

Bill 006

A Bill to Clarify Procedures for When a Piece of Legislation is Withheld from the Senate Agenda

Sponsored by: Senator Sijgers

Co-Sponsored by: Senator Birth, Senator Bracey, Senator Lucardi, Senator Marsden, Senator Schlee, Senator Schmidt, Senator Zentz

Whereas,

It is within the power of the President of the Senate to set the agenda for each Senate meeting.¹

Whereas,

Included in these powers is the right to withhold pieces of legislation from the Senate meeting's agenda.²

Whereas,

Presidents of the Senate have used this power in the past, without the benefit of codified language. This can and has caused confusion surrounding the powers of the President of the Senate.

Whereas,

The Constitution clearly states that "All legislative power shall be vested in a Senate"³ and that in doing so "The Senate shall determine the rules of its proceedings concurrent with a majority vote."⁴

Whereas,

Senators work hard to bring legislation to the floor, and in the case that this legislation is blocked, it is important that the reason for such action on the part of the Vice President, be articulated to the body.

Whereas,

In the past, it has been customary for the President of the Senate to give no notice of withheld legislation, meaning that the rest of the Senate body is left without knowledge of this legislation or the reasoning behind the use of this power.

Whereas,

If any Senator were to motion to bring this legislation to the floor of the Senate, there would be the chance that many Senators would be voting on a piece of legislation they have not had the opportunity to read.

Whereas,

¹ Senate Bylaws: Article VI, Clause 3

² Senate Bylaws: Article VI, Section 1, Clause 3

³ Student Government Association Constitution: Article II, Section 1, Clause 1

⁴ Student Government Association Constitution: Article II, Section 5, Clause 2

This is not a reasonable way to conduct business, as Senators should be provided with any relevant documents for each Senate meeting as outlined in Article VI, Section 1, Clause 3.

Whereas,

The following edit to the Bylaws will clarify the procedure for the President of the Senate's use of this power, and ensure all Senators have the necessary knowledge to address any pieces of legislation that have been withheld.

Whereas,

Asking the President of the Senate to include a short explanation of their choice to bar legislation from the floor will ensure transparency and dissuade any accusations of acting with bias.

Whereas,

This revision would only apply to legislation that has been officially submitted by the 48 hour deadline,⁵ not any other legislation that is being drafted, discussed, or theorized.

Be it enacted that,

The Student Government Association Senate, acting in its official capacity as the representative of the undergraduate student body of The Catholic University of America, hereby requests that Article VI, Section 1 have the following subsections added to clause 3:

(i). In the case that the President has withheld a piece of legislation from the floor, it is their duty to include the withheld piece(s) of legislation in the aforementioned e-mail along with a short explanation for the President of the Senate's decision.

(ii). Senators may motion to bring the withheld legislation to the floor, during the meeting for which such legislation was intended. If a 3/4ths majority of Senators vote in favor of such motion, the legislation must be treated as any other on the agenda.

Agreed to by a vote of _____ yeas to _____ nays on this date: _____ with _____ abstaining and _____ not present.

Gerald Sharpe
President of the Student Government Association

Gemma del Carmen
Vice President of the Student Government Association

⁵ Senate Bylaws: Article V, Section 4, Clause 5