

Date Introduced: November 6, 2018Date Voted Upon: November 6, 2018

An Amendment Clarifying the Establishment of Constitutionality in regard to Bills and Resolutions

1 WHEREAS the University of Alabama at Birmingham Undergraduate Student
2 Government Association has the honor and responsibility of representing the entire
3 undergraduate student voice; and
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5 WHEREAS it is the duty of the USGA to lead the undergraduate student body towards
6 positive and relevant changes; and
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8 WHEREAS the Undergraduate Student Government Association does not have a
9 proper system in which Bills and Resolutions passed by Senators are verified to be
10 Constitutional; and
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12 WHEREAS having said system would ensure that the Bills and Resolutions of the
13 Senators is in accordance of the UAB USGA Constitution; and
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15 WHEREAS establishing a system in which Bills and Resolutions passed after a two-
16 thirds majority vote by Senate must be reviewed by the Judicial Branch for
17 constitutionality; and
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19 WHEREAS the Judicial Branch's role is to interpret the UAB USGA Constitution; and
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21 WHEREAS the Judicial Branch would review Bills and Resolutions in its accordance to
22 the UAB USGA Constitution; and
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24 WHEREAS the Judicial Branch would be prohibited from altering the Bills and
25 Resolutions; and
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27 WHEREAS the Bill or Resolution can be deemed unconstitutional and returned to the
28 Senate for reworking; and
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30 WHEREAS the Judicial Branch can only submit a written denial of a Bill or Resolution
31 on the basis of unconstitutionality within two (2) weeks of the Senate vote at a hearing
32 of the Bill or Resolution Constitutionality Ruling; and
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34 WHEREAS the Chief Justice and at least three of the four Associate Justices must be
35 present at the hearing of the Bill or Resolution Constitutionality Ruling; and
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37 WHEREAS there must be a three-fourths majority vote by the Student Court and with
38 the Chief Justice serving as a tie-breaking vote to rule on the Bill or Resolution when
39 deemed as constitutional or unconstitutional.
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41 THEREFORE BE IT RESOLVED, that the UAB USGA, representing the undergraduate
42 student population, will establish this system in the UAB USGA Constitution and follow
43 through with the procedures.
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45 BE IT FURTHER RESOLVED, that these changes will be implemented into the Code of
46 Laws through the Judicial Branch within two (2) weeks of the passing of this bill.

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