



RESOLUTION No. 2020-21-08

AUTHORED BY: Jeremiah Finley, President
SPONSORED BY: A.S. Executive Committee
RECOMMENDED BY: A.S. Bylaws Committee

REFERRED TO: A.S. Board of Directors
ADOPTED: November 20, 2020

SUBJECT: An Act to Alter the Method of Legislation & Resolution

WHEREAS, the Associated Students Board of Directors of Humboldt State University (HSU) is the single recognized voice for over 6,500 students; and,

WHEREAS, the Mission of the Associated Students of Humboldt State University serves to "assist in the protection of rights and interests of the individual student and the student body," and to "stimulate the educational, social, physical, and cultural well-being of the University community"; and,

WHEREAS, the Associated Students 2019-20 Board of Directors adopted the resolution [An Act to Create a Bylaws Committee](#) ; and,

WHEREAS, the resolution states that "RESOLVED, that the A.S. Board of Directors amends the Administrative Code to include: Section 1. Membership 1. A.S. Legislative Vice President 1. Shall be the Presiding Officer of the meeting 2. Social Justice & Equity Officer (or designee) 3. Environmental Sustainability Officer 4. 3-Students from the Association, appointed by the Legislative Vice President, with $\frac{2}{3}$ vote from the A.S. Board of Directors 5. 2-Students from the Association, appointed by the Student Affairs Vice President with $\frac{2}{3}$ vote from the A.S. Board of Directors 6. 1-A.S.Representative, appointed by the A.S. President with $\frac{2}{3}$ vote from the A.S. Board of Directors 7. The Executive Director Section 2. Voting Members 1. The A.S. Legislative Vice President shall vote in case of a tie 2. 3-Students from the Association, appointed by the Legislative Vice President, with $\frac{2}{3}$ vote from the A.S. Board of Directors 3. 2-Students from the Association, appointed by the Student Affairs Vice President with $\frac{2}{3}$ vote from the A.S. Board of Directors 4. A.S. Representative nominated by the President and approved by a two-thirds ($\frac{2}{3}$) vote of the A.S. Board of Directors Section 3. Non-Voting (advisory) 1. Social Justice & Equity Officer (or designee) 2. Environmental Sustainability 3. The Executive Director Section 4.Meetings 1. Meet once a week and as deemed necessary by the Chair; Section 5.. Purpose/Jurisdiction 1. Serve as an advisory group assessing the needs and goals of the Association with respect to the maintenance and upkeep of the A.S. Codes, and Bylaws. 2. The Bylaw Committee shall have the sole power to recommend and modify the A.S. Codes and Constitution 1. Any recommendations and

modifications to the A.S. Codes and Bylaws must be brought before the Bylaws Committee for approval by majority vote. RESOLVED, that this amendment to include the A.S. Bylaws Committee will take effect at the start of the next academic year; furthermore, be it"¹ ; and,

WHEREAS, the resolution also states that "The Bylaw Committee shall have the sole power to recommend and modify the A.S. Codes and Constitution 1. Any recommendations and modifications to the A.S. Codes and Bylaws must be brought before the Bylaws Committee for approval by majority vote."²; and,

WHEREAS, this creates a conflict with the A.S. Constitution, which this body governs itself by in Article IV section B item 1: "President: The President shall be the chief executive officer of the Association elected by the Association membership. a. Serves as the official representative of the Association. b. May propose legislation to the A.S. Board of Directors. c. Chairs the Executive Committee. d. Makes appointments to committees and boards for the Association with the consent of the A.S. Board of Directors by a 2/3 vote. e. Serves as a member of the A.S. Board of Directors. f. Vote on actions or decisions taken by the A.S. Board of Directors"³; and,

WHEREAS, in order to resolve this conflict; therefore, be it,

RESOLVED, that the Associated Students Board of Directors alter the method of legislation and resolutions in the A.S. Government Code as follows:

Section 12 Format of Legislation

- 12.1. Legislation shall be defined as any Act of the Associated Students Board of Directors, other than appropriations, which makes a commitment for the Associated Students, or establishes, amends, or repeals one or more sections of the Associated Students Constitution, Code or Policy.
- 12.2. All legislation shall be titled: "An Act (followed by a brief description thereof)."
- 12.3. All legislation shall contain the following enacting clause: "Be it enacted by the Associated Students Board of Directors ...".
- 12.4. All Acts shall state that general Constitution or Code to be amended accompanied by the altered version.

Section 13 Method of Legislation

- 13.1. All New Business shall be submitted in writing to the A.S. Coordinator and Legislative Vice President by 5:00 p.m. at least 4 calendar days in advance of the meeting, if it is on

¹ [A.S. Resolution 2019-20-17](#)

² [A.S. Resolution 2019-20-17](#)

³ [Associated Students Constitution](#)

the agenda. The A.S. Coordinator (or designee) will distribute the proposed items to each member of the Board, the Executive Officers, and the Executive Director.

- 13.2. First and Second Reading Rule: Prior to taking action on A.S. Board Legislation, a first and second reading of the proposed legislation is required to occur at separate Board meetings, unless the Board approves a waiver vote as outlined below:
 - 13.2.a. The Associated Students Board of Directors may waive the second reading requirement by a simple majority waiver vote of Board Members present. If the waiver vote is approved, the Board may proceed to vote on the main motion. If the waiver vote fails, a second reading shall be required.
 - 13.2.b. A waiver vote may be called for at the end of the discussion on Legislation.
- 13.3. No action may be taken on any issue of legislation until that issue has been publicly posted for at least 72 hours before a regular meeting. Except for conditions authorized by subdivision (c) of Section 89305.5 of the Gloria Romero Open Meetings Act of 2000.
- 13.4. All proposed legislation, when presented, shall meet one of the following criteria in order to be introduced:
 - 13.4.a. Sponsored by the Bylaws Committee; or
 - 13.4.b. Proposed by the A.S. President as according to *the A.S. Constitution Article IV section B item 1*
 - 13.4.b.i. The President's proposed legislation may not go through a second reading waiver

Section 14 Effective Date of Legislation

- 14.1. All Acts and appropriations shall become effective on the date of passage unless otherwise stipulated by the Board or deferred governing body.
- 14.2. All approved legislation is to be signed and dated by the Vice President of Legislative Affairs, the Author(s), and by the President of the Associated Students, if she/he supports the resolution.

Section 15 Method of Resolutions and Proclamations

- 15.1. All New Business shall be submitted in writing to the A.S. Coordinator and A.S. Board Chair by 5:00 p.m. at least 4 calendar days in advance of the meeting, it is on the agenda. The A.S. Coordinator will distribute the proposed items to each member of the Board, the Executive Officers, and the Executive Director.
- 15.2. First and Second Reading Rule: Prior to taking action on A.S. Board, Resolutions or Proclamations, a first and second reading of the proposal is required to occur at separate Board meetings, unless the Board approves a waiver vote as outlined below:

- 15.2.a. The Associated Students Board may waive the second reading requirement by a simple majority waiver vote of Board Members present. If the waiver vote is approved, the Board may proceed to vote on the main motion. If the waiver vote fails, a second reading shall be required.
- 15.2.b. A waiver vote may be called for at the end of the discussion on, Resolutions or Proclamations.
- 15.3. No action may be taken on any issue of Resolution until that issue has been publicly posted for at least 72 hours before a regular meeting. Except for conditions authorized by subdivision (c) of Section 89305.5 of the Gloria Romero Open Meetings Act of 2000..
- 15.4. All proposed Resolutions, when presented, shall meet one of the following criteria in order to be introduced:
 - 15.4.a. Be sent from the designated email of the Board member/author, or;
 - 15.4.b. Sponsored by the Executive Committee; or;
 - 15.4.c. Be accompanied by a petition signed by not less than ten (10) Students-at-Large of Humboldt State University. This petition must include printed names, campus I. D. numbers, and signatures.

Section 16 Format Resolutions and Proclamations

- 16.1. Resolutions are statements of position on a particular issue by the Associated Students Board, acting as Representatives of the students of Humboldt State University.
- 16.2. A proclamation shall be a decree by the President of the Associated Students officially commending and/or recognizing the action(s) of an individual, group or club, or announcing special events of concern to Humboldt State University students.
- 16.3. All approved resolutions are to be signed and dated by the Vice President of Legislative Affairs, the Author(s), and by the President of the Associated Students, if she/he supports the resolution.
- 16.4. Resolutions shall be forwarded by the Associated Students Coordinator to all parties of interest, within reason, as designated by the Author(s).
- 16.5. All resolutions shall contain the following resolve clause: "Be it resolved by the members of the Associated Students Board ..."
- 16.6. No action may be taken on any resolution unless that resolution has been publicly posted for at least 72 hours before a regular meeting. Except for conditions authorized by subdivision (c) of Section 89305.5. (Gloria Romero Open Meetings Act)

- 16.7. All resolutions, when presented, shall be dated and shall meet one of the following criteria in order to be introduced:
- 16.7.a. Be sent from the designated email of the Board member/author, or;
 - 16.7.b. Sponsored by the Executive Committee; or;
 - 16.7.c. Be accompanied by a petition signed by not less than ten (10) Students-at-Large of Humboldt State University. This petition must include printed names, campus I. D. numbers, and signatures. ; furthermore, be it,

RESOLVED, that this resolution supersedes Resolution 2019-20-17 and all changes within the Codes shall be made accordingly; furthermore, be it,

RESOLVED, That copies of this resolution be sent to, but not limited to people, Associated Students Funded Programs-