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52 Legislative Council Bill # 11

**UNIVERSITY OF COLORADO
STUDENT UNION**

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A Bill

Bill History

49 LCB #9 is unconstitutional on two grounds: first, the constitutional amendment that enabled the action specified in section 2 of that bill did not pass (failed to meet turnout minimum) when brought before the students so its provisions are directly unconstitutional, and second, legislation can not direct unspecified UCSU Bylaws changes other than for the correction of grammatical or typographic errors. Despite this, amendments to the UCSU Legislative Council Bylaws were made that eliminated the Appointments Committee and altered the ratification process of Joint Board members pursuant to Section 7 of the bill. Following these unconstitutional changes in the UCSU Legislative Council Bylaws, joint board members have been appointed in an unconstitutional manner.

A separate problem exists in that there is no provision for the UCSU Legislative Council to ensure that the Bylaws of the Joint Boards are in compliance with the UCSU Constitution, administrative policy, and all other relevant bodies of law.

Bill Summary

This bill will re-establish an Appointments Committee in the UCSU Bylaws, shall change the UCSU Bylaws to specify the ratification and appointment of voting members of Joint Boards in accordance with the UCSU Constitution. This bill shall also give responsibility to the UCSU Legislative Council Rules Committee to retain and review copies of the Bylaws of each Joint Board.

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

SECTION 1: The Bylaws of the UCSU Legislative Council shall be amended in the following manner:

The existing Point 6 under Article V, Section B, shall be renumbered to Point 7, and a new Point 6. Appointments Committee shall be inserted. The text of this section shall read as follows:

6. Appointments Committee

- a. The Appointments Committee shall consist of five (5) members chosen by the Legislative Council President from the members of the Legislative Council. The membership of this Committee shall be ratified by majority vote of the Legislative Council.
- b. The Appointments Committee shall make recommendations concerning all appointments, approvals, and ratifications to be made by the Legislative Council.
- c. The UCSU Appointments Committee shall recommend to the Legislative Council for appointment members of Joint and other UCSU boards subject to appointment by the Legislative Council.
- d. The UCSU Appointments Committee shall recommend to the Legislative Council for appointment students to serve on non-student campus-wide standing committees within the University excepting those positions for which other appointment methods are specified in these Bylaws. Appointment and removal of these students shall follow the same procedure as used for Legislative Council appointments to the Joint Boards.
- e. The Appointments Committee shall insure that a uniform selection procedure is used for all applicants for a particular position, and should minimize variances in procedures across positions.

SECTION 2: The Bylaws of the UCSU Legislative Council shall be amended in the following manner:

Point 3. of Article VII, Section A., of the UCSU Bylaws shall be renumbered to Point 4. A new Point 3. shall be inserted. The new Point 3. shall have the following text:

3. Joint Board members, other than Chairs, members of the Finance Board, or those to be appointed by the Legislative Council shall be ratified majority vote of their respective Board.

SECTION 3: The Bylaws of the UCSU Legislative Council shall be amended in the following manner:

Article VII, Section A., Point 2., of the UCSU Bylaws shall be replaced with the following text:

2. Joint Board members subject to appointment by the Legislative Council shall be presented by the UCSU Legislative Council Appointments Committee for appointment and ratification. Appointment and ratification shall be conducted simultaneously by majority vote of the Legislative Council. The number of members of each joint board subject to appointment by the Legislative Council shall be as specified in the UCSU Constitution.

SECTION 4: The Bylaws of the UCSU Legislative Council shall be amended in the following manner:

A new sub-Point d. shall be added to Article V., Section B., Point 4. Rules Committee. The sub-Point d. shall contain the following text:

- d. The Rules Committee shall retain copies of the Bylaws of the various Joint Boards. The Rules Committee shall report any violations of the UCSU Legislative Council Bylaws, UCSU Constitution, or other governing Documents at the next regularly scheduled UCSU Legislative Council meeting, and shall present its recommendation for rectifying the violation.

SECTION 5: The Bylaws of the UCSU Legislative Council shall be amended in the following manner:

A new Point 4. shall be inserted in Article VII., Section B. Reporting. The new Point 4. Shall contain the following text:

- 4. Each Joint Board Chair shall report any amendments to its Bylaws to the UCSU Legislative Council Rules Committee Chair within three (3) working days following the adoption of the changes by that Board.

SECTION 6: These Bylaws changes shall take effect upon passage by the Legislative Council.

02-10-2000	Introduced	
02-17-2000	Passed	13-0-0

Andrew Luxen, Legislative Council President