

September 30, 2010

73LCB10- Student Referendum Accessibility
and Respect of Constitution Act

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Bill History

Any successful representative government in the United States of America must have a clearly defined and accessible means of issuing referendum to its citizens and constituents. The current University of Colorado Student Government (CUSG) Constitution has an inherent ambiguity with regards to the requirements for the passage or failure of a student referendum vote. This ambiguity has in the past been interpreted to state that 25% of the student body must vote on a referendum and within that minimum 25%, there must be a simple majority of voters for the passage of the referendum. This precedent has been adopted and acted upon for years. The Constitution's ambiguous language has only recently been called into question by the University of Colorado Regents with regards to a proposed spring referendum for a Recreational Center renovation. This bill will set clearly defined requirements for referenda and their subsequent passage or failure.

This bill also seeks to strengthen the requirements for an amendment to the University of Colorado Student Government Constitution. Over the past decade there has been a relatively high number of amendments to the CUSG Constitution. This legislation includes provisions to mandate stricter conditions for the passage of Constitutional Amendments in order to better reflect the timeless value and strength of the document.

Bill Summary

This bill seeks to amend the University of Colorado Student Government Constitution to clarify the requirements for the passage of a referendum vote. The bill also strengthens the stability of the Constitution by altering the requirements for Constitutional Amendments to better reflect the importance of the governing document.

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

Section 1: Article XIII, Section B be amended to state: "A referendum shall consist of a single question, appropriately validated and placed on the ballot, where a student may only vote "Yes" or "No," while reserving the right to ignore answering the question."

Section 2: Article XIII, Section C, Subsection 4 be amended to state: "The equivalent of five percent of the University of Colorado at Boulder student body population in signatures of bona-fide students shall be necessary to put each referendum on the ballot."

Section 3: Article XIII, Section C, Subsection 5 be amended to state “Student signatures shall include their student identification numbers.”

Section 4: Article XIII, Section D be amended to state: “No single referendum or Constitutional Amendment shall approve a change in total student fees exceeding more than one percent (1%), nor commit the University of Colorado Student Government and/or its individual students to any financial obligation for longer than four fiscal years, without receiving both a favorable majority vote and at least twenty-five percent of the students eligible to vote at one time of the election. This shall not limit with the authority of the Legislative Council or the Joint Boards as set forth elsewhere in this Constitution.”

Section 5: Article XVI, Section C be amended to state: “An Amendment must have a minimum of at least fifteen percent (15%) of eligible student voters vote on the amendment and of that fifteen percent, there must be a two-thirds majority of votes in favor of the passage of the amendment.”

Section 6: The language of the referendum on the ballot for this piece of legislation shall state: “Shall Article XIII, Section B, Section C, subsections 4 and 5, and Section D, and Article XVI, Section C of the University of Colorado Student Government (CUSG) Constitution be amended to affirm and establish that the required minimum student voter turnout for the passage of large student fee increases (increases by more than 1% of existing fees) outside of the annual budgeting cycle be 25% and that the passage of amendments to the CUSG Constitution require a two-thirds majority vote with a minimum student voter turnout of 15% of the student body.”

Section 7: This bill takes effect upon final passage by Legislative Council and upon obtaining the signatures of the CUSG Legislative Council President and Executives.

Vote Count		
09/30/2010	Amended and passed on 1st reading	Acclamation
10/07/2010	Amended and passed on 2nd reading	14-0-1

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