2006-2007
ASUCSD Bill # 254
January 24, 2007

Submitted By: Erik Rodriguez-Palacios, ERC Senior Senator

Subject: Amendment 2 to the Constitution of the Associated Students of the University of California, San Diego

The ASUCSD Council approved Amendment 2 to the Constitution of the Associated Students of the University of California, San Diego. Document Attached.

Approved: Consensus
Against: 
Abstain: 

Council Approval;
Certified by:

___________________________________  _____________________
Chair of the Council      Date

___________________________________  _____________________
President of the Council     Date
ARTICLE V
Duties of Officers

Section 1. President
(a) The President shall be the chief executive officer of the ASUCSD.
(b) The President shall serve as the official representative of the ASUCSD.
(c) The President shall chair the Associated Students Cabinet, herein referred to as “the Cabinet,” which consists of the President, the Vice-Presidents, and the Associate or Assistant Vice-Presidents.
(d) The President shall be an ex-officio member of all subordinate bodies of the ASUCSD, with such exceptions prescribed by the Council.
(e) The President shall formulate and submit to the Council for consideration an annual executive budget recommended for the operation of the ASUCSD.
(f) The President shall sign contracts on behalf of the ASUCSD with the consent of the Council. The President’s signature is required to make any ASUCSD contract valid.
(g) The President shall call and set the dates of a Special Election.

Section 2. Vice-President Student Life
(a) In the event of a vacancy in the office of President, the Vice-President Student Life shall become President for the remainder of the term. The Council shall prescribe the line of succession for the event of a simultaneous vacancy in the offices of President and Vice-President Student Life.

ARTICLE VI
Council

Section 3. Election Procedure and Terms of Office
The elected voting membership of the Council shall be elected annually to a term that begins at noon on Friday of Sixth Week Spring Quarter and ends when their successors’ terms begin. The Council shall establish the rules and procedures of the election, provided, however, that voting must end on Friday of Second Week Spring Quarter and take place for at least five academic days.

These election rules and procedures may not be amended or suspended during the time period between when the first candidate has filed for office and the certification of the results for that election; additionally, these election rules and procedures may not be amended during the time period between when a Special Election has been called by the President and the certification of the results for that election.

Section 5. Campus-based Student Fees
To establish, increase, reduce, or eliminate any campus-based student fee through the process of a student fee referendum, the Council must, by a two-thirds vote, place a fee referendum on a ballot for the undergraduate students to vote on.
If the change in the campus-based student fee would affect both undergraduate and graduate students, the Council, by a two-thirds vote, and the Graduate Student Association must both agree to place a fee referendum on a ballot for both undergraduate and graduate students to vote on.

For any fee referendum to be approved, a majority of votes cast in the fee referendum election must approve the change in the campus-based student fee. Additionally, the number of students casting ballots must equal or exceed 20% of the registered students affected by the fee at the time the election is held.

If a majority of votes cast in the fee referendum approve the change in the campus-based student fee, and if the change in the fee is approved and implemented by the administration, the language of the referendum is binding on the Council unless it conflicts with this Constitution. In this way, the students may lock-in portions of a campus-based student fee to certain financial areas by placing language to that effect in the referendum question.

For any fee referendum to be valid, the number of students casting ballots must equal or exceed 20% of the registered students affected by the fee at the time the election is held.

Section 7. Speaker
If the Speaker is not able to be present at a meeting or is temporarily unable to serve as the presiding officer, the Speaker should designate a member of the Council to serve as the presiding officer for the period of time in which the Speaker is unable to preside. If the position of Speaker is vacant or if the Speaker is not present at a meeting and did not designate a member of the Council to serve as the presiding officer, the President shall serve as the presiding officer or designate a member of the Council to serve as the presiding officer.

In addition to the duties as presiding officer, the Speaker shall have the power to appoint the chair and the membership of the Council committees and have any other powers the Council may assign.

Section 8. Meetings
All meetings of the Council shall be open to the public except when dealing with matters of personnel, existing or anticipated litigation, license or permit determination, threat to public services or facilities, labor negotiations, investments, contracts, or real property negotiations.

Section 10. Removal From Office
The Council may, by a two-thirds vote, impeach a voting member of the Council or a member of the Associated Students Judicial Board on one or more of the following grounds:
(a) misuse of funds
(b) unsatisfactory attendance
(c) ineligibility for office
(reletter subsections appropriately)
(d) failure to perform duties
(e) improper or unethical use of authority
(f) willful violation of ASUCSD rules, policies, or procedures

If a member is impeached, the Associated Students Judicial Board shall convene to determine removal of the member. If the Associated Students Judicial Board finds the member responsible of any of the charges, the Associated Students Judicial Board shall remove the member from office.

If a member other than the President is ineligible to serve in the position the member currently serves in, the President shall, after giving the member the opportunity to resign, declare the member ineligible for office by informing the Council and the position shall become vacant five academic days thereafter. If the President is ineligible to serve in the office of President, the Vice-President Student Life shall, after giving the President the opportunity to resign, declare the President ineligible for office by informing the Council and the position shall become vacant five academic days thereafter.

ARTICLE VII
Judiciary

Section 2. Composition
There shall be five seven members of the Associated Students Judicial Board appointed by the Officers with the consent of the Council to a term that expires when the person ceases to be a member of the ASUCSD. Only members of the ASUCSD shall be eligible to serve as a member of the Associated Students Judicial Board. No member of the Associated Students Judicial Board shall also serve in the Cabinet or as a voting member on the Council.