



Unanimous Opinion By Councilor Carmichael

JUDICIAL COUNCIL OF THE ASSOCIATED STUDENTS OF OREGON STATE UNIVERSITY

Chandler Donahey, ASOSU Senator

INQUIRY TO THE ASOSU JUDICIAL COUNCIL
(No. 24.033.i)

[May 1, 2024]

On April 10, 2024, Chandler Donahey, an ASOSU Senator, brought forth an inquiry before the Judicial Council pertaining to Article VII §A of the ASOSU Constitution. He is inquiring as to whether an amendment to the ASOSU Constitution solely requires a two thirds majority vote of the Senate, or if the Constitution requires a student body referendum.

Article VII §A of the ASOSU Constitution is as follows:

- a. Amendments to the ASOSU Constitution may be initiated by a signed petition of no less than five percent of the members of the ASOSU Student Body or by a bill passed by a two thirds majority vote of the Senate.
- b. Any constitutional amendment referred to the student body by ballot must be voted on by a majority of those submitting a ballot. The threshold for the measure to pass shall be at least two-thirds in the affirmative. Should a majority of those submitting a ballot abstain from voting on the amendment, the amendment shall fail.

The Constitution clearly states how an amendment may be initiated, but is silent as to whether a Senate-initiated amendment requires a referendum by the ASOSU Student Body.

The Council holds that a Senate bill to amend the ASOSU Constitution requires a two thirds majority vote in the affirmative, followed by a referendum by the ASOSU Student Body according to subsection b as written.