



73rd Student Senate
Rules of Procedure Ad Hoc Committee Agenda
April 2nd, 2021 | Zoom Meeting ID: 909 196 4098

Call to Order: 6:08pm

Members Present: Chair Linsky, Senators England, Lessard, Randall, Soto, Tackett, Parliamentarian Rowan

Members Tardy: Senator Little

Members Absent:

Guests:

Announcements:

- None

Student Comments:

- None

Committee Business:

- **Adopt the New Rules & Procedures**
 - Senator Randall motions to adopt the Rules & Procedures
 - Senator Soto seconds
 - Senator England objects
 - Opening statement, Parliamentarian Rowan:----
 - Senator Randall: What is 1.4 an amendment to?
 - Parliamentarian Rowan: What I mean is an amendment to the rules. This came after asking Chair Linsky about this.
 - Senator Randall: Would you be open to changing the word “amendment” regarding the rules and procedure?
 - Parliamentarian Rowan: I would be open to that.
 - Senator Randall: How will rule changes be talked about in committee? Are they going to be talked about in committee or will they be written down?
 - Parliamentarian Rowan: If there is something that we think is urgent and needs to be moved immediately, then we can work on that. We will figure out on the changes that we need to agree on and then we will vote on the changes that we want. After that, we would sponsor the resolutions regarding the rule change(s).
 - Chair Linsky: I think a legislative roundtable would be the best thing for us to have when we are done with our committee business.



- Parliamentarian Rowan: This report does not turn into just one omnibus resolution, which is why I included Rule 3.2.3, which would make us work efficiently so that we do not have extensive resolutions.
- Senator Randall: What is your thought about how we will be presenting the resolutions? Would every rule have its own resolution?
- Parliamentary Rowan: Essentially, this would be something that the whole committee should talk about during the roundtable.
- Senator Randall moves to enter into roundtable on this item
- Senator England seconds
- Senator England: My issue is that we should not be limiting ourselves. President Harmon does not want our time to be limited and be around for the entirety of the 73rd senate. If we adopt the report earlier than the end of the 73rd, then we are basically saying that we are done. I think there needs to be a discussion with the President and with the Chair as to when the committee should be done with their report. I think we should keep the language vague, so if we were to close it before that, then that should be initiated with a conversation with the President and the Chair. I know that this version is outdated, and we have passed rules that included ad-hoc committees, but I am not sure where we can find it.
- Parliamentarian Rowan: **POI**- There is language about the dissolution of the ad-hoc in the Rules of Procedure.
- Senator Randall: The final report could serve as a summary of what happened.
- Chair Linsky: **POC**- I do interpret Rule 3.6 for us to be dissolved, but I am uncertain as to how Statute 100.1 would affect us.
- Senator Randall: **POC**- It helps to stop students from using outdated Rules and Procedures, which is why it says every 6 months up to a year. I would argue that when they are implemented is when the document is updated.
- Senator England: **POC**- My worry is legislation from this committee. Is submitting legislation a report of the committee?
- Parliamentary Rowan: **POC**- If we see something that we think is very urgent, then we can have someone address that rule change as a resolution. This committee is supposed to be an exception to the rule. We are here to do one massive overhaul, in which changes get sent to the Rules and Calendar committee.
- Senator England: The issue here is how Statute 3.2.2 and 3.2.4 states that we cannot produce anything until the end of the 73rd. What if we passed something jointly? The way it seems to me is that the report needs to be filed first before legislation is submitted. I think if we want to wait until November to get work done, then we can leave this rule in there, but I want to get work done.
- Senator Randall moves to strike 3.2.2 “the senator(s) that will serve as primary sponsor(s)
- Senator England seconds
- Sponsor finds amendment friendly
- Senator England: I am wondering if we need to add an “if applicable.”



- Senator Randall: What is the point of 3.2.3? Are you okay with me striking that?
- Parliamentary Rowan: With 3.2.3, I wanted to stretch a middle ground where we could package the rule changes and submit an omnibus resolution. I do not want this committee to outlive its usefulness.
- Senator Randall moves to change “jointly” in 3.2.3 to “within the same resolution”
- Senator England seconds
- Sponsor finds amendment friendly
- Chair Linsky: I was hoping that we would be able to take a step back and ask ourselves if the new rule changes would be cohesive with other changes we deem appropriate. Otherwise, our work will amount to additional burdens for future sessions of the senate.
- Senator England: Does the verbiage of 3.2.4 make any use? It does not make sense to me.
- Senator Randall: I think it needs to stay in the end. It is like a scrapbook.
- Parliamentarian Rowan: We could look at this holistically.
- Senator England: That is fine, it would just exclude anything that we do in the meantime.
- Parliamentarian Rowan: And if that change would be made, then we could always add it and it would show up.
- Senator England: I just wanted to make sure that we can do work while also have a purpose for the committee.
- Chair Linsky: Would it be possible to add verbiage where we add “final” before “report?”
- Senator England moves to add the word “final” before the word “report” within all of Rule 3
- Senator Little seconds
- Sponsor finds amendment friendly
- Senator Little: **POI**- The final report would not be voted on, so would it be more like an informative report?
- Parliamentarian Rowan: Yes, we can have this be an informative report and the Chair and Vice Chair could sponsor the resolution.
- Senator Little: **POI**- Who is the governing body of the report?
- Parliamentarian Rowan: I believe that it would be us.
- Chair Linsky: I think that Rule 3.5 clarifies that this rule would this report would be sent to Rules and Calendar and with the Senate President.
- Senator Randall: We are allowed to show up to any committee, so I think we could just show up to committee meetings and let them know what we have on our report
- Senator England moves to call to question
- Senator Randall seconds
- Closing statement, Parliamentarian Rowan:-----
- Vote: Y: **6** England, Randall, Little, Soto, Rowan, Tackett N: **0** A: **0**



- **Vice Chair elections**
 - Parliamentarian Rowan motions to open the floor for nominations
 - Senator England seconds
 - Parliamentarian Rowan nominates Senator Tackett for Vice Chair
 - Senator Little seconds
 - Senator Tackett accepts nomination
 - Parliamentarian Rowan motions to close the floor the nominations
 - Senator Little seconds
 - Senator Tackett wins Vice Chairship by acclamation
- **Committee Legislative Roundtable**
 - Senator Little moves to enter into legislative roundtable
 - Senator Tackett seconds
 - Parliamentarian Rowan: Before the start of the 73rd, I was up until 3am with the former Parliamentarian and we came up with some rule changes. I am sorry to say, but it is 26 pages long full of rules.
 - Senator Little: Have you talked to Senator Villacorta about his legislation that is stuck in committee right now?
 - Parliamentarian Rowan: Yes I have, and I know that there is an issue in the Rules and Calendar committee as to how long legislation should be tabled for.
 - Senator Randall: We should not rely on the Supreme Court for anything due to how many requests they currently have to tend to at the moment. I am currently trying to figure out ways as to how to fix this.
 - Senator Little: A lot of the conflicts when seeking advisory opinion is because of the vacancy of positions in the past. Now that we have a Parliamentarian, it makes our committee run smoothly and we can take advantage of the abilities of the Parliamentarian.
 - Chair Linsky: The main role of the Supreme Court is to be a constitutional check after legislation has been passed, not so much for issuing advisory opinions on pending legislation.
 - Parliamentarian Rowan: This is why I made the Qualtrics when I got confirmed. I want to be that resource that I always tell everyone about.
 - Senator Randall: My thought process is seeing it in full context and seeing how it would help or harm the rules.
 - Parliamentarian Rowan: There are some things that I have not updated yet, but I did make some changes for a bunch of rules in a document so we can see it holistically.
 - Chair Linsky: I am open to both piecemeal or line-by-line. It takes time, patience, and effort when trying to fix the rules. Doing as much work as possible would probably help each committee member get acclimated, and we will all take away different key points of tension from our individual reviews. If I could ask anyone to bring anything to the table, bring those tidbits of tension that do not seem to connect with other rules. Doing so will result in substantive debates.



- Little: If we start in a line by line format, we may be unproductive. If anyone has any independent ideas, let's start there. Once we exhaust that then we can go line by line. This will help us to start moving forward, then we can move to a more holistic approach.
- Randall: I agree, Linsky you mentioned later you have a timeline you want to work by. Lets work with what Rowan has already and then move to the holistic approach. I like a 3 month timeline to work by for independent amendments.
- Linsky: We have 16-18 different meetings until the end of november. The end of June sounds like a great timeline for the items that parliamentarian rowan put forward. The acts of going through these items will help us develop our holistic approach for the latter half of our delivery schedule.
- Little: I feel like the committee will be effective if we have "homework". That way we can be working independently and come into the meeting with ideas and have a productive meeting. I am optimistic we can meet deadlines early with these committee members and with this approach.
- England: To change the topic, we don't have to deal with it today. Rule 2.5 the power for the senate president to appoint officers has caused a lot of issues recently. The supreme court has taken it up. Their opinion is that only the SBP can appoint officers, but they misquoted. However, they feel that the point still stands
- Rowan: The remedy to that will be statutory. The senate will be behind the independence of their officers from the executive branch.
- Randall: Someone could sue on that
- Rowan: We just have to assure that it was put back into statutes that the senate president has this power with the full process that meets the interview guidelines.
- England: The senate president should have the power to appoint these officers. On the flip side, then we will be looking to change this rule.
- Linsky: The legislature can not create its own appointment power according to the supreme court. Their position is that the power to appoint must come from the constitution. I would attack this issue by saying that the Constitution does allow for this appointment power by explicit delegation to our student body statutes. This is the authority which allows for the chairs of ad hocs to be appointed and all committee members to be directly appointed by the Senate President to their respective committees. If the SC wants to stick to their guns, they will null and void all the committee work done in the committees, including this one.
- Rowan: The president does have the power to appoint officers. With my appointment we involved the executive branch*
- England: The involvement of the executive branch with your appointment was for statutory reasons.
- Little: We don't sit in the executive cabinet meetings, we all have autonomy over each other. It makes sense that they should not sit in on who we want to appoint.



- Linsky: The size of the legislative allows for more deliberation, which is why the legislature is usually the last step in an appointment process for the executive and judicial branches. Yet, these branches are subjected to legislative oversight by this process, and we should be no different in that regard. Particularly, the word “sole” authority seems like the main issue that the SC has with the verbiage of our rules of procedure. Allowing for a semblance of ministerial oversight in either the executive or judicial branch will go towards allowing a cohesive balance of power over the totality of our student government, and is a more favorable approach of attacking another branch head on.
- Rowan: We have the written rules and the unwritten rules. The problem comes with the unwritten rules and when people try to use it as precedent. I want to add these so they can be concrete rules.
- Little: Do we have the most updated rules and procedure? Many senators have had issues that rules that were passed were not implemented from the 72nd senate.
- England: There have been things that have not been added since Dr. Acostas departure. No one is to blame, it's just no one is being updated. In a meeting I had with Bowden and Anna, we found a most updated copy from February 20th, 2020. That is the most updated copy that we have.
- Little: I agree that it is no one's fault. I don't want to worry about an issue that was fixed in the 72nd. Square one is look at the copy we have and work from there. It is not a reasonable goal to assume that we will see an updated rules and procedure from the administration before this is over.
- Randall: Rowan, does your updated rules and procedures denote what was changed.
- Rowan: No.
- Randall: How do we know it is accurate?
- Little: I am not comfortable with someone in senate updating the rules
- Rowan: I am using this for my reference. I would love an addition from someone from administration
- England: This situation will only get worse. Let's make this simple. As a committee, let's go through the resolutions of the 72nd and look at the ones that were rules changes, see if it passed, once we have that final list of rules that passed let's put them in an email with the most recent Rules and Procedures to Admin so they can change it. The work to dig to find this should be on us. This is the most respectful way to go about this to get admin to change it.
- Randall: Ben young has a list of all the legislation that has passed.
- Little: Ben Young makes mistakes, we should double check it.
- Rowan: I agree with little, we need to double check him.
- Randall: Do you think every resolution that has passed is on the website.
- Little: I am not sure, we should make the attempt to fact check.
- Linsky: Does the current list of what passed look accurate?



- Rowan: Yes
- Randall: I will make an email. CC all of yall, and I will include the 13 changes towards the rules and procedures with the resolutions attached. There are 13 rules changes from the 72nd.
- Rowan: There are more than 13 changes. The website has a whole bunch of rule changes.
- Randall: I will go through it and send what I can find. I don't feel comfortable making rules and changes until we have a solid rules and procedure.
- Little: My memory of the 72nd is not the best so I am not sure of all the changes.
- Linsky: Which present senators sat on the totality of the 72nd session?
- England: I did.
- Randall: So did I.
- Linsky: England and Randall yall should be in charge of getting the updated rules from the 72nd.
- England: There are probably 12 more resolutions that we need to include from Ben Youngs list.
- Randall: I will go through all of the 72nd senate to make sure all the changes are included.
- England: We only need to do the 72nd and part of the 73rd.
- Linsky: I will set up a google doc to stay in contact. Whatever documents England and Randall come up with should be shared there and we can review them.
- Randall: All this work is going to be thrown at Anna.
- Little: We should be able to divy up the work with all of us in the committee.
- Linsky: I would like to keep this particular item limited to Senators Randall and England. That being said, I trust their discretion if they need help and am open to delegating segments of this research to other committee members and taking it on myself. Teamwork makes the dream work. Senators Randall and England have the first shot, and if they do not foresee having this item completed by our next meeting we will further delegate in the interim.
- Rowan: Move to leave legislative round table
- Soto: Second

Old Business:

- None

New Business:

- **Adopt the New Rules & Procedures**
- **Vice Chair elections**
- **Committee Legislative Roundtable**



Unfinished Business:

- None

Final Announcements:

- Announcement:
- Soto: I made a google file
- Randall: Question, do we think Young posted the ones we passed?
- Little: I believe that Young didn't miss any resolutions that passed.
- Rowan: Good starting points.
- Linsky: I'll entertain a motion to adjourn
- Little: So moved
- Rowan: Seconded.

Date and Time of Next Meeting:

Adjourned: 7:54pm

Video Recording:

https://drive.google.com/file/d/1wIP3RgZCiXOqLizurltDoWIKxc_JweDM/view?usp=sharing