

CONSTITUTIONAL AMENDMENT
[NUMBER - CA-F20-002]

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SPONSOR(S)	

TITLE	Reforming the Amendment Process of the ASUCR Constitution
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BACKGROUND

The purpose of this senate bill is to reform the amending process of the ASUCR Constitution. The proposed constitutional change specifically changes two of the three ways.

This change makes the process of amending the constitution more democratic since it allows the petition method of constitutional changes more feasible. This is done through a reduction in the number of students who would have to sign a petition for an amendment to be put on the ballot.

The target number of student signatures, which would be amended to 2 percent of a population, is consistent with other major student governments in the UC system. In fact, the University of California Irvine has a 2 percent requirement for student signatures in direct democracy, rather than a much less feasible 15-20 percent (which is the current student signature requirement for direct democracy). Through having a reduction in student signatures to get a constitutional amendment on the yearly ballot, this will allow students to directly amend the supreme ASUCR document without having to solely rely on the legislature.

Additionally, with the low voter turnout in past years' ASUCR elections, attempting to get 20 percent of students to sign a petition for an amendment to be put on the ballot is a near impossibility. That is why the constitution has almost never been amended through student direct democracy.

THROUGH STUDENT PETITION OR AN ACT OF THE ASUCR SENATE, AMENDMENTS TO ARTICLE XI IS SCHEDULED FOR A VOTE IN THE ASUCR GENERAL ELECTION,

ARTICLE XI: Amendments

SECTION A. Adoption

1. Amendments to this Constitution may be proposed in one of three ways:

(a) The presentation of a petition to the Senate signed by ~~at least two (2) percent~~ ~~fifteen (15) percent of the~~ members of the undergraduate student body. ~~A petition of at least two (2) percent of the undergraduate student body~~ ~~20~~ automatically qualifies the proposed amendment to be voted on by the undergraduate student body in an ASUCR general election.

(1) Any petition is subject to Election Committee overview and bylaws. However, the Election Committee may not arbitrarily constrict any petition efforts.

(2) The Election Committee does not have the authority to disqualify petitions/amendments based on their content. Rather, only the way a petition reaches the necessary signatures may be examined by the Election Committee.

(3) Any petition must be submitted to the Election Committee for verification before it is voted on by the undergraduate student body.

(4) Amendments to this constitution cannot threaten the imminent existence of ASUCR or discriminate against any student and/or group of students.

(b) The Senate can propose amendments to the Constitution by an affirmative two-thirds (2/3) vote of the members present when a quorum exists, which would then qualify the proposed amendment to be voted on by the undergraduate student body.

(c) The Senate can amend the Constitution with a unanimous vote of the entire membership of the Senate. This shall be used only in the case that the proposed amendments are not fundamental changes to the structure of ASUCR. Proposed amendments must be minor ~~and inconsequential to the constitution in nature~~ (i.e. grammatical changes ~~and clarifications~~) and submitted to the entire Senate and campus media two (2) weeks prior to the Senate meeting at which the vote will take place. ~~The entire text of the amendment must be in the campus newspaper;~~

2. Upon the incidence of case (a) or (b) presented above, the ~~Senate shall call an election no earlier than two (2) weeks and no later than four (4) academic weeks after the proposition of the amendment.~~ ~~proposed amendments shall be scheduled for a vote in the annual ASUCR general election.~~

3. Upon the incident of case (b) presented above, the Senate may also allow proposed amendment to be voted upon in the regular spring election.

4. The time frame can be extended by the Senate by an affirmative two-thirds (2/3) vote of Senate present when a quorum exists.

5. A majority vote of those voting in the election shall be necessary for the adoption of the amendment.

6. The amendment shall take effect immediately upon adoption, unless otherwise provided for in the amendment.

Natalie Hernandez
Executive Vice President

Signed Legislation can be found in the ASUCR Office

INTRODUCED ON - 10/2/2020

COMMITTEE APPROVED ON - 10/2/2020

VOTE COUNT - 7-0-0

SENATE APPROVED ON - 10/7/2020 (Send to Elections Director if passed)

VOTE COUNT - *15-2-0*