Submitted By:       Ted McCombs, Interim Revelle Senior Senator

Subject: Approval of the Amendment to the ASUCSD Constitution.

The A.S. Council approved the Amendment to the ASUCSD Constitution.
Document Attached.

Approved:  23
Against:    0
Abstain:    0

Council Approval;
Certified by:

__________________________________________________  Date for Chair of the Council

__________________________________________________  Date for President
ARTICLE I. NAME AND MEMBERSHIP

Section B:

Any person duly registered as an undergraduate student at the University of California at San Diego shall be a full voting member of the ASUCSD.

ARTICLE II. ASUCSD COUNCIL

Section C: Powers

2. These powers, and exercise thereof, will be subject to review by the membership of the ASUCSD through initiatives. Members of the ASUCSD may override a decision by the ASUCSD Council to pass or fail a specific piece of legislation through a procedure by petition and campus vote.

   a. Proposed override of ASUCSD Council's decision on legislation regarding budgets, appropriations, and/or expenditures of funds shall require a petition signed by twenty percent (20%) of the members of the ASUCSD to be submitted to a vote by the ASUCSD.

   b. Proposed override of ASUCSD Council's decision on all other legislation shall require a petition signed by fifteen percent (15%) ten percent (10%) of the members of the ASUCSD to be submitted to a vote by the ASUCSD.

   c. The petitions required above shall include the intent to override the ASUCSD Council's decision, the specific legislation that the Council considered, and the fact that a Special Election may need to be called.

   d. Such petitions must be presented to the President within ten (10) twenty-one (21) academic days from the time of passage or failure of the legislation.

   Appropriate renumbering of subsequent clauses e, f, g, and h (not reproduced here)

Section D: By-laws

The council shall have all powers, consistent with the provisions of this constitution and the by-laws, and the policies, procedures and regulations of the University of California and UCSD necessary and proper for the execution of the purposes of the association.

Section E: Membership of Council

4. Ex-Officio Members of Council
   vii. Academic Affairs, Internal Assistant Chief of Staff

Section F: Voting

1. The President, Vice President External and Vice President Finance, Commissioner of Academic Affairs, Commissioner of Communications, Commissioner of Programming, Commissioner of Student Advocacy, Commissioner of Student Services, and Commissioner of Enterprises.
Operations, Commissioner of Diversity Affairs, and Commissioner of Athletics, shall be non-voting members of the ASUCSD Council. The Vice President Internal shall vote only in case of a tie.

Section I: Vacancies
1. A vacancy shall be deemed to occur when any elected officer of the association shall have lost membership in the ASUCSD, resigned, is removed from office, or becomes otherwise ineligible for office as provided in this constitution.

4. Any person that has been removed from an office shall not be eligible to fill the vacancy of that office during the term in which that person was removed.

ARTICLE III. OFFICERS OF THE ASUCSD

Section A: Qualification for Officers
2. Shall be elected by the members of the ASUCSD, who vote in the spring of each year, or appointed by the ASUCSD Council or college councils.

Section B: Executive
1. Responsibilities of President
d. Shall be an ex-officio member of the council and all of its subordinate bodies, except the Judicial Board.

3. Responsibilities of Vice President External
c. Shall serve as the University of California Student Association (UCSA) representative and voting member.

Section D: Legislative
1. Responsibilities of College Senators
c. Shall act as a liaison between the colleges and the A.S. Council, between the college councils and the A.S. Council, and between their college’s student body with the constituents of the other colleges.

ARTICLE IV. JUDICIARY

Section B: Membership
2. The ASUCSD shall have two (2) representatives to the Judicial Board.

Section C: Rules of Procedure
2. Amendments to the Judicial Board Charter must be submitted by an ASUCSD Council Member co-authored by not less than four (4) ASUCSD Council Members. Any
amendments shall take a three-quarters (3/4)-majority vote of the entire ASUCSD Council to pass. All amendments must be proposed at least two (2) weeks before vote of the Council.

ARTICLE V. ELECTIONS

Section B: ASUCSD Election Manager

2. The Elections Manager shall supervise and organize as well as publicize all ASUCSD elections, including special referenda.

ARTICLE VI. MONETARY POLICY

Section A: Fees

1. **Definition:** Income derived from an ASUCSD mandatory per student assessment of all members of the ASUCSD shall constitute a fee.

Section B: Constitutional Fee Lock-in

A portion of the Student Activity Fee may be earmarked for a specific financial area as the ASUCSD deems appropriate. A specific dollar amount must be set and specific provisions for one area of expenditures stated.

Section C: Student Activity Fee Changes

1. Changes in the Activity Fee may be placed on the ballot with a petition of fifteen percent (15%) of the ASUCSD or a two-thirds (2/3) vote of the A.S. Council. Institution of said change requires a majority vote of (20%) a quorum of the voting members of the ASUCSD, as defined in Article VI, Section B, #3.

2. A constitutional Student Activity Fee lock-in may be placed on the ballot with a petition of fifteen percent (15%) of the members of the ASUCSD or a two-third (2/3) vote of the A.S. Council. Institution of the said lock-in requires a majority vote of twenty-five percent (25%) of the members of the ASUCSD.

3. For the purpose of this constitution, each constitutional lock-in fee category shall be considered as a single entity.
   a. KSDT
   b. Media Committee
   c. Operation/Services and Enterprises
   d. College Council
   e. Student Lobby
   f. Any other constitutional lock-in entity

4. In the event that an organization within a constitutionally locked-in ASUCSD fee category is negligent or irresponsible in its operations or expenditure of funds, as determined by the ASUCSD Council, all fee monies shall revert to said constitutionally locked-in fee category.

5. In the event that all organizations within a constitutionally locked-in ASUCSD fee category are negligent or irresponsible in their operations or expenditure of funds, as determined by the ASUCSD Council, all fee monies shall revert back to ASUCSD Council Unallocated.
6. In the event that an ASUCSD fee category ceases to exist or no longer requires fees as a funding resource, the earmarked constitutional lock-in shall be removed from the ASUCSD fee upon two-thirds (2/3) council approval and revert to ASUCSD Council unallocated.

2. Fee Lock-In
   a. To lock in a portion of the Student Activity Fee for a particular financial area, a referendum must be placed on the ballot with a petition of ten percent (10%) of the ASUCSD or a two-thirds (2/3) vote of the A.S. Council. Institution of said lock-in requires a majority vote of a quorum of the voting members of ASUCSD, as defined in Article VI, Section B, #3.
   b. Each year, the A.S. Council shall allocate at least those funds locked-in by referendum to the specified financial area, unless a lesser amount is agreed to by the representative party specified in the referendum language.
   c. Referenda language must include the following:
      i. The financial area which shall receive the locked-in funds
      ii. The dollar amount per student per quarter which shall go the program or entity
      iii. The representative party of the financial area.
   d. In the event that a portion of locked-in funds remains unused at the end of the academic year, those funds shall carry forward into the next year’s ASUCSD Council Unallocated fund.
   e. A fee lock-in may be disestablished by a referendum, which may be placed on the ballot by a petition of ten percent (10%) of the ASUCSD or a two-thirds (2/3) vote of the A.S. Council. Disestablishment of the said lock-in requires a majority vote of a quorum of the voting members of ASUCSD, as defined in Article VI, Section B, #3.

3. A quorum of the voting members of ASUCSD shall consist of, for general elections, the average number of students who cast ballots in the three (3) previous general elections, and for special elections, twenty percent (20%) of the voting members of ASUCSD.

ARTICLE VIII. AMENDMENTS

Section A: Amendments

With the exception of Article II, Section B, Amendments to this constitution may be made in one of two ways:

1. Amendments may be ratified within the duration of the current ASUCSD Council and College Council terms by:
   a. A three-fourths (3/4) vote of the entire A.S. Council, and
   b. Author must present amendment to each college council, and receive three-fifths (3/5) of the college council’s approval. Approval by more than half of all the college councils, after a presentation of the amendments by the author.

ARTICLE IX. DEFINITIONS

3. Majority: Shall consist of 50 percent plus 1 (50% + 1) of total voting members. A majority, for purposes of determining quorum, shall consist of more than half of total voting members. A majority or simple majority vote shall consist of more “aye” votes than “no” votes.
4. A two-thirds (2/3) and three-fourths (3/4) majority shall consist of at least as many “aye” votes as that fraction of voting members present, unless specified as a two-thirds (2/3) or three-fourths (3/4) vote of the entire A.S. Council, in which case the fraction applies to all voting members currently holding office.

Appropriate renumbering of subsequent clauses 4 and 5 (not reproduced here)