

# Official Rationale for Writ of Constitutional Review

## 053-0001

Article III - Not in Violation

Article IV, Section 1 - Not in Violation

Article IV, Section 3, Number 4 - In Violation

Saliency: Impediment to the Function of Student Government

Intent: Unintentional

Article V, Section 1 - Not in Violation

Article V, Section 2 - In Violation

Saliency: Impediment to the Function of Student Government

Intent: Unintentional

Article V, Section 5, Letter D - In Violation

Saliency: Impediment to the Function of Student Government

Intent: Unintentional

Article V, Section 6, Letter E - In Violation

Saliency: Impediment to the Function of Student Government

Intent: Unintentional

The committee believes that the violations stemmed from a misinterpretation of Article IV, Section 3, Number 4 of the ASU-SGA Constitution. The committee found that per letter (a) of that section, the Treasurer's responsibilities within that committee are enumerated, however it is not stated that she can go beyond those enumerated responsibilities. The Committee believes that this is a simple incorrect interpretation of the Constitution and believes that this results from the Treasurer being uninformed on the Constitutional requirements of the creation and chairing of the Committee.

In regards to the Articles that the Rules Committee found the respondent not in violation of, this stems from the idea that the so-called "Budget and Finance Committee" was invalid to the extent that it was never truly a "committee" per ASU-SGA governing documents. Therefore, Respondent Zamora could not have been considered a member of the legislative branch, because the so-called "committee" was invalid from the start.

For sanctioning, the committee dictates:

The previous Budget and Finance group is to be identified as never having been a committee and all previous actions and records of the group be stricken from the record per the violations of Article 5. A new, constitutionally sound Budget and Finance committee may be created with a chair selected by the Senate President Pro-Tempore and approved by the Senate. The Senate President Pro-Tempore shall maintain their Constitutional ability to choose the committee's membership per Article V, Section 5, Letter D, Number 6 of the ASU-SGA Constitution. Additionally, ex-officio membership to the Budget and Finance Committee shall be offered to the treasurer of the SGA per ASU-SGA Constitution Article IV, Section 3, Letter A, Number 4.

To prevent further violations of the Constitution, the Rules Committee would like to provide the following statements:

Executive branch members are not eligible to serve on committees, due to the nature of Committees as legislative bodies. Committees should not be used for inter-branch collaboration and individuals seeking official inter-branch collaboration should seek other resources such as task-forces, legislative workshops, and other SGA sponsored events. In the future, it is encouraged that Respondent Zamora and other individuals seeking official inter-branch collaboration inform themselves regarding ASU-SGA governing documents before doing so.

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I certify that this WCR rationale document is correct and complete to the best of my knowledge.

Connor Ryan Schlaline

*Chairman of the ASU-SGA Senate Committee on Rules for the 53rd Session of the ASU-SGA*