ASUCI JUDICIAL BOARD

"The Judicial Board has final judicial authority for ASUCI, which extends to all cases arising under the governing documents of ASUCI, all official actions of ASUCI officials and staff, and any matters delegated to the Judicial Board by the Senate or Student Advocate General."

JUDICIAL RULING ON R54-109:
SPFB Guidelines Amendment to Not Fund Styrofoam Products

ACTING CHIEF JUSTICE ABUNDIS delivered the opinion of the Board, in which all other Members joined

In Re R54-109

Opinion of the Board

Senate Resolution R54-109 was an amendment to Student Program Funding Board, effectively setting a ban on all polystyrene products. The second operative clause was agreed upon by the majority of the Board as an overstep of Senate powers. Senate Legislation R54-109 imposes a blanket ban on the use of ASUCI funds to purchase polystyrene products. Such control of line item purchases conducted by individual offices in effect produces a line item control of the expenditures of previously approved budgets and is an unconstitutional incursion of Senatorial authority upon the power of any budget-owning office.

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The second operative clause of R54-109 states that all ASUCI funds may not be used for the purchase of polystyrene products. This effectively would set a ban on polystyrene products for all branches within ASUCI.

ASUCI funds is an all-encompassing term that would include the quarterly budgets set for each office. A resolution such as R54-109 would change how some offices operate. By passing this resolution, a precedent would be set where Senate is allowed to directly affect the spending behaviors of any office in ASUCI. As per ASUCI Constitution, the Senate is not granted any authority over to control or limit the budgets and spending behaviors of any other offices or branches in ASUCI beyond what they exercise when approving or rejecting a holistic budget. Such budgets may include apportioning certain moneys for certain projects, however it does not grant the Senate purview to approve or reject single purchases. For example, the Senate may coerce an office to diminish office supply spending, but would not be able to have jurisdiction on what the approved office supply

budget may be used to purchase and so dictate that the office cannot buy a particular product. Because of the likeness of R54-109 to a particular purchase ban (here demonstrated in the example of the office supply purchase) as opposed to a general categorical budget control, the Judicial Board is considering R54-109 a new power, that the Senate is trying to assume, one which would grant them overburdening budgetary control over other ASUCI offices.

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R54-109 is necessarily deemed unconstitutional to preserve a measure of autonomy for ASUCI offices.

It is so ordered.