



Attorney General of the
Associated Students of the
University of Utah

Interpretation Request

Redbook Section in Question:

Redbook Constitution or Bylaws? Redbook

Article: 3

Section: 3 and 4

Clause: 3.4.2 and 4.3.2 respectively

Requestor Information:

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Date: October 22, 2019

Question (Be as specific as possible):

If with the senate or assembly passes a joint resolution with the intent of having that joint resolution being that it will be seen by the other body, is there any way that bill could be reclassified as a "senate resolution" or an "assembly resolution? For example. If the senate passes a joint resolution may the bill's sponsor both change the bill classification to Senate resolution and also make an amendment to ~15 words of the bill *after* the bill has passed the senate unanimously as a joint resolution? If so, what is the mechanism of such a change?

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Attorney General: Seodam Kwak

Text of Section in Question:

Redbook III § 3 (4.2) [Under Powers]

"To pass, fail, table, amend, refer, or postpone joint legislation with the Senate by a majority vote of the quorum present as defined by the Bylaws."

Redbook III § 4 (3.2) [Under Powers]

"To pass, fail, table, amend, refer, or postpone joint legislation with the Assembly by a majority vote of the quorum present as defined by the Bylaws."

Interpretation: As a Joint resolution requires the majority vote of the Senate and Assembly, while a Senate or an Assembly resolution only requires the majority vote of the corresponding legislative body, the legislative flow is drastically different. This contrast suggests that the two legislations are inherently different types of legislation and should be considered as such. When the members of the legislative bodies are debating and voting on a Joint resolution, it is being considered on the floor as a Joint resolution. Additionally, when a Joint resolution is passed by one of the legislative bodies, the Senators or Assembly Representatives of the respective body voted for a Joint resolution, not a Senate or an Assembly resolution. Consequently, a Joint resolution and an Assembly or Senate resolution shall be considered separately and remain independent of each other. **Therefore, it shall be the case that, once Assembly or Senate passes a legislation as a Joint resolution, it cannot be reclassified as a**

Senate or Assembly resolution. If a legislative body desires to reclassify the pending Joint resolution, it has to be refiled and revoted as a Senate or Assembly resolution. According to the previous interpretation of Bylaws I.II § 13 (6), any legislation that incorporates amendments exceeding 10 words must be re-submitted in writing before they can be considered and voted upon by the Senate.