

February 10, 2000

52 Legislative Council Bill #10

University of Colorado Student Union

Sponsored by: Scott Allan Zakon

Graduate Senator

Authored by: Scott Allan Zakon

Graduate Senator

A BILL

Bill History

There currently exists a question of how Article X, Section A., Point 3 of the UCSU Constitution shall be interpreted. It is unclear whether the President and Vice-President(s) specified in the constitution refers to the Legislative Council President Pro Tempore and Vice-Presidents Pro Tempore as suggested under one interpretation of the text, or if it refers to the student body President and Vice-President(s) currently referred to as Executive(s) under the other interpretation of the text. While the normal process of deciding questions of interpreting the UCSU Constitution involves bringing an actual case or controversy before the UCSU Appellate Court, there has not been an attempt to impeach an officer of UCSU that would allow this question to be brought before the Appellate Court. This issue is of importance because there have been questions raised as to possible actions that could be taken against some persons who have held offices under the point of contention, but expiration of term of office or other methods of resolving the issues have meant that no impeachment efforts have been deemed necessary by the Legislative Council. The current Executives and Legislative Council agree on the interpretation of this point, but also agree that the language is subject to interpretation and requires clarification. Therefore, the Legislative Council puts the question before the students in the form of a constitutional amendment that will clarify the officers who can be impeached.

Bill Summary

This bill places a constitutional amendment on the Spring 2000 ballot. If this amendment passes, the language of Article X, Section A., Point 3 of the UCSU Constitution shall be changed to specify the officers of UCSU subject to impeachment so that the Executive(s) are listed explicitly, and that mention is made that the President and Vice-President(s) Pro Tempore of the UCSU Legislative Council are impeachable under their statuses as members of the Representative Council and/or the Council of Colleges and Schools.

BE IT ENACTED by the Legislative Council of the University of Colorado Student Union, THAT:

SECTION 1: The following question be placed on the Spring 2000 ballot:

Currently, there is a question of how to interpret the list of UCSU officers subject to impeachment under the text in Article X, Section A., Point 3. The current Executives and Legislative Council Leadership agree on the interpretation of this section and on which officers can be impeached. Should a circumstance arise where the question could require review before the Appellate Court, the Student Union can not afford the delay while the matter is pending before the Court. This amendment will remove the ambiguity in the language of the Constitution on this point. It will specify the Executives as being impeachable, while retaining the impeachability of the officers of the Legislative Council.

Do you wish to amend Article X, Section A., Point 3, and change it:

From:

3. Officers subject to impeachment:
 - a. President
 - b. Vice-President(s)
 - c. Council of Colleges & Schools Members
 - d. Appellate Court Justices

- e. Representative Council Members
- f. Election Commissioners

To:

- 3. Officers subject to impeachment:
 - a. Executive(s)
 - b. Council of Colleges and Schools Members, including those serving as Legislative Council President or Vice-President(s)
 - c. Representative Council Members, including those serving as Legislative Council President or Vice-President(s)
 - d. Appellate Court Justices
 - e. Election Commissioners

SECTION 2: For the constitutional amendment to take effect, it must pass in accordance with Article XVI, Section D., of the UCSU Constitution.

SECTION 3: This bill takes effect upon passage by the UCSU Legislative Council.

2-10-00	Passed 1 st Reading	13-0-0
2-17-00	Tabled	
3-02-00	Passed 2 nd Reading	11-0-0

Andrew Luxen, President Legislative Council

Tara Friedman, Tri-executive

Daniel Pabon, Tri-executive

Michelle Richardson, Tri-executive