



Decision by the Judicial Review Board October 24th, 2009

On October 20th, 2009, this Board received a formal request for judicial interpretation of the Undergraduate Association Constitution by a member of the undergraduate student body.

Request from Paul Baranay, Speaker of the UA Senate:

Evaluate the constitutionality of UA Treasurer Alexander Denhert's proposed bill, 41 U.A.S 2.3.

Decision:

Our decision is that this bill is unconstitutional.

Explanation:

Article 2.1.9 of the UA Constitution states "The Senate shall have final authority over the allocation or reallocation of the financial resources of this Association, its subsidiary organizations, and its committees and subcommittees." From this, it is clear to the Judicial Board that just informing the Senate of actions to reallocate funds is not constitutional.

Not contrary to this argument is Article 4.1.7, which states that the authority to administer the assets and liabilities of the UA is vested in the UA Finance Board. The bill in consideration does not concern administering the assets but rather the potential to administer the assets and more directly the reallocation of already considered funds.

Further arguments in either direction stemming from any other bylaws, including the Executive Bylaws where the treasurer's power resides or the Financial Board Bylaws, were considered but ultimately deemed subordinate to the above arguments due to the Constitution's precedence.

*Cinjon Resnick '10, Chairman of the Judicial Review Board
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