The Constitution of the South Carolina Student Legislature

Article I
Name

Section 1. This organization shall be called the South Carolina Student Legislature.

Article II
Purpose

Section 1. This organization shall be formed to provide a forum in which students may experience the full range of legislative activity, to promote student input into public policy-making in South Carolina, and to educate students about the functions of democratic government.

Section 2. The motto of this organization shall be "Our Freedom, Our Future, Our Responsibility."

Article III
Membership

Section 1. The membership of the South Carolina Student Legislature shall be composed of delegates from South Carolina's universities and colleges.

Section 2. Each delegation shall select its members from the student body of the institution that it represents.

Section 3. For the purpose of this document, "students" means all those with the privileges of an undergraduate student at the member institution. No student shall serve as a delegate for more than five years.

Section 4. Delegations may dismiss a delegate during session when he has violated the delegation and/or school conduct rules, has been arrested for a crime while at session, has become ill or injured and must return home, or in case of emergency.

Section 5. A delegation shall obtain membership upon registration with the Governor, approval of the state officers, and payment of registration fees.

Section 6. Upon approval of the registration and the receipt of the dues, the Governor shall issue the delegation an official letter recognizing it as a member delegation.

Section 7. All memberships are for the calendar year and shall expire upon the thirty-first day of December.

Article IV
Officers

Section 1. The elected officers of the organization shall be the Governor, the Lieutenant Governor, the Speaker of the House, the President of the Senate, the Speaker Pro Tempore of the House, and the Comptroller General. These officers, with the exception of the Comptroller General, shall be members of the Executive Committee.

Section 2. The Governor shall, with the consent of the Executive Committee, appoint a Secretary of State, an Attorney General, a Treasurer, and a Chief Justice of the Court. For the purpose of this document, "consent of the Executive Committee" means a majority of the members of the committee.

Section 3. The Governor shall, with the consent of the Executive Committee, have full power to create and fill any other officer that the Governor deems necessary to the South Carolina Student Legislature.

Section 4. No person shall hold more than one office at a time.

Section 5. Officer terms shall coincide with the calendar year.

Section 6. Each candidate for office shall be a student in good standing with the institution he attends.

Section 7. A candidate for Governor shall have attended at least two sessions prior to the session in which the election is being held, including at least one Fall Session. The Fall Session during which the election is being held shall not count towards the two-session requirement.

Section 8. A candidate for Lieutenant Governor, Speaker of the House, or Comptroller General shall have attended at least two sessions prior to the session in which elections are being held, and the session in which elections are being held shall not count towards the two-session requirement. A candidate for Lieutenant Governor shall be a member of the Senate during which the election is being held. A candidate for Speaker of the House shall be a member of the House during the session in which the election is being held.

Section 9. A candidate for President of the Senate and Speaker Pro Tempore shall have attended at least one session prior to the session in which the election is being held. The Fall Session during which the election is being held shall not count towards the one-session requirement.

Section 10. In the event that the office of President of the Senate or Speaker Pro Tempore shall become vacant, the Governor shall nominate a qualified replacement. The replacement shall be confirmed by the Executive Committee and shall begin fulfilling the duties of the office immediately.

Article V
Powers and Duties of Officers

Section 1. The Governor shall:

(A) With the advice and consent of the Executive Committee, have the power to form a cabinet, which includes the following positions and any others deemed by the Governor as necessary to the operations of the South Carolina Student Legislature:

1. A Secretary of State;

2. An Attorney General;

3. A Chief Justice;

4. A Treasurer; and

5. Four Associate Justices;

(B) Have full power, with the consent of the Executive Committee, to create and fill any other office which the Governor deems necessary to the South Carolina Student Legislature; With the advice of the Executive Committee, have full power to establish and maintain an "Office of the Governor" for his assistance and to perform the duties designated by the Governor as necessary to the operations and execution of the powers of the Governor of the South Carolina Student Legislature;

(C) Have full power to appoint a Chief of Staff to manage and coordinate the operations of the Office of the Governor;

(D) Represent South Carolina Student Legislature throughout the State of South Carolina and the United States;

(E) Present the "Journal of Acts and Resolutions" to the governor and the General Assembly of South Carolina;

(F) Report to the South Carolina Student Legislature at the Fall Session on the state of the Organization;

(G) Preside over all Interim meetings;

(H) Serve as a member of the Finance Committee; and

(I) Sign or veto all legislation that has passed the House and the Senate during Session.

Section 2. The Lieutenant Governor shall:

(A) Assume the duties of the Governor in the event that the Governor has vacated the office or is incapable of fulfilling the duties of the office;

(B) Serve as a member of the Executive Committee;

(C) Preside over the Senate, but shall have no vote except in the event of a tie;

(D) With the consent of the Senate, appoint three members of that body, no two of whom shall be from the same school, to serve on the Conference Committee;

(E) Serve as a member of the Finance Committee;

(F) Publish the "Journal of Acts and Resolutions";

(G) Compile and publish the Bill Book; and

(H) In conjunction with the Speaker of the House, organize and distribute a legislation calendar for Fall Session.

Section 3. The Speaker of the House shall:

(A) Assume the duties of the Governor in the event that the Governor and Lieutenant Governor have vacated the office or are incapable of fulfilling the duties of the office;

(B) Serve as a member of the Executive Committee;

(C) Preside over the House as a member of the House;

(D) With the consent of the House, appoint four members of that body, no two of whom shall be from the same school, to serve on the Conference Committee;

(E) Serve as a member of the Finance Committee; and

(F) In conjunction with the Lieutenant Governor, organize and distribute a legislation calendar for Fall Session.

Section 4. The President of the Senate shall:

(A) Assume the duties of the Lieutenant Governor in the event the Lieutenant Governor has vacated the office or is incapable of fulfilling the duties of the office;

(B) Assume the duties of the Governor in the event that the Governor, Lieutenant Governor, and Speaker of the House have vacated the office or are incapable of fulfilling the duties of the office;

(C) Serve as a member of the Executive Committee; and

(D) Preside over the Senate in the absence of the Lieutenant Governor.

Section 5. The Speaker Pro Tempore shall:

(A) Assume the duties of the Speaker of the House in the event the Speaker of the House has vacated the office or is incapable of fulfilling the duties of the office;

(B) Serve as a member of the Executive Committee; and

(C) Preside over the House in the absence of the Speaker of the House.

Section 6. The Secretary of State shall:

(A) Assist and advise the Governor in all matters in which the Governor needs aid;

(B) Prepare the minutes and records of interim meetings and Spring Session;

(C) In conjunction with the Attorney General, reapportion the votes of each delegation prior to Fall Session;

(D) Assist the Election and Awards Committee as that committee may deem appropriate; and

(E) Receive the certified results from the Election Chair of the Election and Awards Committee.

Section 7. The Attorney General shall:

(A) Act as Prosecutor in a Senate Trial;

(B) Be replaced as Prosecutor if impeached;

(C) Serve as a member of the Constitutional Committee;

(D) In conjunction with the Secretary of State, reapportion the votes of each delegation prior to Fall Session; and

(E) Advise the General Assembly on the constitutionality of legislation whose constitutionality has been called into question on the floor under the Constitution of the State of South Carolina.

1. The legislation shall be tabled for review by the Attorney General.

2. Within one hour of receiving the legislation in question, the Attorney General shall recommend a course of action to the body based on his review.

(F) Assist and advise other officers in Supreme Court cases.

Section 8. Chief Justice of the Court shall:

(A) Serve a one-year term;

(B) Preside over any session of the Supreme Court as outlined in Article VII;

(C) Preside over Senate trial proceedings;

(D) Serve as Chairman of the Constitutional Committee; and

(E) Obtain and distribute the case to be used in the Supreme Court hearings at session no later than 30 days prior to session.

Section 9. The Treasurer shall:

(A) Keep a current account of all funds of the South Carolina Student Legislature;

(B) Serve as Chairman of the Finance Committee; and

(C) Prepare and present the annual operating budget.

Section 10. The Fall Session Committee Chairmen shall:

(A) Chair their respective committees at Fall Session.

Section 11. The Comptroller General shall:

(A) Perform an annual internal audit of the organization and prepare an audit report;

(B) Present the audit report to the General Assembly as the first order of business at the first joint session of the first full day of Fall Session;

(C) Coordinate with external auditors in the case of an external audit of the organization; and

(D) Give documented approval for disbursements of more than $25.

1. Email or written notation is sufficient documentation.

2. A documented unanimous vote of the Finance Committee may override disapproval from the Comptroller General.

Section 12. The Associate Justices of the Supreme Court shall:

(A) Serve one-year terms; and

(B) Participate in any session of the Supreme Court.

Section 13. Delegation Chairs.

(A) Each school shall designate its own Delegation Chair/Co-Chairs.

(B) Schools with multiple delegation chairs shall have only one vote in a delegation chair vote.

(C) A Delegation Chair shall:

1. Participate in any meetings, votes, or responsibilities laid out in the Constitution or the Bylaws of the South Carolina Student Legislature;

2. Be the spokesperson for his respective delegation;

3. Lead and guide their delegation during its meetings; and

4. Represent his delegation's interests at the state-level of the South Carolina Student Legislature.

Section 14. The Parliamentarian shall:

(A) Rule on questions of Robert's Rules of Order on the floor.

Article VI
Executive Committee

Section 1. The Governor shall call all meetings.

(A) Meeting times must be approved by the Executive Committee and Delegation Chairs.

(B) The Executive Committee shall propose the order of business and business to be conducted.

(C) The meetings shall be:

1. Spring Session;

2. Fall Session; and

3. Interim meetings.

Section 2. Spring Session:

(A) Spring Session shall be presided over by all presiding officers of the Executive Committee.

(B) Legislation shall be turned in no later than the date appointed by the order of the Executive Committee.

(C) Any legislation not found in the Bill Book must:

1. Be approved by the Executive Committee before the last day of session.

2. Approved legislation will only take place upon completion of all legislation found in the Bill Book.

(D) The Lieutenant Governor and the Speaker of the House shall, in conjunction with the President of the Senate and the Speaker Pro Tempore, form calendars of legislation for the chambers.

(E) A bill or resolution passing the joint session shall be presented to the Governor for Approval.

(F) All legislation signed by the Governor or neither signed nor vetoed by the Governor within a month after it has been presented to him shall be included in the "Journal of Acts and Resolutions."

(G) Member dues will be collected at the beginning of session at the discretion of the Finance Committee.

(H) The Governor may not serve as a legislator for Spring Session.

Section 3. Fall Session:

(A) Fall Session shall be an annual student legislature, modeled after the General Assembly of South Carolina and shall be comprised of a Senate, a House of Representatives, and a Supreme Court.

(B) Elections for the offices of Governor, Lieutenant Governor, Speaker of the House, President of the Senate, and Speaker Pro Tempore of the House shall be held as the first order of business at the first joint session on the last day.

(C) Each member school shall be represented by a delegation consisting of:

1. A Chair;

2. Up to two delegates per school;

3. One delegate for each 200 full time undergraduate students for the first 1,000 students (five possible);

4. One delegate for each 1,000 full time undergraduate students from 1,000 to 10,000 (nine possible); and

5. One delegate for each 3,000 full time undergraduate students from 10,000 up.

6. All numbers shall be rounded up if the numbers exceed the previous population bracket by more than fifty percent.

(D) Legislation:

1. The Lieutenant Governor and the Speaker of the House shall assign each bill or resolution to a committee.

2. Legislation which passes committee shall be assigned to its chamber by the Lieutenant Governor and the Speaker of the House.

3. The Lieutenant Governor and the Speaker of the House shall, in conjunction with the President of the Senate and Speaker Pro Tempore, form calendars of legislation for their respective chambers.

4. Once a bill or resolution passes one chamber, it shall be transferred to the calendar of the opposite chamber.

5. A bill or resolution passing both chambers shall be presented to the Governor for approval.

6. All legislation signed by the Governor or neither signed nor vetoed by the Governor within a month after it has been presented to him shall be included in the "Journal of Acts and Resolutions."

7. All legislation passed in differing forms in the chambers shall be reviewed and revised by the Conference Committee.

(E) Both chambers shall abide by their respective rules, which shall be amended or revised as the first order of business when the chambers convene.

(F) Only voting members of the Senate and House may be present on their respective floors unless presenting legislation or appearing before the body.

(G) Registration fees will be collected at the beginning of session at the discretion of the Finance Committee.

(H) The Governor may not serve as a legislator for Fall Session.

Article VII
The Supreme Court

Section 1. The Supreme Court in general.

(A) The Supreme Court shall consist of a Chief Justice and four Associate Justices, any three of whom shall constitute a quorum for the transaction of business. The Chief Justice shall preside, and in his absence, the senior Associate Justice. In all cases decided by the Supreme Court, the concurrence of three of the Justices shall be necessary of the judgment below.

Section 2. Jurisdiction.

(A) The Supreme Court shall have power to review the trial case presented by the Chief Justice. The ruling of the Supreme Court will determine brief awards which are outlined in Article XII of the Constitution of South Carolina Student Legislature.

(B) The Supreme Court shall constitute a court for the correction of errors at law under such regulations as the General Assembly may prescribe.

(C) If legislation is passed and signed into law but its constitutionality under the United States Constitution, the Constitution of South Carolina, or the SCSL Constitution is contested, by petition for Writ of Certiorari, the Chief Justice may coordinate with the Governor to schedule a session of the Supreme Court to review the contested law at the next Session of the South Carolina Student Legislature. If for whatever reason the Chief Justice and Governor deem it necessary to review the contested law during the session in which it is contested, the Chief Justice may coordinate with the Executive Committee to schedule a special session of the Court to review the contested law. The review process will allow the delegate who has questioned the constitutionality of legislation to present his argument before the Supreme Court and the legislation author to refute these arguments. The legislation author may receive help from his delegation for his defense. The Supreme Court shall publish a decision no later than one week following the hearing.

(D) The Supreme Court shall have sole jurisdiction to hear cases concerning constitutionality. If any delegate or group of delegates believes that the Constitution is being violated, they may petition the Supreme Court to take up the case by producing a written brief and presenting it to the Chief Justice. Upon receipt of the brief, the Chief Justice shall allow the challenged party a reasonable amount of time to file a written response. Oral arguments, either in person or virtual, may also take place if a majority of the Court believes them to be necessary or beneficial in deciding the case. After considering all relevant information, the Court shall release a decision in written form detailing their decision and reasoning. Justices who disagree with the majority decision, either in part or entirely, may write concurring or dissenting opinions in addition to the opinion of the Court. The opinion of the Supreme Court on issues of constitutionality shall be final and binding. Opinions of the Court must be preserved and easily accessible, and any applicable past Court rulings should be considered in future cases and questions of constitutionality.

(E) The Chief Justice shall have the power to set procedure for any court cases arising from their jurisdiction in this Article, so long as it does not violate the provisions of this Constitution or the Bylaws.

Article VIII
Committees

Section 1. The Fall Session Committees shall consist of:

(A) The Committee on Agriculture and Natural Resources;

(B) The Committee on Education;

(C) The Committee on Judiciary;

(D) The Committee on Labor, Commerce, and Industry;

(E) The Committee on Medical, Municipal, Military, Transportation, and Public Administration;

(F) The Committee on Miscellaneous; and

(G) The Committee on Ways and Means.

Article IX
Finances

Section 1. The Executive Committee shall, each year, through the office of the Treasurer, provide the South Carolina Student Legislature with an annual operating budget. The Treasurer shall present the operating budget to the General Assembly during Fall Session.

Article X
Elections

Section 1. An officer shall be elected by a majority of the legal ballots cast.

Section 2. The Senate and the House of Representatives shall elect the Governor and the Lieutenant Governor.

Section 3. The Senate shall elect the President of the Senate.

Section 4. The House of Representatives shall elect the Speaker of the House and the Speaker Pro Tempore of the House.

Section 5. The Chair of the Election and Awards Committee shall preside over the elections. In the event that the Chair of the Election and Awards

Committee is running for office, he shall resign as Chair of the Election and Awards Committee, and the next most senior delegation chair shall replace him as Chair.

Section 6. The Elections shall be conducted as follows:

(A) All candidates shall be listed on an official election ballot(s) as deemed official by the Election and Awards Committee.

(B) All Ballots shall be handed out to the respective delegation chairs proceeding the last joint session of the Session.

(C) Ballots for Each Official Delegate will be given either electronically or by paper to Delegation Chairs to hand out to their respective Delegates. Delegates will then personally submit their own ballot to the Secretary of State.

(D) A delegate can only place his name on the ballot for a single office and cannot be listed more than once.

(E) The candidates will be listed on the Ballot in alphabetical order by last name.

(F) Ballots which do not clearly identify the preference of the vote shall not be counted.

Article XI
Discipline of Officers

Section 1. Any elected or appointed officer may be removed from office for the following reasons:

(A) Failure to discharge the duties of his office; or

(B) Behavior determined by the body to be demeaning to the integrity of the South Carolina Student Legislature.

Section 2. Specific Charges against the officer must be presented either at a formal meeting of Delegation Chairs, Spring Session, or Fall Session. The impeachment and removal process is as follows:

(A) Upon a majority passage of Articles of Impeachment in the House of Representatives, and a 2/3 Conviction of the Senate, the officer in question shall be removed from office. The officer in question and Attorney General will each be provided 10 minutes to testify in front of the Senate

before the Senate Vote. The Senate Trial will be presided over by the Chief Justice; or

(B) Upon unanimous vote of Delegation Chairs to impeach and convict, the officer in question shall be removed from office. The officer in question and Attorney General will each be provided 10 minutes to testify in front of Delegation Chairs before the Delegation Chair Vote. The Delegation Chair Trial will be presided over by the Chief Justice.

Article XII
Awards

Section 1. The Carlisle Award is given annually at Fall Session in honor of the founder of the South Carolina Student Legislature, Dr. Douglas Carlisle. The Carlisle Award is awarded to the delegate or officer who, in the opinion of the Election and Awards Committee, best represents the ideals of the South Carolina Student Legislature.

Section 2. The Best Senator Award is given annually at Fall Session to the Senator who shows himself to be an accomplished speaker and conscientious statesman. The Senators shall nominate candidates for the Best Senator Award, and each Senator shall cast one vote for a nominee. The Lieutenant Governor shall cast a vote in case of a tie. The Election and Awards Committee shall administer the ballots.

Section 3. The Best Representative Award is given annually at Fall Session to the Representative who shows himself to be an accomplished speaker and conscientious statesman. The Representatives shall nominate candidates for the Best Representative Award, and each Representative shall cast one vote for a nominee. The Speaker of the House shall cast a vote in case of a tie. The Election and Awards Committee shall administer the ballots.

Section 4. The Best Legislation Award is given annually at Fall Session to the author whose legislation, in the opinion of the Election and Awards Committee, best manifests thorough research, topicality, and excellent use of language. The award may go to legislation presented in either chamber.

Section 5. The Best Delegation Award is given annually at Fall Session to the small, medium and large delegations that, in the opinion of the Elections and Awards Committee, best exemplified cohesion and activity.

(A) A small delegation shall be defined as a delegation whose school has a current population of 2,000 students or less.

(B) A medium delegation shall be defined as a delegation whose school has a current population between 2,001 and 8,000 students.

(C) A large delegation shall be defined as a delegation whose school has a population over 8,001 students.

Section 6. The Chad M. Beatty Award is given annually at Fall Session to the outstanding non-state officer senior as decided by the Election and Awards Committee.

Section 7. The Blake Alexander Campbell Memorial Award is given annually at Fall Session to a freshman Representative or Senator who, in the opinion of the Election and Awards Committee and the Executive Committee, shows himself to be a positive representative for the future of our organization through statesmanship, honor, courage and integrity.

Section 8. The Best Written Brief award is given at Fall and/or Spring Sessions in which the Supreme Court presides over a case to the delegate(s) who, in the opinion of the Justices of the Supreme Court, shows exceptional legal writing skills.

Section 9. The Best Oral Argument award is given annually at Fall and/or Spring Sessions in which the Supreme Court presides over a case to the delegate(s) who, in the opinion of the Justices of the Supreme Court, shows excellent use of language skills, communication skills, and the art of advocacy.

Section 10. The Palmetto Award for Best Overall Delegation will be awarded to the Best Delegation out of the winners for best Small, Medium, and Large Delegation. This award is presented to the delegation who, in the opinion of the Election and Awards Committee, best represents the ideals of our organization through legislation, activity, cohesion, and commitment.

Article XIII
Parliamentary Authority

Section 1. The rules contained in the current edition of *Robert's Rules of Order; Newly Revised* shall govern the South Carolina Student Legislature in all cases to which they are applicable and in which they are not inconsistent with this Constitution and any special rules this organization may adopt.

Section 2. The parliamentary authority prescribed in their respective rules shall govern the Senate and House.

Article XIV
Equality

Section 1. Any occurrence of pronouns throughout this document shall not be deemed gender specific.

Section 2. No delegate shall be discriminated against in any way on the basis of gender, race, religion, creed, sexual orientation, gender identity, or age.

Article XV
Amendment of the Constitution and Bylaws

Section 1. Any member may present amendments to the Constitution or the Bylaws at any joint meeting at either Fall or Spring Sessions.

Section 2. Constitutional amendments approved by a majority of the Constitutional Committee must be ratified by two-thirds of quorum of the General Assembly, unless under State of Emergency provisions as outlined in Article VIII of the Bylaws. Upon approval, the Secretary of State shall declare such amendments to be in effect.

Section 3. Bylaws amendments approved by a majority of the Constitutional Committee must be ratified by either:

(A) a majority vote of the Delegation Chairs when the South Carolina Student Legislature is out of session; or

(B) a two-thirds vote of quorum of the General Assembly.

Article XVI
Preemption of Constitution and Bylaws

Section 1. Members of the South Carolina Student Legislature are bound by the Constitution and Bylaws. The Constitution shall hold precedence over the Bylaws in all matters. The Bylaws shall not preempt or supersede the Constitution.