

SGA Embodies 3 Branches

The new constitution of the Student Government Association has one important guiding principle—the theory of separation of powers.

All-University Cabinet, which at present passes all legislation affecting the student body and is the chief executive body, will bow to an assembly vested with complete legislative power.

Cabinet will remain as a purely advisory body to the chief executive, the SGA president. It will be composed of both appointed and elected members and will advise the president on legislation passed by the assembly. This legislation will need the president's signature in order to become law but if the president fails to approve or reject legislation within one week it will go into effect without his signature.

The executive branch as provided in the constitution

will be exerting checks and balances on the assembly. The assembly, composed of representatives directly elected through class, will represent the entire student body in its decisions.

The judicial system will be headed by a supreme court and minor courts dealing with specific areas of jurisdiction. The supreme court will have the power of judicial review on constitutionality of all action by the assembly.

Assembly members will be elected each semester and will serve for one year from the time of their election. The freshman and sophomore class presidents will be elected each fall and the junior and senior presidents each spring. The SGA officers will also be elected in the spring.

Political parties may run a number of candidates for the assembly equal to 70 per cent of the number of seats to be filled. This will insure majority-minority factions in the assembly and will provide better party representation.

Any group may form a po-

litical party if chartered by the Senate subcommittee on Organization and Control after approval by the Senate Committee on Student Affairs. The parties must file copies of their constitutions and all amendments with the Elections Commission, the assembly Rules Committee and the secretariat.

To become a member of a party, a student must attend at least two party meetings each semester. He will be issued a party membership card by the Elections Commission upon attendance at the second meeting. A party member will be entitled to vote for party officers only if he has been issued a party card.

A candidate for the assembly may be nominated by a majority vote of the voting card-holding members of a political party or by a petition signed by 100 members of his class. A candidate for an SGA office may be nominated by a majority vote of the card-holding members of his political party or by a petition signed by 200 full-time undergraduate students.

If a candidate withdraws, a substitute candidate may be nominated by the party at a specifically designated party meeting. A candidate may not run on more than one political party slate in one election.

Funds for publicity purposes during campaigns will be collected by the parties and deposited with the Associated Activities Fund. All publicity and campaign materials must be ordered by requisition forms secured from the Associated Students Activities office. The Elections Commission will meet with the party chairman after the closing of the polls and before the counting of the votes, when complaints will be heard.

Witnesses must be called in on a specific case when that case is being discussed. Witnesses and the accused person must be present when a party presents any charges of the validity of the election. Any appeals must be made after the final meeting immediately prior to the counting of the votes.

All undergraduates may vote

for SGA officers. They must present official University matriculation cards at the polls before being permitted to cast their ballots.

In the event the Elections Commission decides that a violation of the code merits disqualification of a candidate the case will be taken before the assembly for approval. If before the voting takes place, the candidate is disqualified another candidate may not be substituted for him.

Violations which merit consideration for disqualification are 1) buying of votes either with promise of money or other forms of bribery, 2) electioneering at or in the immediate vicinity of the polls, and 3) stuffing the ballot box.

In the event that two candidates for the same office have an equal number of votes, the newly elected assembly will select the winning candidate by secret ballot. College council elections will also be supervised by the Elections Committee.

Constitution for the Proposed SGA

CONSTITUTION OF THE STUDENT GOVERNMENT ASSOCIATION

PREAMBLE

We, the students of the Pennsylvania State University, in order to promote the welfare of the student body and the University as a whole, and to insure the democratic right of self-government, utilizing the principles of separation of powers and representative government, do hereby establish this constitution of the Student Government Association of the Pennsylvania State University.

ARTICLE I—NAME

The name of this organization shall be The Student Government Association of the Pennsylvania State University, hereinafter referred to as SGA.

ARTICLE II—PURPOSE

The purpose of SGA shall be to provide representative self-government for the student body and to promote and protect the students' interests, education, culture and general welfare in accordance with the preamble of this constitution.

ARTICLE III—BRANCHES

Section 1.

The branches of SGA shall be (1) Legislative Branch (2) Executive Branch (3) Judicial Branch.

Section 2.

No person may hold positions in any two branches concurrently with the exception of positions on executive boards and commissions. The President's Cabinet shall not be construed to be an executive board or commission.

ARTICLE IV—LEGISLATIVE BRANCH

Section 1.

All legislative powers of SGA shall be vested in the Assembly.

Section 2.

(1) The Assembly shall consist of 0.30% of the number of full-time, main campus, undergraduate students enrolled for the most recent spring semester, or 42 members, whichever is greater.

(2) Each member shall hold his seat for a term of one year, except as otherwise provided.

(3) The composition of the Assembly shall be as follows:

Senior—29% of the Assembly membership

Junior—26% of the Assembly membership

Sophomore—24% of the Assembly membership

Freshman—21% of the Assembly membership

(determined to the nearest whole number.)

b. Each class shall elect a President. Each Class President shall hold one of the seats assigned to his class in Article IV, Section 2a.

c. Members of the Assembly shall be full-time undergraduate students and shall have a 2.4 All-University average, except first semester freshman or transfer students with no average.

d. Each member shall repeat the following oath prior to assuming office.

"I do hereby solemnly swear that I will uphold the Constitution of the Student Government Association of the Pennsylvania State University, faithfully execute re-

sponsibilities of Assembly membership, and will to the best of my ability serve to promote the welfare of the student body and the University as a whole."

e. The Vice-President of SGA shall preside over the Assembly but shall vote only to break a tie.

f. The President of SGA shall be an ex-officio, non-voting member of the Assembly.

g. The removal of any member of SGA may be appealed to the Supreme Court. The Supreme Court may overrule such removal by a unanimous vote.

h. If a vacancy occurs due to the resignation, removal, or disqualification of a member of the assembly, the President of that member's class shall appoint a member of that class to fill such vacancy subject to the approval of the majority of the constitutional members of the Assembly until the next election. If, at the election the term of that vacated seat has not expired, a new member shall be elected to complete the term.

i. A President protempore shall be elected by the Assembly and shall preside in the absence of the Vice-President.

j. Three fourths of the constitutional membership of the Assembly shall constitute a quorum.

k. Any member of the Assembly may provide an alternate providing said alternate has a 2.4 All-University average and is a member of the same class as the Assembly member concerned.

Section 3.

a. Legislation shall become effective if passed by a majority of the Assembly members voting, and signed by the President of SGA; however, if not signed nor vetoed by the President of SGA within one scholastic week, it shall then become effective.

b. The Assembly may make any recommendation on behalf of the student body concerning student welfare.

c. The Assembly shall have the power to summon before it any undergraduate student and shall conduct such investigations as it may deem just and proper.

d. The Assembly may create such committees as it deems necessary for the proper conduct of its business.

e. The Assembly shall not pass legislation which is primarily within the scope of another student organization except upon request by said organization.

f. The Assembly shall meet at least twice each month of the academic year, excluding vacations.

ARTICLE V EXECUTIVE BRANCH

Section 1.

a. The officers of SGA shall be President, Vice-President, and Secretary-Treasurer.

b. The term of the officers shall be one year or until their successors are elected.

c. The officers of SGA shall be elected annually in the spring election by the entire student body; shall be at least fifth semester at the time of election; shall have at least two semesters

remaining at the University and shall have at least a 2.4 All-University average.

d. Prior to assuming office the officers of SGA shall be administered the following oath: "I, (name), do solemnly swear that I will uphold the constitution of the Student Government Association, faithfully execute the office of (office) of the Student Government Association and will to the best of my ability serve to promote the welfare of the student body and the University as a whole." The oath shall be administered by a member of the Supreme Court of SGA at the meeting of the Assembly following the election.

Section 2.

a. All executive powers of SGA, except as hereinafter provided, are vested in the President of SGA.

b. The President of SGA shall be the official representative of the student body.

c. The President of SGA shall have the power to veto any legislation or parts thereof passed by the Assembly within one week after such passage. The veto may be overridden by a two-thirds vote of the constitutional membership of the Assembly.

d. The President of SGA may call special meetings of the Assembly.

e. The President of SGA may recommend legislation to the Assembly.

f. The President of SGA shall have the power to appoint or to remove all chairmen and members of the various boards and commissions within the executive branch. All changes shall be subject to the approval of the Assembly and must be placed on the agenda for that meeting. Agendas shall be distributed to members at least two full days prior to the meeting.

Section 3.

a. The Vice-President of SGA shall assume the office of President in the event of the removal, resignation, or disqualification of the President of SGA. The President protempore of the Assembly shall then assume the duties of the Vice-President of SGA.

b. In the case of the removal, resignation, or disqualification of both the President of SGA and the Vice-President of SGA, a special election shall be held within two weeks to replace them. The President protempore of the Assembly shall act as President of SGA in the interim.

Section 4.

a. The Secretary-Treasurer of SGA shall be responsible for the proper functioning of the Secretariat, shall care for the records of the SGA, handle finances, prepare an annual budget, and make reports on the finances of the SGA to the Assembly monthly, at the request of the Assembly, or when the Secretary-Treasurer deems it necessary.

b. The Secretariat shall be a centralized agency to handle SGA correspondence, provide all other secretarial services for SGA organizations, and maintain a com-

plete information file for the use of all campus organizations.

Section 5.

a. Officers of SGA may be removed on the following grounds: embezzlement, malfeasance in office, or actions contrary to or in violation of this constitution.

b. Removal proceedings may be instituted by a majority vote of the Assembly upon a motion to this effect by any of its members. The Assembly shall sit as a Tribunal with the Chairman of the Supreme Court presiding. Full hearing shall be given to the accused and to the defendant with the defendant having the full right to counsel.

c. Removal shall be effected by a three-fourths vote of the constitutional membership of the Assembly.

d. Removal may be appealed to the Supreme Court. The Supreme Court may overrule such removal by a unanimous vote.

Section 6.

a. The President's Cabinet, hereinafter referred to as Cabinet, shall serve the President of SGA in an advisory and administrative capacity.

b. The Cabinet shall be composed of the officers of SGA, and the Presidents of WSGA, AIM, IFC, Leonides, Panhel, and ICCB, and such assistants as may be appointed from time to time by the President of SGA with the advice and consent of the Assembly.

ARTICLE VI—JUDICIAL

Section 1

a. All judicial powers of the Student Government Association herein granted shall be vested in the Supreme Court, the On Campus Tribunals, the Off Campus Tribunal, the Judicial, the Traffic Court, the Pan-Hellenic Board of Control, the Interfraternity Council Board of Control, and the Organization Board of Control.

b. The rulings of the above-named courts and boards shall be final in the event the rule or rules under which the charge is made are peculiar to the jurisdiction of said court or board and are not restated or contained in any University, state or federal rule, law or policy. In such cases appropriate procedures for appeal shall allow a rehearing by the court or board or shall allow appeal to the appropriate legislative body. In all other cases the ruling of the above-named courts and boards shall be in the form of recommendations to the appropriate Senate Subcommittee.

3. The meetings of the above-named courts and boards excepting the Supreme Court shall be closed during the hearing of a case to all persons except the members of the judicial body and those persons being heard, unless the group or student against whom the charges have been made requests in writing that the hearing be open to the general public.

Section 2

a. The Council of Organization Control Board chairmen shall consist of the chairman of the Interfraternity Council Board of Control, and the Organization Board of Control.

b. The Council of Organization Control Board chairman shall

rule on matters of jurisdiction within their combined jurisdiction, shall concern themselves with the proper functioning of organization control, and shall maintain proper records.

c. The Council of Organization Control Board chairman shall sit as the student members of the Senate Subcommittee on Organization Control at all meetings of that body.

Section 3

a. The Council of Disciplinary Court Chairmen shall consist of the chairman of the Traffic Court, the Judicial, the Off Campus Tribunal, and the chairman of one of the On Campus Tribunals elected for this position by the chairman of the area tribunals from among their number.

b. The Council of Disciplinary Court Chairmen shall rule on matters of jurisdiction within their combined jurisdiction, shall coordinate their respective courts, shall concern themselves with the proper function of the disciplinary process as applied to individuals, and shall maintain proper records.

3. The Council of Disciplinary Court Chairmen shall sit as the student members of the Senate Subcommittee on Discipline at all meetings of that body.

Section 4

a. The Supreme Court shall consist of the Council of Organization Control Board Chairmen and the Council of Disciplinary Court chairmen sitting in concert.

b. The Supreme Court shall be concerned with matters of constitutionality. It shall hear cases, when a student or organization appeals the ruling of a lower court on the grounds that the rule under which the penalty was issued is unconstitutional or when any student requests that it consider legislation passed by the Assembly of the Student Government Association as to its constitutionality or in the case of an appeal of removal from office by an SGA member.

3. The Chairman of the Supreme Court shall be elected by the court from among its members.

d. The chairman of the Supreme Court shall have the power to refuse to hear a particular case, but must justify such action to the Supreme Court.

e. In the event a case is brought to the attention of the Supreme Court their first ruling shall be whether or not grounds exist on which to hear the case. In the event such grounds do exist their second ruling shall be on the constitutionality of the rule or legislation in question.

f. The advisor to the Supreme Court shall be the chairman of the Senate Subcommittee on Organization Control.

g. The chairman of the Supreme Court shall have the same voting privileges as the other six members.

Section 5

a. The On Campus Tribunals shall hear cases involving individual male students residing in residence halls.

b. The number of On Campus (Continued on page seven)