



TEXAS A&M UNIVERSITY
STUDENT GOVERNMENT ASSOCIATION
JUDICIAL COURT'

Jarrett Namken vs. Election Commissioner Krenzien
(Plaintiff) (Defendant)

Judicial Court Appeal #66-01

September 13, 2013

SUMMARY

(Justice Cooper)

Plaintiff brought suit alleging that the Election Commissioner had over stepped her bounds by declaring the plaintiff ineligible to run in the Student Body President race in the spring of 2014.

CONCURRING OPINION

I concur with the majority's conclusion based on the facts and arguments presented by the plaintiff. To argue that "reasonable vicinity" includes Texas A&M University's Galveston campus misreads the original intention of the election code provision in question. Further, we proudly treasure the College Station campus's special relationship with fellow Aggies in Galveston and the similarities we share in tradition and student government procedures, but this is hardly a valid legal argument. I hesitate to join the majority's opinion, however, as there is not sufficient emphasis being given to the potential conflict between the SGA Constitution and the election regulations regarding qualifications for Student Body President, an issue not raised by the plaintiff but important nonetheless. The Senate has the constitutional power to enact statutes for "the general welfare of the student body in accordance with [the] Constitution." The act of narrowing the qualifications to serve as Student Body President seems to be a statute not in accordance with the Constitution that itself outlines those qualifications. Through its election regulations, the Senate has narrowed, whether intentionally or unwittingly, the constitutionally prescribed definition of "Texas A&M University" to the legislatively arbitrary definition of "Texas A&M University—College Station." If the court is not wary, this poses the looming risk of a much graver problem of dangerously leaving the qualifications for serving in SGA's highest office to legislative fiat rather than constitutional ordinance.

Texas A&M University

Judicial  Court

Majority Opinion #66-01

Namken v. Commissioner Kenzie

Cameron Bellant

Stephine

Paula Reed

Lawrence Felder
John White

Concurring Opinion:

Robert H. [Signature]