

CONSTITUTIONAL AMENDMENT
[NUMBER - *CA-W21-003*]

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SPONSOR(S)	
TITLE	Amendments to the Recall Process

BACKGROUND

The purpose of this constitutional amendment is to create a more democratic and responsive recall process in ASUCR. The legislation is to make the recall process more democratic by making the required signatures 2 percent of the previous year's election total, rather than 20 percent of a given student population. This is necessary because election totals are usually lower than the total population of students. This would make it so that students have the ability to make their voices heard, if there is a substantial discontent in a constituency.

Additionally, having a 2 percent requirement to trigger a recall vote is already commonplace at other UC student governments. In fact, the Associated Students of UC Irvine have the same requirement as this amendment. Reference Article 12 of the [ASUCI constitution](#) for more details on the requirement.

Currently, mandating a 20 percent signature requirement is a near impossibility to reach to start a recall process. This is mostly because of the fact that voter turnout is very low in ASUCR elections. Typically in the last few years, voter turnout has hovered below 20 percent of campus, so mandating that 20 percent of students sign a signature to start a recall vote is a near impossible goal to achieve. Bringing the requirement to a more reasonable and already widely accepted goal of 2 percent of a given population, is fairer than the current amount.

THE ASUCR SENATE HEREBY AMENDS ARTICLE X SECTION 3 OF THE ASUCR CONSTITUTION AS FOLLOWS,

ARTICLE X: Initiative, Referendum and Recall

SECTION A. Initiative

1. An initiative shall be defined as legislation voted on by the entire ASUCR membership that;
2. All undergraduates shall have the power to initiate resolution by means of a petition signed by fifteen (15) percent of its membership;
3. The petition shall be presented to the Senate, which shall call an election no earlier than two (2) weeks and no later than four (4) weeks after the filing of the petition;
4. The Senate can choose by an affirmative vote of a two-thirds ($\frac{2}{3}$) vote of the Senators present when a quorum exists, to extend the timeline;
5. The complete text of the initiative must appear in the first issue of the student newspaper published after the filing of the petition;
6. A majority of the votes cast shall be sufficient for approval of the initiative.
7. Passage of the initiative shall take effect the following academic year. Resolutions are only in effect for the year they are voted in. 19

SECTION B. Referendum

1. A referendum shall be defined as a form of legislation voted on by the entire ASUCR membership which directly reduces, increases or changes the designated use of student fees;
2. Upon presentation of a petition signed by fifteen (15) percent of the members of the undergraduate student body, an act of the Senate must be submitted to a referendum vote by members of the ASUCR Senate;
3. A referendum may also be put to a vote of the entire ASUCR membership upon an affirmative two-thirds ($\frac{2}{3}$) vote of the Student Senate present ;
4. The Senate shall call an election no earlier than two (2) and no later than four (4) academic weeks after the filing of the petition;
5. Fifty (50) plus one percent, of the votes cast shall be sufficient to approve the act;
6. In an election, a majority of the votes cast, shall be sufficient to approve a referendum as long as 20% of the student body it effects turns out to vote;
7. The referendum shall take effect the following academic year unless otherwise specified in the referendum, and subject to University policy.

SECTION C. Recall

1. Recall shall be used to remove an elected representative from office. Presentation of a petition signed by ~~twenty-two~~ (220) percent of an academic college to the Senate will cause a specified elected Senator to be the subject of a vote of recall within said academic college.
2. Presentation of a petition signed by ~~twenty-two~~ (220) percent of the undergraduate student body to the Senate will cause a specified elected representative to be subject to a vote of recall by the students as a whole.
3. The Senate shall call an election no earlier than two (2) and no later than four (4) academic weeks after the filing of the petition.
4. The complete text of the petition must appear in the first issue of the student newspaper published after the filing of the petition.
5. A majority of the undergraduate student body voting shall be used to remove the specified elected representative.
6. Any Officer or Senator may be subject to recall.
7. If the specified elected representative is recalled, that person shall be removed immediately, and the position shall be filled according to this constitution.
8. Any petition of recall is subject to the Election Committee's overview and bylaws. However, the Election Committee may not arbitrarily constrict any petition efforts.

Natalie Hernandez
Executive Vice President

Signed Legislation can be found in the ASUCR Office

INTRODUCED ON - *January 28th, 2021*

COMMITTEE APPROVED ON - *February 1st, 2021*

VOTE COUNT - *7-0-0*

SENATE APPROVED ON - *02/3/2021*

VOTE COUNT - *17-0-0*