

27 October 2014

Opinion¹: Trophies

Issue/Question:

1. Can the Lieutenant Governor (and, more broadly, the Executive Branch) purchase and use a new trophy for the Best Delegation award?
2. Can each delegation winning Best Delegation be provided a unique trophy?

In regards to #1, the answer is somewhat complex. Title 9, Section 300 of the OIL Statutes state:

"The delegation receiving the greatest number of points from all three branches combined, as verified by the Secretary of State and Governor, shall receive the traveling trophy: the same shall return it at the following session of O.I.L. at which time the delegation shall receive a permanent plaque recognizing it's achievement. Responsibility of obtaining said plaque shall rest with the Secretary of State."

The term "the traveling trophy" is not defined in either the Statutes or Constitution, nor is it mentioned anywhere else in them.² There is a precedent of there being a specific trophy (suggested by "the"), which would seem to undermine the ability to replace it. However, it seems impractical to suggest that the Statutes would be referring so specifically to one particular trophy that it could not be replaced if need be. (After all, if it could not be replaced according to statute, what would be done in the case of loss, damage, or theft?) Thus, the Statutes should be interpreted as stating that at any one time there can only be one traveling trophy, and that a new trophy can be selected as "the traveling trophy" to replace an old one as necessary.

The Statutes don't specify who purchases trophies, just that the Secretary of State is responsible for the plaques to replace the traveling trophy when it's returned. Thus, there should not be an issue if the Governor wants the Lieutenant Governor to handle trophy purchases.

In regards to #2, the short answer is: no. While the interpretation above suggests the traveling trophy could be replaced from time to time as needed, it would violate the intent of the Statutes to inaugurate a new traveling trophy at each session to provide each winning delegation a unique trophy. The intention of a trophy being used across numerous sessions is indicated by the statutes specifically providing for its return and the subsequent awarding of a plaque.

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¹Title 5, Chapter 4, Section 400

² It's also the only time a trophy is mentioned. Thus, technically, I don't think we would even have to present trophies to Best Delegate, Best Freshman, etc. It's a good practice, but not constitutionally or statutorily required.