
- Chapter 808: Executive Branch Budget**
- Chapter 809: Sweep Exemptions**
- Chapter 810: Student Government Grant Program**
- Chapter 811: Student Government Special Accounts**

Title 9 – Student Government Agencies and Departments

- Chapter 900: Agency Creation**
- Chapter 901: Student Government Computer Services**
- Chapter 902: WXBL Student Radio**

Title 10- Bureaus

- Chapter 1000: Bureaus of Student Government**
- Chapter 1001: Activity and Service Fee Management Bureau**
- Chapter 1002: Student Government Advising, Training, and Operations**
- Chapter 1003: S.A.F.E. Team Bureau**
- Chapter 1004: Bureau Advisory Council**

- 100.3** Each chapter may be subdivided by means of a decimal system. For example, Chapter 100 may be subdivided into sections such as 100.1, 100.2, and etcetera, and each section subdivided such as 100.1.1, 100.1.2, and etcetera.
- 100.4** There shall be an official book of codification of all statutes compiled, maintained, and kept up to date by the Senate President Pro Tempore. There shall also be a copy of the codification located on the Student Government website.
- 100.4.1** The codification shall include all statutes, with the exception of Constitutional amendments, passed by the Senate and approved by the Student Body President dating from August 1, 2005. All Statutes except for funding statutes, passed before that date shall become null and void upon passage of this statute, unless such statutes are passed by the Senate again.
- 100.4.2** At the end of a legislative term the official codification of that term shall be stored in the Senate office to be used for reference purposes only.

- 100.5** No statute shall conflict with the United States Constitution or laws, the State of Florida Constitution or laws, or the Student Government Constitution.
- 100.6** Each chapter shall have printed with it a history giving the Legislative Term and Bill number in which it was amended. For example, if Chapter 101 was amended in the 46th term with Bill 122, the bottom of Chapter 101 shall read “46-122” as part of the chapter history. Only the most recent five (5) amendments shall be printed with the statutes; less recent amendments will be archived and available for reference.
- 100.7** All legislation and resolutions presented to the Senate or to the Senate Committee on Rules shall be retained and archived at the end of each legislative term.

Chapter

101

Amendments to the Student Government Statutes

- 101.2** All Student Government Statutes may be amended.
- 101.3** A proposed Statutes or Senate ROP amendment shall be termed a Regular Amendment if it involves only one title and one chapter of that title, except in the manner of a name change, then it may concern all appropriate titles. Such an amendment shall require two (2) readings before the Senate.
- 101.4** A proposed Statute or Senate ROP amendment shall be termed a Special Amendment if it involves more than one title and/or more than one chapter of one title. Such an amendment shall require three (3) readings before the Senate.
- 101.5** All amendments to the Student Government Statutes shall take immediate effect upon approval of the Student Body President or upon a successful override of a Presidential veto.
- 101.5.1** Chapter 804 Proviso of the Student Government Statutes shall be exempt from this requirement.¹

¹ SB 47-001, inserts 101.4-101.4.1

Chapter

102

Compliance and Enforcement of the Student Government Statutes²

- 102.1** All Student Government Officers shall comply with the Student Government Statutes. Any disregard, unintentional or deliberate,³ of any Statute may be considered as cause for impeachment in accordance with the Student Government Constitution.
- 102.2** All students serving in any capacity with Student Government must comply with the Student Government Statutes. Any disregard, unintentional or deliberate,⁴ of any Statute may subject that student to removal from the position in accordance with the Student Government Constitution and Statutes.
- 102.3** When a conflict between Statutes is encountered, the most recently amended Statute shall take precedence.
- 102.4** A Notification of Non-Compliance is to be used as a written notification that the recipients has failed to adhere to or is in violation of the Student Government Constitution, Statutes, or other governing documents.
- 102.5** The authority of this notification shall not be constructed in a manner which would supersede or conflict with the authorities and standards granted by University Regulations, Student Body Constitution, Student Government Statutes or the laws of the State of Florida.
- 102.6** The following individuals may issue a Notification of Non-Compliance:
- 102.6.1** The Student Body President
 - 102.6.2** The Chief Financial Officer (in relation to the allocation and expenditures of Activity and Service Fees)
 - 102.6.3** The Attorney General
 - 102.6.4** The Senate Executive Committee (SenEx)
 - 102.6.5** The Senate President
- 102.7** The issuer of the notification of non-compliance shall deliver and supply the accused group or individual with said notification within 48 hours of its issuance.
- 102.7.1** No action shall be initiated if the allege violator has not been notified of said notification within the specified 48 hours.

² SB 50-016, Modification to chapter title and subsections of this chapter.

³ SB [S] 51-021 removes willful or deliberate, adds unintentional or deliberate

⁴ SB [S] 51-021 removes willful or deliberate, adds unintentional or deliberate

- 102.8** The user shall provide the following offices with a copy of the Notification of Non-Compliance: The Student Government Advisor, The Student Body President, The Student Senate President and the Attorney General.
- 102.9** Failure to comply within one week of the receipt of the Notification of Non-Compliance shall subjugate the aforementioned group or individual to Student Government repercussive actions, not withstanding removal from Student Government office, freezing of the said group or individuals account or suspension of future financial allocations.
- 102.10** A Notification of Non-Compliance shall be considered invalid if issued more than 30 days after the alleged violation has occurred.
- 102.11** A Notification of Non-Compliance shall be drafted in the following fashion:

Notification of Non-Compliance	
Issuer: _____(Name and Title)_____	
Party Issued To: _____(Name and Title)_____	
This shall serve as an official notification that you are in noncompliance with: _____(Exact Wording of Legislation Specific to the Noncompliance)_____	
The following is noted to be in noncompliance: _____(Description of Noncompliance)_____	
_____(Signature)_____	_____
Issuer	Date

Chapter

103

Definitions of Terms in the Student Government Statutes

- 103.1** When a Senate Bill introduces new terminology to the Statutes, appropriate definitions shall be attached to the Senate Bill. Once the Senate Bill passes, the definitions shall be added alphabetically to the section below.
- 103.2** **Abuse of Power**- The use of one's power to coerce or unjustifiably influence any fellow member of Student Government.
- 103.3** **Accountable Officer**- Any individual with purchasing authority or financial responsibility over any Activity and Service Fee funded entity. This definition shall also be applicable to the term "Financial Officer."⁵
- 103.4** **Ad-Hoc Committee**- A Senate Committee not established in the Senate Rules of Procedure, which is created by the Senate President for a specific purpose, after which it shall be dissolved, and which may be comprised of both Senators and other students.
- 103.5** **Agency**- An organization that receives its operating revenue directly from allocation within the Activity and Service Fee Budget and whose duties, composition, and responsibilities are outlined in Statute. An Agency shall provide direct service to the student body.
- 103.6** **Alternate Senator**- A Senator that temporarily serves in place of an elected Senator who is not serving during any of the Summer Semesters.
- 103.7** **Articles of Impeachment**- An instrument which, in cases of impeachment, is used, and performs the same purpose as an indictment in a common criminal case. These articles do not usually pursue the strict form and accuracy of an indictment. They are sometimes quite general in the form of the allegations, but always contain, or ought to contain, so much certainty, as to enable the party to put himself on the proper defense, and in case of an acquittal, to avail himself of it, as a bar to another impeachment.
- 103.8** **Branch Campuses**- A separate organizational and budgetary entity from the University of South Florida, Tampa Campus
- 103.9** **Board of Trustees, University**- The public Stewards of matter of the University of South Florida.⁶
- 103.10** **Budget Authority**-The ability granted by the Student Senate to an entity to spend Activity and Service Fee cash within a set of defined categories.⁷

⁵ SB 50-046, Adds this definition

⁶ SB 50-013, Addition of Board of Trustees, University definition

- 103.11 Bureau**-An entity of Student Government, that is professionally staffed by Student Affairs personnel, and is accountable to the Division of Student Affairs but governed by Student Government statutes.⁸
- 103.12 Business Day**- The days of the week between and including Monday to Friday, upon which the University of South Florida is open for business.⁹
- 103.13 Campus Recreation Center**- The facilities on campus that are directly managed by the Campus Recreation Department.¹⁰
- 103.14 Candidate for Student Government Office**- Any person running or applying to become a Student Government Officer.
- 103.15 Capital Outlay** - Any expenditure identified by Student Government or the University which includes equipment, fixtures, and other tangible property of a non-consumable nature.¹¹
- 103.16 Coercion**- The use of force or threats to compel a person to commit an act.
- 103.17 Critical Reserve**- The emergency fund that the Activity and Service Fee Recommendation Committee allocates from the general Activity and Service Fee fund. The fund may only be used in the event of a catastrophic situation as approved by the combination of the Student Body President and the Senate President.¹²
- 103.18 Custodian of Public Records**- the person charged with the responsibility of maintaining the office having public records, or his or her designee.¹³
- 103.19 Declaratory Judgment** – A conclusive and legally binding opinion given by the Declaratory Judgment Panel of the Student Government Supreme Court regarding the clarification of a Student Government Statute.¹⁴
- 103.20 Department**- An entity of the Executive Branch that assists the President and Vice-President in the execution of their duties, initiatives and projects. A department shall report directly to the President through the Executive Cabinet.¹⁵
- 103.21 Division of Student Affairs**- The corporate division of the university charged with the management of all matters concerning student development, housing and wellness. Student Government's professional workers are a part of Student Affairs. Student Government officers

⁷ SB [S] 50-003, Addition of Budget Authority definition

⁸ SB [S] 50-003, Addition of Bureau definition

⁹ SB [S] 51-019, Addition of Business Day definition

¹⁰ SB [S] 50-013, Addition of Campus Recreation Center definition.

¹¹ SB [S] 54-006, Modifies this definition.

¹² SB [S] 50-046, Addition of this definition

¹³ SB [S] Addition of Custodian of Public Records

¹⁴ SB [S] 52-005, Addition of this definition

¹⁵ SB [S] 50-002, Modifies this definition.

are a part of Student Government Association State Agency.¹⁶

- 103.22 Door Prizes**¹⁷ – Something of value awarded via a random drawing, raffle, or lottery to one or more individuals at an event.
- 103.23 Due Process**¹⁸ – The conduct of any proceeding wherein there is fair treatment to all parties involved. This includes given notice and an equal opportunity to be heard.
- 103.24 Employee of Student Government**- Any person receiving remuneration from Student Government accounts who is not a Student Government Officer.
- 103.25 Engineering Expo**- the series of events held by the College of Engineering to showcase engineering departments and clubs.¹⁹
- 103.26 Executive Administrative Code** – The Executive Administrative Code shall serve to detail the internal procedures and policies of the Executive Branch and shall not conflict with the Student Government Constitution and Statutes. This document shall be authored and adopted by the Executive Branch and shall not be attached with the Student Government Constitution and Statutes.
- 103.27 Executive Appointees**- Any appointment made by the Student Body President for purposes of serving on or in conjunction with the Executive Branch.²⁰
- 103.28 Executive Cabinet of the President**- The entity to which all Executive Departments shall report to. The Executive Cabinet shall report directly to the Student-Body President.
- 103.29 Executive Office of the President**-An entity that directly reports to the Student-Body President. Executive Offices of the President shall assist the President and Vice-President with direct support, policy and legal analysis, budget and finance, direct management of the Executive Branch, and anything necessary prescribed to it by the President and Vice-President.
- 103.30 Executive Order**-A written edict or proclamation from the Student Body President, that establishes or enacts the following: policies, taskforces, departments, offices, or commissions; enforces Statutes or Constitutional provisions; and/or carries out any other acts that are necessary and proper for the Student Body President to carry out his or her duties as prescribed in the Student Body Constitution and Statutes. Executive orders are considered binding and standing unless reversed by the Student Body President, explicitly stated to have an expiration date within the written document or overturned by the Student Supreme Court.²¹

¹⁶ SB 50-013, Addition of Division of Student Affairs definition.

¹⁷ SB [S] 52-019 Addition of Door Prizes

¹⁸ SB [S] 54-006 Addition of Due Process definition.

¹⁹ SB 50-013, Addition of Engineering Expo definition

²⁰ SB 50-013, Addition of Executive Appointee definition.

²¹ SB [S] 50-002, Inserts from 103.12 through 103.15.

- 103.31 Ex-Officio**- Any person that is a member of a collegial body by virtue of their position. Ex-Officio members are non-voting.²²
- 103.32 Faculty Senate**- The collegial representative body of faculty that represents issues of concern before the administration of the university.²³
- 103.33 Fee Increase Committee**- The student half of the committee required by State Law to raise the Athletics Fee, Health Fee, and/or the Activity and Service Fee.
- 103.34 Financial Officer**-An individual of an A&S funded entity who is directly responsible and accountable for the respective entity's budget, transactions and financial operations.²⁴
- 103.35 Fiscal Irresponsibility**-The propensity of any A&S funded entity to abuse and misuse A&S monies.²⁵
- 103.36 Florida Law**- Any Statute, Executive Order, Injunction, or otherwise officially recognized legal standing issued from the State of Florida Government.
- 103.37 Florida Student Association**- The association of affiliated Florida Public School SGA's created to serve its member organization and its respective student they represent.²⁶
- 103.38 Homecoming Activities**- any event held in conjunction with the homecoming steering committee.²⁷
- 103.39 Incompetence**- Lack of qualification, inadequate qualification, or lack of the qualities necessary to fulfill the duties of a position.
- 103.40 ICOFA Categories**-All account and budget categories as stated by the Florida Board of Governors Inter-Institutional Committee on Finance and Accounting Financial Statement's Manual (newly revised).²⁸
- 103.41 Judicial Capacity**- Of or related to the duties of the Student Government Supreme Court as outlined in Title 5.
- 103.42 Judicial Ethics Act**- The code establishing standards of conduct for Supreme Court Justices on and off of the bench.
- 103.43 Judicial Recusal**- The removing of oneself from a Supreme Court proceeding due to a conflict of interest with the pending matter.

²² SB 50-013, Addition of Ex-Officio definition.

²³ SB 50-013, Addition of Faculty Senate Definition

²⁴ SB [S] 50-003, Addition of Financial Officer Definition

²⁵ SB [S] 50-003, Addition of Fiscal Responsibility Definition

²⁶ SB 50-013, Addition of Florida Student Association definition.

²⁷ SB 50-013, Addition of Homecoming Activities definition.

²⁸ SB [S] 50-003, Addition of ICOFA Categories Definition

103.44 Judicial Review Committee- A committee called subsequent to impeachment of a justice as outlined in Chapter 212.

103.45 Judicial, Senate, and Executive Committee (JuSenEx)- committee comprised of the Student Body President, Student Body Vice-President, Senate President, Senate President Pro Tempore, Chief Justice of the Supreme Court, Senior Justice of the Supreme Court, and one advisor serving ex-officio.

103.46 Maintain- To keep in an appropriate condition; to keep current as per timelines further outlined in statutes²⁹

103.47 Majority Vote- A majority vote shall be defined as a vote of greater than fifty (50) percent of those present at a meeting who have voting rights.

103.48 Malfeasance- Commission of a wrongful or unlawful act involving or affecting the performance of one's duties.

103.49 Meeting Disruption- The state in which a meeting of Student Government cannot function under normal operations because of an external or internal distraction or exogenous variable.³⁰

103.50 Misfeasance- Performance of a lawful action in an illegal or improper manner or with an improper or corrupt motive.

103.51 Nonfeasance- Failure to perform an act that is either an official duty or a legal requirement.

103.52 Nonpublic Information- Information that would be considered confidential under Florida Law.

103.53 Office of Budget and Policy Analysis- The office or its current equivalence which is responsible for generating and calculating the university's expected cash flow for each fiscal year.³¹

103.54 On Campus³² – Anywhere on the USF Tampa Campus, USF Riverfront Park, or any venue where a USF Athletics sponsored event is being held.

103.55 Political Campaign(s) – Any person or party running for any position in:

103.55.1 Student Government Election/ Any Campus Election

103.55.2 Local Elections

103.55.3 State Elections

103.55.4 National Elections

²⁹ SB [S] 51-019, Addition of Maintain definition

³⁰ SB 50-023, Addition of Meeting Disruption

³¹ SB 50-013, Addition of Office of Budget and Policy Analysis definition.

³² SB [S] 52-019 Addition of On Campus, Political Campaign, Promotional Materials

- 103.56 Promotional Materials** – Merchandise or materials distributed for the purpose of furthering organization awareness.
- 103.57 Public Records**- Any records made or received in the course of transacting official Student Government business except those records exempt in Chapter 119 of the Florida Public Records Act.³³
- 103.58 Regular Amendment**- A proposed amendment to Statutes or Senate ROP that involves only one title and one chapter of that title, except in the manner of a name change, then it may concern all appropriate titles. Such an amendment shall require two (2) readings before the Senate.
- 103.59 Select Committee**- A Senate Committee, created by either the Senate President or by a majority vote of the Senate for a specific task, after which it shall be dissolved, and on which any Senator is eligible to serve.
- 103.60 Senate Rules of Procedure**- The Rules of Procedure (ROP) of the Senate shall be a separate document of the Student Government Statutes, to be amended by the same procedure as the Student Government Statutes, with the exception that the ROP are not subject to Executive veto. The Senate ROP shall serve to detail internal procedures and policies of the Senate and shall not conflict with the Student Government Constitution and Statutes.
- 103.61 Special Amendment**- A proposed amendment to Statutes or Senate ROP that involves more than one title and/or more than one chapter of one title. Such an amendment shall require three (3) readings before the Senate.
- 103.62 Spring Commencement**- The matriculation ceremony conducted at the end of the spring semester by the Office of Commencement Ceremonies.³⁴
- 103.63 Standard Operating Procedure (SOP)**- An unofficial guide detailing the inner workings of a Student Government entity.
- 103.64 Standing Committee**- A Senate Committee established in the Senate Rules of Procedure.
- 103.65 Strategic Planning Fund**- the fund that shall only be used for long term strategic goals of Student Government.³⁵
- 103.66 Student Body**- All enrolled students of the University of South Florida, Tampa Campus.
- 103.67 Student Counselors**- Students representing other students before the Student Government Supreme Court.

³³ 50th Term Senate, Addition of Public Record

³⁴ SB 50-013, Addition of Spring Commencement definition

³⁵ SB 50-013, Addition of Strategic Planning Fund definition.

- 103.68 Student Government Meeting**- Any meeting of two or more officers of the same collegial body to discuss a future action that will be taken, within the respective body's current or future business items.³⁶
- 103.69 Student Government Officer**- Any member of the Student Government who is elected by the student body or confirmed by the Senate.
- 103.70 Student Government Records**- All material, regardless of physical form or characteristics, made or received pursuant to law or in connection with transaction of official business by any committee, agency, or branch of Student Government.
- 103.71 Student Government Special Project's Account**- The financial account that the CFO of Student Government oversees that is responsible for funding Student Government wide projects and initiatives.
- 103.72 Student Representative**- Any student appointed by the Student Body President to serve on a University Wide Committee.
- 103.73 Supermajority Vote**- A supermajority vote shall be defined as a vote greater than or equal to two-thirds (2/3) of those present at a meeting who have voting rights.
- 103.74 Term**- A year of Student Government business which shall directly correspond with the University academic year. A Student Government Term shall begin at midnight on the Monday after Spring Commencement and end corresponding to the termination of the Spring Commencement ceremonies.³⁷
- 103.75 Travel**- Any trip made by a Student Organization with an off-campus destination that furthers the purpose of the organization's mission.³⁸
- 103.76 Unallocated Cash**- Any A&S fee's that are generated or received between budget cycles or any balance of A&S fees swept from a previous fiscal year will be swept into the current year's fiscal account and designated Unallocated Cash.
- 103.77 USF Student Code of Conduct**- The code of rules and regulations generated by the University Board of Trustees for how students should conduct themselves while being a student at the university.³⁹
- 103.78 University Regulations and Policy**- Any set code or policy generated by the University Board of Trustees or President.⁴⁰
- 103.79 University Wide Committee**- A committee established by University Policy as a University Wide Committee.

³⁶ SB 50-023, Modification of Student Government Meeting

³⁷ SB 50-013, Addition of Term definition.

³⁸ SB 52-020, Addition of Travel definition.

³⁹ SB 50-013, Addition of USF Student Code of Conduct definition.

⁴⁰ SB 50-013, Addition of University Regulations and Policy definition.

103.80 Vote of Reconsideration- A vote held in order to reassess any prior vote conducted within the current meeting.⁴¹

103.81 Writ of Mandamus- An order by the Supreme Court to force a Student Government Officer to perform his or her duties as outlined in statutes.

103.82 Yearly Budget Allocation- The annual A&S budgetary authority a bureau, agency, office or department receives for its operations.⁴²

⁴¹ SB [S] 54-006 Modifies this definition.

⁴² SB 50-013, Addition of Yearly Budget Allocation definition.