



UNIVERSITY OF
GEORGIA

Student Government Association

SUPREME COURT OF THE UNIVERSITY OF GEORGIA

Statement 32-01

Authored: August 16, 2019

Delivered by: Chief Justice Evan Oliver

Syllabus

The President of the Senate and the President Pro Tempore of the Senate filed a joint briefing to this Court to seek clarification on a constitutional conflict of interpretation. This conflict arose with regards to who had the constitutional responsibility of chairing the First-Year Senator Selection Committee. It is the decision of the Supreme Court of the University of Georgia that the President Pro Tempore of the Senate is the individual responsible for presiding as Chair of the First-Year Senator Selection Committee.

On August 14, 2019, the President of the Senate and the President Pro-Tempore of the Senate jointly filed a court briefing and request for the Supreme Court of the University of Georgia to provide interpretation of an apparent contradiction that existed within the Constitution. This conflict was in regards to who had the constitutional power and responsibility to chair the First-Year Senator Selection Committee. In their briefing to the Court, the President of the Senate and President Pro Tempore of the Senate directed the Court to two components of the Constitution that they argued provided a constitutional contradiction. They pointed to Article V, Section 1, and Paragraph A of the Constitution that states that the President of the Senate “Shall serve as the Chair of the First-Year Senator Selection Committee.” They also pointed to a conflicting line in the Constitution, Article V, Section 4, and Paragraph C, that states that “The First-Year Senator Selection Committee shall be chaired by the President Pro-Tempore of the Senate who shall have a vote”.

The Court unanimously agrees that this is a constitutional contradiction and offers the following interpretation and decision:

The line that gives the President of the Senate the power to “serve as the Chair of the First-Year Senator Selection Committee”, Article V, Section 1, and Paragraph A of the Constitution, was added to the Constitution in the previous senatorial term as a part of Amendment 31-01. However, given that the Senate failed to identify the constitutional contradiction that this would create, the Supreme Court of the University of Georgia has decided that the language and line within the original Constitution, prior to the passing of Amendment 31-01, should be followed. This would uphold the power of Article V, Section 4, and Paragraph C that “The First-Year Senator Selection Committee shall be chaired by the President Pro-Tempore of the Senate who shall have a vote.”

The Supreme Court of the University of Georgia advises the Senate of the Student Government Association to address this constitutional contradiction immediately and seek a remedy through the proper amendment procedures.

It is so ordered.