

ASSOCIATED STUDENTS JUDICIARY
California State College
Long Beach

DECLARATORY JUDGMENT

Board of Control - Annual Budget - Senate Approval

John Barrett, A.S. Treasurer, petitioning on behalf of the Associated Students.

CONFLICT SUMMATION

In the past, the Board of Control has approved the budget for the forcoming fiscal year; any changes made by the Senate were accomplished by a 2/3 majority vote.

Petitioner cites A.S. Bylaws Chapter I, Article IV, Section 5c

"Duties and powers of the Board. The Board shall:

- c. Assist the A.S. Treasurer in preparing the annual budget for the approval of the Senate."

Petitioner contends:

(1) the section cited above clearly limits the Board of Control's role in the budget process as one of assisting the Treasurer; budget approval being accomplished by the Senate.

(2) the Board of Control does not "approve" the budget, therefore the senate does not require a ^(2/3)majority to change it.

ISSUE: Can the Senate change the proposed budget by a simple majority vote?

JUDGMENT

While it is true that A.S. Bylaws Chapter I, Article IV, Section 5 does not mention the approval of the annual budget as one of the Board of Control's specific duties, Bylaws Chapter II, Section 6, B 1 "The A.S. Board of Control shall have approved the annual A.S. budget for the following fiscal year prior to April first." makes the adoption of the annual budget a Board of Control action. As such the provisions of A.S. Bylaws Chapter II, Section 6, A-3

would apply: "A two-thirds (2/3) vote of the A.S. Senate shall be necessary to over-rule an action of the A.S. Board of Control."

Adjudicated this 15th day of April 1970.

Warren J. Wolfe
Chief Justice

Skip Marchel
Skip Marchel
Associate Justice

Terris Green
Associate Justice

Jennette Bruck
Associate Justice