

Bill 005

A Bill to Ensure Fairness in Establishing the Senate Agenda

Sponsored by: Senator Musick

Co-Sponsored by: Senator Besendorfer, Senator Curioso, Senator
Henriquez, Senator Kruger

Whereas,

According to the Senate Bylaws, the President of the Senate has “the power to format and set the agenda for each Senate meeting” and is responsible for its timely distribution.¹

Whereas,

Though not explicitly stated, it is implied that the President of the Senate has the power to withhold pieces of legislation from the agenda through the President of the Senate’s power to set the agenda.

Whereas,

Presidents of the Senate have used this power in the past, withholding legislation that is comprehensive and well-researched.

Whereas,

The Constitution of the Student Government Association clearly states that “all legislative power shall be vested in a Senate”² and that in doing so “the Senate shall determine the rules of its proceedings concurrent with a majority vote.”³

Whereas,

Senators already have means of recourse for passed legislation. Article V, Section 5 of the Senate Bylaws allows Senators to override a Student Government Association President’s veto with a three-fourths majority vote of the Senate, making the once-vetoed legislation binding.

Whereas,

Senators work dutifully and arduously to bring legislation to the floor. In the case that this legislation is withheld, it is imperative that the reason for such action be expressed to the Senate and the student body by the President of the Senate in an effort to provide transparency and clarification.

Whereas,

By withholding legislation, the President of the Senate ensures debate on the topic at hand will not occur, a powerful tool which necessitates transparency and cooperation with both the sponsoring senators and the Senate at-large.

Whereas,

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

² *Student Government Association Constitution*: Article II, Section 1, Clause 1

³ *Student Government Association Constitution*: Article II, Section 5, Clause 2

The President of the Senate currently has no obligation to give notice of withheld legislation. If legislation is blocked from the agenda, the rest of the Senate is left without knowledge of this legislation draft or the reasoning behind this exercise of the President of the Senate's power.

Whereas,

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

Whereas,

As outlined in Article VI, Section 1, Clause 3 of the Senate bylaws, Senators should be provided with any and all relevant documents in a timely manner before the next Senate meeting. It would be unreasonable, and a disservice to the student body, for Senators to vote on legislation without all the knowledge that would normally be made available to them.

Whereas,

Asking the President of the Senate to include an explanation of their decision to bar legislation from hitting the floor will ensure transparency and dissuade any accusations of acting with bias or malice.

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 the following clause be added to Article VI, Section 1 of the Senate Bylaws:

Article VI, Section 1, Clause 4: In the event the President of the Senate 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. Before adopting the agenda, Senators may motion to bring the withheld legislation to the floor, during the meeting for which such legislation was intended. If a two-thirds (2/3) majority of Senators votes in favor of such a motion, the legislation will be added to the agenda to be the last piece of new business and must be treated as any other legislation already included on the agenda.

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 the numbering of the clauses of Article VI, Section 1 of the Senate Bylaws herein included shall be renumbered as follows:

- The current Article VI, Section 1, Clause 4 shall be relabeled as Article VI, Section 1 Clause 5
- The current Article VI, Section 1, Clause 5 shall be relabeled as Article VI, Section 1 Clause 6
- The current Article VI, Section 1, Clause 6 shall be relabeled as Article VI, Section 1 Clause 7

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

Anthony Crnkovich
President of the Student Government Association

Maevis Fahey
Vice President of the Student Government Association

