

CONSTITUTION
OF
THE STUDENT BAR ASSOCIATION



AT
WIDENER UNIVERSITY SCHOOL OF LAW

PREAMBLE

WE, the students of Widener University School of Law, in order to secure to ourselves the right to discuss and formulate our own policies, demonstrate our concern for the students of our Alma Mater, and provide the fullest degree of self government possible under the constitution and laws of the states of Delaware and Pennsylvania, and of the United States of America, do hereby ordain and establish this constitution to be the fundamental law governing ourselves and our successors

Article I. Name, Purpose, Membership, and Definitions

Section One: Name.

This organization shall be known as The Student Bar Association of Widener University School of Law.

Section Two: Objectives.

- (A) To be the official representative of the students of Widener University School of Law to the: law school administration, faculty, community, and other persons and organizations.
- (B) To coordinate student activities in the law school
- (C) To further academic achievement through participation by law students in the development and revision of legal education.
- (D) To become involved with and participate in the organized bar at all levels.
- (E) To promote professional responsibility in the Law School and legal profession.
- (F) To promote and protect the legitimate interests of all students at the Law School.

Section Three: Membership.

All persons registered as students at the law school are members of the Student Bar Association. Such members shall be entitled to vote in the general elections, special elections, and referenda of the Student Bar Association.

Section Four:

In this constitution, the following words have the meanings indicated:

- (A) "SBA" means the Student Bar Association of Widener University School of Law;
- (B) "SBA member" means a student maintaining current enrollment at Widener University School of Law;
- (C) "Board" means the SBA Executive Board"
- (D) "Law School" or "WUSoL" means Widener University School of Law.

Section Five:

Official copies of this constitution shall be kept in the official SBA files and in the Law School libraries. Issues concerning the interpretation of any and all rights and obligations granted or imposed by this constitution shall be decided by a majority vote of the Board of Governors at a regular meeting.

Article II – Officers

Section One (Amended April 1990):

The Executive officers of the SBA shall constitute the “Executive Board.” The Executive Board, together with the Section Representatives and the representative to the American Bar Association/Law School Division, shall constitute the Board of Governors. The Board of Governors shall be the governing body of the SBA. It shall have the power to formulate its policies, manage its affairs, exercise all powers prescribed that are necessary and proper for executing this constitution, and oversee the functioning of the SBA.

Section Two (Amended April 1990):

The Board of Governors shall be composed of:

- (A) President.
- (B) First Vice President.
- (C) Second Vice President
- (D) Treasurer.
- (E) Corresponding Secretary.
- (F) Recording Secretary.
- (G) The elected representative to the American Bar Association / Law Student Division.
- (H) Two Section Representatives from each section of each class.

Section Three:

The duties of the Executive Officers shall include, but not be limited to, the following:

Subsection A:

The President shall:

1. Serve as the Chief Executive Officer and official spokesperson for the SBA;
2. Preside over all meetings of the Board of Governors;
3. Appoint the Chairperson of the Standing Committees, subject to the approval of the Executive Board/Board of Governors;
4. Convene regular meetings of the Board of Governors in accordance with Article IX;
5. Convene special meetings of the Board of Governors upon the request of six members of the Board of Governors;
6. Prepare and promulgate the agenda for meetings prior to the meetings; and
7. Have authority to co-sign checks or warrants for money from the SBA account.

Subsection B:

The First Vice President shall:

1. In the absence of the President, be President Pro Tempore;
2. Prepare and post the SBA activities calendar; and
3. Perform such other duties as might be requested by the President.

Subsection C:

The Second Vice President shall:

1. In the absence of the President and the First Vice President, be president Pro Tempore; and
2. Perform such other duties as might be requested by the President.

Subsection D:

The Treasurer shall:

1. Have the authority to co-sign with either the President, First vice President, or Second Vice President, checks or warrants for money from the SBA account;
2. Be responsible for the maintenance of all financial transactions of the SBA;

3. Submit written monthly financial reports to the Board or Governors and interim reports as requested by the Board of Governors;
4. Serve a Chairperson of the budget Committee;
5. Maintain copies of the Financial condition of the SBA in the SBA office and reserve section of the Law School libraries; and
6. Perform such other duties as might be requested by the President.

Subsection E:

The Corresponding Secretary shall:

1. Be responsible for all written communications between and among the students, Faculty, Administration, members of the legal community, and any other correspondence which may affect the SBA; and
2. Perform such other duties as might be requested by the President.

Subsection F:

The Recording Secretary shall:

1. Record the minutes of every regular and special meeting of the SBA, posting such minutes in appropriate public places;
2. Maintain all files and record of the SBA and its committees;
3. Maintain a permanent file of SBA activity in the Law School Libraries and in the SBA office; and
4. Perform such other duties as might be requested by the President.

Subsection G:

The Section Representatives shall:

1. Be the spokespersons and act on behalf of the members of their respective classes;
2. Report back to their respective classes all action taken by the SBA at each meeting; and
3. Perform such other duties as might be requested by the President.

Section Four:

A decision of the Board of Governors shall be by a majority vote of all Board of Governors members present except where otherwise expressed within this constitution.

Section Five:

The Board of Governors shall be the final interpreter of this constitution. Issues concerning the interpretation of any and all rights and obligations granted or imposed by this constitution shall be decided by a majority vote of the Board of Governors at a regular meeting.

Section Six:

The Board of Governors may enact By Laws consistent with this constitution where necessary.

Section Seven:

All members of the Board of Governors shall deliver to their respective successors all materials pertaining to the office they hold.

Article III – Meetings

Section One:

The President shall have the discretion to set the date, the time, and place of all regular and Special Meetings of the Board of Governors. But there shall be at least two meetings per month. The President shall preside at all meetings.

Section Two:

The incoming President shall take office on the first Monday of April and call at least one meeting of the new Board of Governors before the end of that academic year.

Section Three:

Notice shall be posted at least forty-eight hours prior to any meeting of the Board of Governors.

Section Four:

A quorum for the Board of Governors shall consist of one-half plus two of the entire Board of Governors membership.

Section Five:

Student members of faculty committees and appointed chairpersons of the SBA committees shall be ex-officio (non-voting) members of the Board of Governors and shall attend all its meetings.

Section Six:

Any member of the Board of Governors (voting or non-voting) who misses, without good cause to be determined by the majority of the Board of Governors, either two (2) consecutive regular meetings or a total of five (5) meetings, is ineligible to continue in office and has forfeited it, and the office is to be considered vacant.

Subsection A:

Vacancies shall be filled in accordance with Article VII.

Subsection B:

Presence at a meeting is hereby defined as being physically present either at the calling of the roll or at the time any vote is taken on a question before the Board of Governors.

Section Seven:

The rules contained in the current edition of Robert's Rules of Order shall govern in all cases to which they are applicable and in which they are not inconsistent with the By Laws and any special rules of order the SBA may adopt.

Section Eight:

All meetings of the Board of Governors shall be open to any member of the SBA.

Article IV – Voting and Speaking Privileges

Section One:

Each member of the Board of Governors shall be entitled to one(1) one-point vote with the following noted exceptions:

- (A) The Presiding Officer shall not cast a vote while in the capacity of Presiding Officer unless it is to break a tie in the votes of the assembly; and
- (B) No eligible voting member of the Board of Governors may cast a vote by proxy. To be considered in the tallying of votes, a member must be physically present at the time the question is put to the vote.

Section Two:

Each member of the SBA shall be entitled to bring any motion to the floor of the Board of Governors' meeting and may speak for or against any question put before the assembly.

Article V – Committees

Section One:

This SBA Board of Governors may from time to time appoint Special Committees as are deemed necessary and appropriate.

Section Two:

The President of the SBA shall be empowered to appoint the Chairperson of these Committees and the Chairperson shall be responsible to the Board of Governors for all reports. Any chairperson who fails without good cause to report to every Board of Governors meeting shall be subject to removal from the Committee, which he or she chairs, by a majority vote.

Subsection A: Student Representative to Faculty Committee.

It shall be the duty of the election Committee, subject to the approval of the Board of Governors, to determine annually those student positions on Faculty Committees that will be filled by appointment by the Board of Governors. The terms of office, unless otherwise determined by the Board of Governors prior to the election of appointment, shall be for one year to begin on April 1 of the year, which they are elected, and ending on March 30 of the following year.

Subsection B:

The Eligibility Rules established in Article V, Sections Four, Five, Seven, and Nine shall be applicable to the Student Representatives to the Faculty Committees.

Subsection C:

The names of members of/to these committees shall be conspicuously posted in the SBA office. Each Student Representative must report back to the SBA at the first meeting of the Board of Governors, following a meeting of the applicable Faculty Committee.

Section Three:

There shall be three Standing Committees of this SBA. They are: The Election Committee, the Student Activities Committee, and the Student Review Board.

Subsection A:

The president and the six (6) other members of the Executive Board shall nominate the Chairperson/people to the Standing Committees at the very first meeting of the Board of Governors. The Board of Governors shall vote to approve/disapprove these nominations.

Subsection B:

The duties of the chairperson of the Election Committee are enumerated within this Constitution, yet he/she is also under the duty to preside over his/her committee and formulate the rules and regulations which the Election Committee shall propose to the Board of Governors. Members of this committee are not eligible for any office of/over which the committee is in charge.

Subsection C:

The Chairperson of the Student Activities Committee shall plan the Student Activities calendar for the academic year. He/she will also determine dates of student functions to prevent overlapping of activities. The Activities Committee should meet at least two (2) times each semester to formulate a comprehensive student calendar of events.

Subsection D:

The Chairperson of Student Review board shall be responsible for working together with the Administration and Faculty in the selection of prospective faculty members.

Subsection E:

The duties of the chairperson of the Standing Committees may be expanded or limited by voting of the Board of Governors; however, their duties may not be limited where the by laws are specific.

Article VI – Elections (General)

Section One: Spring General Election.

The Executive board of officers and the Section Representatives returning to the Second, third, and fourth year classes shall be elected by ballot during the first week of the month of March. Their term of office shall be one (1) year, beginning on the first Monday of April of the year in which they are elected, and terminate on the same day of the following year.

Section Two: Fall Election¹.

The Section Representatives of the incoming first year classes shall be elected by ballot after the second week of September and before the second week of October. Their terms of office shall begin immediately and terminate on the last day of March of the following year. Only those members of the individual section may vote for their Section Representatives. The procedure set in Section Six and Section Seven of this Article shall be applicable to this Fall Election for first year representatives.²

Section Three: Notice Requirements.

The Corresponding Secretary shall be directed by the Executive Board to post the time, place, and dates of all elections, General and special, in a conspicuous place in the main buildings of the Law School for ten (10) days prior to the date of that election.

Section Four: Polling Times.

Subsection A (Amended April 1990):

¹ As amended November 1991, title change from “Fall General Election” to “Fall Election”. (This will avoid the ballot box requirements of Article 6, §4 and permit direct distribution and reclamation of ballots when sections meet as a whole class. Streamlining the voting process increases the efficiency of ballot counting, eliminates the need for manned ballot tables, and facilitates face/name recognition for all candidates when voting takes place)

² As amended November 1991 from: The procedure set forth in Section Six of this Article shall be applicable to this section.

Two weeks before each general or special election, the Chairperson of the election Committee shall submit to the president a list of the names of people chosen by the chair to work at the polling places for each hour the polls will be open. The chairperson shall at the same time submit to the President a list of alternative names available for each hour the polls will be open. It shall be the responsibility of the chair to ensure that the polls are open and workers are present for each hour specified in this section.

Subsection B:

The polls for the General Elections shall be opened for three (3) consecutive weekdays, at all times between the hours of 9:30 a.m. and 9:30 p.m. The three (3) days selected must be such that all students/members of the SBA have at least one (1) class scheduled on one of the three (3) days. Any student who on any one of the three days selected for voting may cast an absentee ballot prior to the first day of voting. Absentee ballots shall be available beginning one (1) week prior to the first day of voting.

Section Five: Votes Necessary to Win (Executive board).

Subsection A:

The President shall be elected by a majority vote. All other Executive Board Officers shall require to be elected by a plurality of the votes cast for each particular office. All members of the SBA may vote for the candidate of his/her choice for the Executive Board.

Subsection B:

In the case of a tie for any particular office, a run-off election shall be held within ten (10) class days thereafter. In the case of a failure to attain the majority of votes to elect a President, the run-off elections shall be held between those two (2) candidates receiving the highest number of votes.

Section Six: Votes Necessary to Win (Section Representatives).

Subsection A:

The Section Representatives shall require to be elected by a plurality of the votes cast by the members of their particular section, with the two (2) candidates receiving the most votes being elected.

Subsection B:

No person may cast his/her two (2) votes for the same candidate.

Subsection C:

In the case of a tie for any of the two (2) positions, there shall be held within two (2) class days, a run-off election in which only those candidates receiving the highest number of votes shall be listed on the ballot. The candidate who is clearly the winner need not participate in the run-off election for the second position.

Section Seven: First Year Section Petition Requirements³

Students running for first year section representative must submit to the Student Bar Association Recording Secretary, within a time period left to his determination, the following: name, phone number, section identification, mailbox number, statement of candidacy, and 25 signatures of students within their respective sections on a form to be provided by the Secretary. Compliance with this section certifies that nominee as a candidate on the ballot. There will be no exception for write-ins.

³ New Section 7 added to Article VI as amended November 1991

Article VII – Election (Special)

Section One:

In the event that an Executive Board Office becomes vacant, the interim appointment procedure shall be as follows, except as provided in Section Two of this Article.

Section Two:

Subsection A: Procedure.

1. Nominations accepted from the floor of the Board of Governors Meetings.
2. Nomination seconded by members of the SBA.
3. Nominations closed by motion from the floor.
4. Vote to close nominations.
5. Discussion of all nominees, with them present, if they so choose to be.
6. Voting by eligible members of the Board of Governors.

Subsection B:

The winner need only receive a simple majority of those votes cast. In the event that no nominee receives the requisite number of votes, the

nominee receiving the lowest number of votes will be eliminated from consideration for this office and voting shall continue in this manner until one nominee receives the required number of votes.

Subsection C:

The term of office for the winner shall begin immediately and terminate with the election of the permanent elected officer, elected at a Special Election.

Subsection D:

This Special Election shall be held no later than fourteen (14) days after the Special Meeting. The applicable rules in Articles V and VI shall apply here.

Subsection E:

No member of the Executive Board of this SBA, a Chief Executive of Law School Organization, or the Editorial Board of the Delaware Law Forum shall be eligible as a candidate for the office of President in the Special Election. If a present member of an Executive board of the Editorial Board wishes to become a candidate for office of President, he/she must first resign his/her present office.

Section Three:

Any student who seeks a position on the Executive Board at a Special election must be capable of completing the full term of office for that position.

Section Four: Vacancies for Section Representatives.

In the event that a Section representative's office becomes vacant, there shall be no interim appointment, but the following procedure shall be complied with within ten (10) class days. Nominations accepted from the individual members of the appropriate section of the class. Voting by the eligible members of the appropriate section of the class.

Section Five:

All other rules and regulation pertaining to the election of an Executive Board Member or a Section Representative shall be made by order of the President.

Article VIII – Eligibility for Office

Section One:

To be eligible to run for the office of an Executive Board position, a candidate must be a present member of the SBA and must be able to remain in that status for the term of office.

Section Two:

Students on academic probation, defined here as having a cumulative average of less than 2.00, shall be ineligible to run for any office or position with the SBA, but students otherwise eligible for election need not forfeit

their office or position because of being placed on academic probation after their election.

Section Three:

The term “General Election,” as used in the preceding section, is to be construed in accordance with Article VI, Section One and Two, of this Constitution. Any other election, necessitated by a vacancy in the Board of Governors, is deemed a Special Election and is to be construed in accordance with Article VII above.

Subsection A:

Special Elections may be held simultaneously with the Fall General Election.

Section Four:

No member of the Board of Governors may run, maintain, stand or serve for more than one (1) elected office in any academic year of this SBA. The term “elected office,” as used in this section includes the Executive Board, Section Representatives and Student Representatives to Faculty Committees only.

Section Five:

Members of the Delaware Law Forum’s Editorial Board and any organizational Chief Executive for the academic year following the Spring General Election of the Executive Board of Governors of this SBA are not eligible to run, maintain, stand, or serve as president of this SBA.

Section Six (Amended April 1990):

All other rules and regulations pertaining to the election of the Board of Governors must be proposed each year by the election Committee and approved by the seated Board of Governors before they are applicable. The President upon election, and while such serving such capacity, shall not be eligible to serve a Chief Executive Officers of any other organization duly recognized as an internal affair of the Law School. Organizations which are considered to be internal affairs of the law school include:

- (A) The Delaware Journal of Corporate Law;
- (B) The Delaware Law Forum;
- (C) The Digest;

- (D) The Moot Court Report;
- (E) Any other regularly published written periodical for which an SBA member may earn law school credit;
- (F) The Moot Court Honor Society;
- (G) All legal fraternities, including but not limited to Phi Alpha Delta and Phi Delta Phi;
- (H) Any other fraternal, social, or politically motivated group generally accepted as being associated with the Law School as evidenced by a majority of the group's members being members of the SBA, including but not limited to the Federalist Society, the American Civil Liberties Union, the Black Law Students Association, the Jewish Law Students Association, the Health Law Society, the Sports and Entertainment Law Society, the Environmental Law Society, and the Women's Law Caucus.

Article IX – Vacancy of Office

Article IX- Vacancy of Office⁴

Section One:

A vacancy shall be deemed to have occurred :

- (A) If a member of the Board resigns from office; or
- (B) If a member of the Board is removed from office (see Article X for impeachment procedures); or
- (C) If a member of the Board is no longer a student at Widener University School of Law.

Section Two:

In the event that an office listed in Article II, Section Two, Subsections A-F becomes vacant within four months of the general election, the following procedure shall be followed:

1. The next ranking member of the Executive Board pursuant to Article IV, Section Two, Subsection A shall fill the position.
2. That ranking member's position shall remain vacant until the next general election

Section Three:

In the event of an office listed in Article II, Section Two, Subsections A-F becomes vacant between one year and four months and one day of the general election, the following procedure shall be followed:

1. A special election shall be held within one month of the vacancy
2. The special election requirements will follow those set forth in Article VII

Section Four:

In the event that a Section Representative's office becomes vacant, there shall be no interim appointment, but the following procedure shall be complied with within ten (10) class days:

- (A) Nominations accepted from the individual members of the appropriate section of the class.

⁴ New sections 2 and 3 added, replacing previous section 2, and previous section 3 now section 4, as amended December 3, 2002

(B) Voting by the eligible members of the appropriate section of the class.

Article X – Impeachment and Review

Section One (Amended April 1990):

Whenever any elected officer of the Executive Board, Section Representative of the Board of Governors or any chairperson to Committee or Committee Member, breaches an expressed or reasonably implied duty, imposed upon him/her by this constitution, or any standing rule of this SBA, he/she may be subject to impeachment according to the procedure set forth in this Article.

Section Two:

A motion for impeachment, containing all charges, shall be made by any member of the SBA at a meeting of the Board or Governors. A motion must be seconded.

Subsection A:

Once the motion for impeachment is seconded, the panel for impeachment shall be convened.

Section Three:

The following five (5) members of the SBA shall be the members on every Panel of Impeachment.

- (A) The President of the SBA.
- (B) The First vice President of the SBA.
- (C) The Second Vice President of the SBA.
- (D) Two elected members by the Board of Governors.

If the President, First Vice President, or Second Vice President are being impeached, their position on the Panel for Impeachment shall be filled by the next ranking member of the Executive Board pursuant to Article IV, Section Two, Subsection A.

The Board of Governors shall elect two (2) members from the Board of Governors to the elected positions on the panel for Impeachment. The Board of Governors shall also elect from the Board of Governors an alternate who shall serve on the Panel for Impeachment in the event that one (1) of the elected members on the Panel for Impeachment is being impeached.

Section Four:

It shall be the duty of the Impeachment Panel to determine by a majority vote whether or not the accusation is with or without merit. If the Impeachment Panel determines that the accusation is with merit the Panel shall make a Motion for Review.

Section Five: Procedure.

- (A) A Motion for Review containing all charges and specifications must be made at a meeting of the Board of Governors by a member of the Panel for Impeachment.
- (B) The Motion must be seconded.
- (C) The Motion is tabled automatically and shall be the first order of business at the very next meeting of the Board of Governors.
- (D) The Corresponding Secretary shall secure the address of the accused and mail to him/her a copy of all the charges and specifications, and register with return receipt requested said letter with the Postal Authorities.
- (E) The procedure for introducing testimony shall be as follows:
 1. The maker of the motion or his/her designate may first speak for the motion.
 2. After the maker is finished, the accused may address the Board of Governors.
 3. After the accused is finished, the maker of the motion may call upon any and all witnesses to testify. No oath need be taken.
 4. The accused may then call any and all witnesses to testify.
 5. The maker and the accused may then give closing arguments in that order.
 6. The motion shall go to the Board of Governors for a vote. Two-thirds of the Board of Governors is needed for removal.

Section Six: Appeals.

If more than forty percent (40%) of the voting members of the Board of Governors are absent from the meeting in which the vote on the motion is taken, the appellant may call for a new vote on the Motion to Review at the very next regular meeting of the Board of Governors where at least sixty-one

percent (61%) of the voting members are present. Either party may make the appeal on this ground.

Section Seven: Vacancies.

Any vacancy created by an impeachment must be dealt with in accordance with Article VII of this Constitution.

Article XI – Amendments

Section One:

Proposed amendments to this Constitution must be submitted in writing to the President or Presiding Officer and to the Recording Secretary before the motion is made at the Board of Governors meeting.

Section Two:

To amend this Constitution, a two-thirds vote of the votes cast of the SBA is necessary, subject to Section Four of this Article.

Section Three:

There shall be no need to submit to the membership of the SBA, a detail of the debate on the amendment, but such accounting is not prohibited.

Section Four:

Once the proposed amendment is announced, it shall be debated upon by the Board of Governors. To place the amendment on a ballot for the SBA's determination, the amendment must first be approved by the Board of Governors. Once this is accomplished, the Recording Secretary must post a notice for one (1) week in a conspicuous place in the main building of the Law School. At the end of the week, there shall be two (2) days in which the SBA shall vote on the amendment. Two-Thirds of those votes cast are necessary to amend.

Section Five:

If proposed amendment is passed, it shall take effect immediately unless a specific date is specified.
open to any member of the SBA.

AMENDMENT I (April 1990)

The Inter-Campus Council

The Widener University School of Law has campuses in Harrisburg, Pennsylvania, and Wilmington, Delaware, each of which has its own Student Bar Association. The SBAs operate independently of each other while, however, maintaining close liaison. The purpose of the Amendment is to clarify the relationship between these associations as follows:

Section One:

Each campus shall have a distinct set of SBA members, officers, Board of Governors, and committees as described in this constitutional amendment, which shall govern only at their campus of enrollment and which will be autonomous of the other campus.

Section Two:

The campuses shall be in official communication with each other through the "Inter-Campus Council."

- (A) The Inter-Campus Council shall be an informative and communicative entity, not a decision making body.
- (B) The Inter-Campus Council shall be made up of two members, one from each campus, appointed by their respective presidents and approved by their respective executive boards.
- (C) Members of the Inter-Campus Council are required to attend each Board of Governors meeting at their own campus. Each member will communicate to the other member important information concerning events and occurrences at his or her own campus. Each member will then disseminate at the information received a next Board of Governors meeting at his or her own campus.

AMENDMENT II (April 1990)

Fund Request Requirement

In order to create a Fund Request Requirement for student groups and the Executive Board to follow when a student group request for specific events, it has been resolved as follows:

Whereas, the Student Bar Association or Widener University School of Law has been duly elected by all the students to serve the needs of all the students, the Student Bar Association shall make no appropriation of student body funds to any student organization that is requesting funds for any activity not open and available to all students.

AMENDMENT III (November 1991)

Widener University School of Law will replace Delaware Law School of
Widener University in all documents.

AMENDMENT IV (December 3, 2002)

Article IX- Vacancy of Office

Section One:

A vacancy shall be deemed to have occurred :

- (D) If a member of the Board resigns from office; or
- (E) If a member of the Board is removed from office (see Article X for impeachment procedures); or
- (F) If a member of the Board is no longer a student at Widener University School of Law.

Section Two:

In the event that an office listed in Article II, Section Two, Subsections A-F becomes vacant **within four months of the general election**, the following procedure shall be followed:

- 3. **The next ranking member of the Executive Board pursuant to Article IV, Section Two, Subsection A shall fill the position.**
- 4. **That ranking member's position shall remain vacant until the next general election**

Section Three:

In the event of an office listed in Article II, Section Two, Subsections A-F becomes vacant **between one year and four months and one day of the general election**, the following procedure shall be followed:

- 3. A special election shall be held within one month of the vacancy
- 4. The special election requirements will follow those set forth in Article VII

If this proposed Amendment is approved pursuant to Article XI, Section Two through Four, then this amendment shall take effect the date that it was proposed (December 3, 2002), pursuant to Article XI, Section Five.