

## PROPOSITION 1

This special resolution is submitted to the people in accordance with the provisions of Section 1 of Article XIX of the Student Association Constitution.

This special resolution amends several sections of the Student Association Constitution; therefore, existing provisions proposed to be deleted are printed in ~~red~~ **strikeout type** and new provisions to be added are printed in **red type** to indicate they are new.

### PROPOSED LAW

#### SECTION 1. Amendments to the Constitution

(a) Except as otherwise expressly provided, whenever in this special resolution an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section, article, or other provision, the reference shall be considered to be made to a section, article, or other provision of the Constitution of the George Washington University Student Association.

#### SECTION 2. Amendments to Article III—Definitions

(a) Subsection (1) of Article III is amended to read as follows: **“(1) Calendar Day—The term “Calendar Day” means the period of elapsed time, using local time, that begins at midnight and ends 24 hours later at the next midnight.”**

(b) Article II is amended by adding at the end the following new subsection: **“(4) Present—The term “Present” shall mean all Senators physically present, present by proxy, and virtually present.”**

#### SECTION 3. Amendments to Article VI—Eligibility

(a) Subsection (a)(2) of Article VI is repealed.

(b) Subsection (b)(2) of Article VI is repealed.

(c) Subsection (a)(3) of Article VI is repealed.

#### SECTION 4. Amendments to Article VIII—Term of Office

(a) Subsection (a)(2) is amended by striking “class day” and inserting “calendar day”.

(b) Subsection (b)(2) is amended by striking “class day” and inserting “calendar day”.

#### SECTION 5. Amendments to Article VIII—Supremacy Clause

(a) Article VIII is amended by adding at the beginning the following new subsection: **“(a) The Student Association shall make no law contradictory to the University Guide on Student Rights and Responsibilities, Student Code of Conduct, or Student Association Charter, nor shall this Constitution be interpreted to that effect.”**

#### SECTION 6. Amendments to Article X—The Legislative Branch

(a) Section 1(a) of Article X is amended to read as follows: **“(a) The Legislative Branch shall consist of a Senate, which shall serve as the legislative and**

deliberative body of the Student Association.”

(b) Section 1(b) of Article X is repealed.

(c) Section 1(c) of Article X is amended to read as follows: “(c) The Senate shall be considered a continuous body, and all ~~senatorial~~ legislation shall be binding ~~on succeeding Senators in perpetuity~~ unless such legislation is specifically repealed.”

(d) Section 2(d) of Article X is amended by adding after Subsection (2) the following new subsection: “(3) If a Senate seat is left vacant after its conversion to an Undergraduate-At-Large or Graduate-At-Large, then it shall be converted to a University-At-Large.”

(e) Section 2(f) of Article X is amended to read as follows: “(f) All Senate seats shall be reapportioned once per year. ~~The Joint Elections Commission shall conduct reapportionment once per year.~~”

(f) Section 3(b)(4) of Article X is repealed.

(g) Section 4 of Article X is amended to read as follows: “The Senate ~~may~~ shall have power to – ”

(h) Section 4(5) of Article X is amended by striking “to the Cabinet”.

(i) Section 4(7) of Article X is amended by striking “Bylaws” and inserting “Rules”.

(j) Section 4(12) of Article X is amended by striking “and” after the semi-colon.

(k) Section 4(13) of Article X is amended by striking “any” after “amend” and before “Bylaws”.

(l) Section 4 of Article X is amended by adding at the end the following new subsections: “(14) lay and collect a Student Association fee, as authorized by the University administration, pay the

debts of the Student Association, accept funds, and provide appropriations for the general welfare of the Student Association; and (15) establish rules and regulations for registered student organizations receiving funding from the Student Association.”

(m) Section 5(a) of Article X is amended by striking “class days” and inserting “calendar days”.

(n) Section 5(c) of Article X is amended to read as follows: “(c) Meetings of the Senate must be open to all members of the University Community.”

(o) Section 5(d) of Article X is amended to read as follows: “(d) All questions presented to the Senate shall be decided by the members present and voting.”

(p) Section 6(b) of Article X is amended by inserting “Chief Counselor” after “a” and before “Parliamentarian”.

(q) Section 7(a) of Article X is amended by striking “class days” and inserting “calendar days”.

(r) Section 7(b) of Article X is amended to read as follows: “(b) If the President vetoes a measure, it must be returned with written objections to the Chairperson Pro Tempore and Secretary of the Senate within seven (7) calendar days of its receipt transmission.”

(s) Section 7(c) of Article X is amended to read as follows: “(c) The Senate may override a veto by a two-thirds (2/3rds) vote within twenty (20) calendar days of the date of receipt transmission of the veto.”

(t) Section 7(d) of Article X is amended to read as follows: “(d) If the President has neither signed nor vetoed the measure

within seven (7) ~~calendar days~~ of its receipt, it ~~shall automatically will~~ be enacted.”

SECTION 7. Amendments to Article XI—  
The Executive Branch

(a) Section 1(a) of Article XI is amended to read as follows: “(a) The Executive ~~Branch Cabinet~~ consists of the President, Vice President, ~~Chief of Staff~~, Legislator General, Treasurer, and Communications Director ~~(collectively known as the “Executive Cabinet”).~~”

(b) Section 1(b) of Article XI is amended to read as follows: “(b) The President may appoint ~~staff at their discretion Secretaries~~, as well as ~~all any~~ other inferior officers whose appointments are not otherwise provided for, only if— ~~members at their discretion.~~ (1) The President transmits a letter to the Senate upon each appointment; and (2) The letter designates each appointee’s name, qualifications, title, duties, responsibilities, and supervising appointee or principal officer.”

(c) Section 1(c) of Article XI is amended to read as follows: “(c) All appointees ~~for to~~ the Executive ~~Cabinet Branch positions~~, with the exception of the President and Vice President, must be approved by a two-thirds (2/3rds) vote of the Senate.”

(d) Section 1 of Article XI is amended by adding at the end the following new subsections: “(e) The Senate may by law vest the appointment of inferior officers in the President alone, in the courts of law, independent regulatory agencies, or in principal officers.”

(e) Section 2(1) of Article XI is amended to read as follows: “(1) ~~take care that all laws~~

~~are faithfully executed execute legislation of the Senate;~~”

(f) Section 2(7) of Article XI is amended by inserting “except as otherwise provided” after “nominations”.

(g) Section 2(13) of Article XI is repealed.

(h) Section 2(14) of Article XI is repealed.

(i) Section 2(16) of Article XI is repealed.

(j) Section 3(6) of Article XI is amended by striking “the President or” after “assigned by” and before “the Legislative Branch”.

(k) Section 4(6) of Article XI is amended by inserting “appointments” after “all presidential” and before “veto messages”

(l) Section 5(8) of Article XI is repealed.

(m) Section 7 of Article XI is repealed.

(n) Section 8(a) of Article XI is amended to read as follows: “(a) ~~All of the President’s appointees to an executive department, for which the principal officer shall be an Executive Secretary, but with the exception of deputies, must be approved by a two-thirds (2/3rds) vote of the Senate.~~”

(o) Article XI is amended by adding at the end the following new section:

“Section 9. Independent Regulatory Agencies

“(a) The Senate may by law establish such independent regulatory agencies within the executive branch as necessary and proper to carry out the duties and responsibilities of the Student Association.

“(b) An independent regulatory agency may establish rules and regulations, as authorized by law, only if— (1) The independent regulatory agency issues a

request for public comment on both its intention to change a rule or regulation, and its proposed rule or regulation; and (2) All requests for public comment are published on official Student Association communication channels; and (3) The independent regulatory agency provides a publicly accessible depository for public comments; and (4) The independent regulatory agency provides at least three (3) days to receive public comments; and (5) The final rule or regulation issued by the independent regulatory agency is communicated to the public through official Student Association communication channels.

“(c) Independent regulatory agencies shall be composed of no less than three (3) Commissioners, who shall be appointed by the President, by and with the consent of the Senate.

“(d) A vacancy in an independent regulatory agency shall not impair the right of the remaining Commissioners to exercise all the powers of the independent regulatory agency.

“(e) Appointees to an independent regulatory agency must be approved by a two-thirds (2/3rds) vote of the Senate.

“(f) No appointee to an independent regulatory agency may be removed by the President, unless the appointee is removed for incapacitation, neglect of duty, malfeasance, or other good cause.”

#### SECTION 8. Amendments to Article XII— The Judicial Branch

(a) Section 1(a) of Article XII is repealed.

(b) Section 2(a) of Article XII is amended to read as follows: “(a) Constitutionality,

for the purpose of this Constitution and the Bylaws adopted thereunder, is defined as adherence to the University Guide to Student Rights and Responsibilities, Student Code of Conduct, Student Association Charter, and ~~relevant provisions of the~~ Student Association Constitution.”

(c) Section 4(b) is repealed.

(d) Section 7(a) is amended to read as follows: “Section 7. Student Court ~~Bylaws~~ **Rules**

“(a) The Student Court has the sole authority under this section to develop Student Court ~~Bylaws~~ **Rules** that delineate operating procedures and/or policies as it may deem necessary by a simple majority vote of its membership.

~~“(b) The Student Court Bylaws must be included within the Student Association Bylaws.”~~

“(c) In no case may these policies or provisions be construed to conflict with the University Guide to Student Rights and Responsibilities, Student Code of Conduct, Student Association Charter, or Student Association Constitution.”

#### SECTION 9. Amendments to Article XIII— The Joint Elections Commission

(a) Article XIII is amended by striking, within its title, “THE JOINT ELECTIONS COMMISSION” and inserting “ELECTIONS”.

(b) Section 1 of Article XIII is amended to read as follows:

“**Section 1. Elections In General**

“(a) Elections for President, Vice President, and single-seat Senate

constituencies must be conducted as ~~specified by the Charter of the Joint Elections Commission~~ by ranked-choice voting, until an individual candidate reaches a simple majority of the vote.

“(b) Elections for multiple-seat all Senate constituencies must be conducted using plurality-at-large voting, where voters can select any number of choices no more than or equal to the number of seats available, and the candidates with the most votes are declared elected.

“(c) The Senate shall by law establish an independent regulatory agency to administer all of the Student Association’s elections and enforce its duly enacted election laws.”

(c) Section 2 of Article XIII is repealed.

(d) Section 3 of Article XIII is repealed.

#### SECTION 10. Amendments to Article XIV— —Vacancies

(a) Section 1(a)(3) of Article XIV is repealed.

#### SECTION 11. Amendments to Article XV— —Types of Removal

(a) Article XV is amended, in its title, to read as follows: “**ARTICLE XV: IMPEACHMENT, RECALL, TEMPORARY REMOVAL, AND RELIEVE**”

(b) Section 3 of Article XV is amended, in its title, to read as follows: “**Section 3. Temporary Removal.**”

(c) Section 3(a) of Article XV is amended to read as follows: “(a) The Vice President, ~~Chief of Staff~~, Legislator General, Treasurer, and Communications Director may vote on whether the President is

~~temporarily or permanently~~ unable to execute the powers and responsibilities of the Office of the President.”

(d) Section 3(b) of Article XV is amended to read as follows: “(b) Upon a unanimous vote that the President is ~~temporarily or permanently~~ unable to execute the powers and responsibilities of the Office of the President, the Vice President, ~~Chief of Staff~~, Legislator General, Treasurer, and Communications Director shall submit a letter to the Chairperson Pro Tempore of the Senate and the Chief Justice of the Student Court ~~informing them of the occurrence and outcome of such vote~~ that the President is unable to execute the powers and responsibilities of the Office of President.”

(e) Section 3(c) of Article XV is amended to read as follows: “(c) The Vice President, ~~Chief of Staff~~, Legislator General, Treasurer, and Communications Director may submit such letter no more than three (3) times during a president’s term in office.”

(f) Section 3(d) of Article XV is amended to read as follows: “(d) Upon submission of such letter, ~~the President shall temporarily dispossess the powers and responsibilities of their office~~, and the Vice President shall immediately and temporarily assume the powers and responsibilities of Acting President for a period of no more than seven (7) ~~calendar days~~.”

(g) Section 3 of Article XV is amended by adding after subsection (d) the following new subsections:

“(e) If the President submits a letter to the Chairperson Pro Tempore of the Senate and the Chief Justice of the Student Court that no inability exists, the President shall resume the powers and responsibilities of

their office, unless the Vice President, Legislator General, Treasurer, and Communications Director within four (4) calendar days submit another letter to the Chairperson Pro Tempore of the Senate and Chief Justice of the Student Court that the President is unable to execute the powers and responsibilities of the Office of President.

“(f) Upon submission of the second letter, the Senate shall decide the issue, assembling no later than forty-eight (48) hours for that purpose if not in session.

“(g) If the Senate determines by two-thirds (2/3rds) vote that the President is unable to execute the powers and responsibilities of the Office of President within fourteen (14) calendar days after receipt of the second letter, then the Vice President shall continue to discharge the powers and responsibilities of Acting President; otherwise, the President shall resume the powers and responsibilities of their office.”

#### SECTION 12. Amendments to Article XVI—Referenda

(a) Section 1 of Article XVI is amended by adding at the end the following new subsection: “(b) A vote in the Senate petitioned by the student body may be tabled by a two-thirds vote of the Senate.”

(b) Section 2(b)(1) of Article XVI is amended by striking “class day” and inserting “calendar day”.

(c) Section 2(b)(2)(A) of Article XVI is amended by striking every instance of “class day” and inserting “calendar day”.

(d) Section 2(b)(2)(C) of Article XVI is amended by striking “class day” and inserting “calendar day”.

(e) Section 2(b)(4) of Article XVI is amended by striking “class day” and inserting “calendar day”.

(f) Section 3(a) of Article XVI is amended to read as follows: “(a) All students ~~registered for classes~~ registered for academic credit at the George Washington University are eligible to vote in a referendum.”

#### SECTION 13. Amendments to Article XVIII—Funding

(a) Section (b) of Article XVIII is amended to read as follows: “(a) The Student Association Fee shall be determined by the Student Association Senate, in consultation with the University Officials ~~and the Student Association Fee~~, and it shall be codified into the Bylaws adopted thereunder.”

#### SECTION 14. Amendments to Article XX—Liquidation and Dissolution

(a) Section (a) of Article XX is amended to read as follows: “(a) This Constitution may be dissolved and liquidated through the referendum procedure as outlined in Article XVI, only with the approval of the George Washington University Board of Trustees.”