

## **Campus Expansion Initiative**

[Thomas Spahr and Donald Oliveira] vs. [ASUCD Senate, Chia Saun Lai, SGAO]  
ASUCD Student Court (January, 2003)

**TURNER, J.:** The ASUCD Fall Election passed the Campus Expansion Initiative on [November 12, 2002]. The Plaintiff filed a complaint with the Student Court on [November 7, 2002]. The alleged offense presented to the Court is whether the procedures, employed in the passage of Campus Expansion Initiative, complied with ASUCD constitution and laws; specifically, the recently amended Government Codes, Ch.1 Section 119, subsection 2 as Senate Bill #26.

The Campus Expansion Initiative petition was returned to the Student Government Administrative Offices on or after October 29, 2002. The first day of the next scheduled ASUCD general election was November 11, 2002. The issue we must address is the meaning of ASUCD Senate Bill #26 passed in the spring of 2002.

An ambiguity exists which is whether the petition measure must be returned two weeks or three weeks prior to the first day of the next scheduled ASUCD election. The resolution of this case depends on the filing requirements of Senate Bill #26. The Court made a decision, which was based upon the minutes taken at the Senate meeting, where Senate Bill # 26 was passed, and the background listed on Senate Bill # 26. This evidence was supplemented by an email from the Elections Chair, which helps to verify the exact time when the Campus Expansion Initiative measure was turned in to Student Government Administrative Office.

We, unanimously, agree that in this instance, the Campus Expansion Initiative was not filed three weeks prior to the first day of the next scheduled ASUCD election. Therefore, if Senate Bill # 26 as it amends Government Codes, Ch.1 Section 119, subsection 2 is interpreted as requiring that the measure be returned to Student Government Administrative Offices three weeks prior to the first day of the next scheduled election; then the ballot measure was not passed in compliance with Senate Bill # 26.

The Campus Expansion Initiative was not filed three or more weeks prior to the first day of the next scheduled election. It is our interpretation that Senate Bill # 26 requires a ballot measure to be turned in three weeks prior to the first day of the next scheduled election. Clearly then since the measure was not filed in the time permitted the passing of the Campus Expansion Initiative is invalid.

The judgment of the Court rules in favor of the Plaintiffs. The Campus Expansion Initiative, which passed in the fall of 2002, is **null** and **void** due to it being filed in violation of Bill # 26