

To be completed in triplicate

ASSOCIATED STUDENTS JUDICIARY
California State College, Long Beach

COMPLAINT TO REQUEST A DECLARATORY JUDGMENT

To: Associated Students Judiciary

From: JAMES C. VAIL

Date: 12 MAY 71

The undersigned requests a review of the rights and duties pursuant to:

A.S. BYLAWS CHAPTER 2 ARTICLE 1 SEC. 8C

Cause for request: I WOULD LIKE TO KNOW WHETHER
THE INCOMING SENATE CAN APPOINT A NEW CHAIRMAN
PRO-TEM OR WHETHER THE CHAIRMAN PRO-TEM OF THE
OUTGOING SENATE RETAINS HIS POSITION.

Briefly explain the substance of your issue: THE BYLAWS ONLY
STATE THAT THE SENATE SELECTS ITS CHAIRMAN
PRO-TEM. IT DOES NOT SPECIFY LENGTH OF TERM.
I BELIEVE THE INCOMING SENATE SHOULD HAVE THE
RIGHT TO SELECT ITS OWN CHAIRMAN PRO-TEM.

The undersigned does hereby request a judgment on the preceding issue.

Signed

James C. Vail
551E 64th St. Apt 11
LONG BEACH CALIF. 90805

ASSOCIATED STUDENTS JUDICIARY

CALIFORNIA STATE COLLEGE LONG BEACH

Declaratory Judgement

Requestor: James C. Vail

Mr. Vail has requested clarification of the Bylaws, Associated Students, California State College Long Beach, Chapter II, Article I, Section 8, c, which states:

Chairman Pro-Tem-The Senate shall elect from among its membership, a Chairman pro-tem to serve as the presiding officer of the Senate whenever the Vice President is not presiding.

Requestor Vail asks the Judiciary to clarify the term of office of Chairman Pro-Tem as to its length of tenure.

In the afore-cited statute, the phrase "The Senate shall elect from among its membership," is crucial.

If, after each regular Associated Students General election one views the Senate as a discrete body instead of one continuous over time, the answer becomes obvious. Each discrete, "Senate shall elect from among its membership, a Chairman Pro-Tem..." This limits the length of office for the position of Chairman Pro-Tem to a length of time concurrent with the tenure of each discrete Senate, or shorter than such tenure if the Senate so votes.

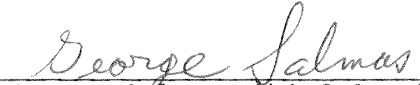
It is so Ordered
Vote: 3-0-0
Unanimous Vote



Brian Arthur, Associate Justice



James Semmens, Associate Justice



George Salmas, Chief Justice

Adjudicated this 18th day May, 1971