



## **RUSA Bill F18-3**

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**Sponsor:** Internal Affairs Committee

### **The Permanent Legislation Act of 2018**

*Whereas* the Rutgers University Student Assembly (RUSA) enacts legislation from time to time where the legislation is meant to be effective for an indefinite period of time, and

*Whereas* it is necessary for a functioning governing body to have a proper and comprehensive record of all current rules and regulations which affects it, its subdivisions, and its members, and

*Whereas* no current system within RUSA adequately provides such record,

**Therefore, be it enacted by the Rutgers University Student Assembly (RUSA) as the “Permanent Legislation Act”:**

#### 1. Legislative Findings & Declarations

1-1. The Rutgers University Student Assembly (“RUSA” or the “Assembly”) declares it necessary to accurately record and organize an on-going, comprehensive list of all legislation enacted by the Assembly which affect its operations and the operations of its subdivisions and members on a continuing basis.

#### 2. Definitions

2-1. Within the scope of this Act, the following terms shall be defined as follows:

- (a) The “Permanent Legislation Act” as the operative clauses of this Act, and their titles and subtitles, beginning with Section 1-1.
  - (i) Amendments to this Act shall be considered to be part of this Act for the purposes of this definition.
- (b) “Permanent Legislation” as the operative clauses of any legislation, or portion thereof, where
  - (i) the legislation has been duly enacted by the Assembly; and
  - (ii) such clauses create rules or regulations which must be executed or complied with by RUSA, its committees, members, affiliated Boards or members therein, or agents of RUSA who are subject to the RUSA Code of Ethics (Standing Rules, Appendix B); and
  - (iii) such rules or regulations are not

- (1) dischargeable by any of the bodies or positions listed in (ii) above on a one-time bases, or
- (2) solely meant to express the opinion of the Assembly as in the form of a resolution, or
- (3) for the appropriation or designation of funds or other resources for a period less than three academic semesters, or
- (4) meant to serve on a temporary basis, or
- (5) explicitly stated to be temporary or not permanent legislation;

(c) All positions referenced in this Act are deemed to be the positions of the Assembly, except where explicitly stated otherwise.

2-2. Notwithstanding the criteria above, any legislation, either wholly or in part, which is ascribed the property of being “permanent legislation” in its operative clauses or the clauses of another legislation shall be considered to be “permanent legislation” under this definition.

2-3. All other terms in this Act shall have their generally understood definition, given the context of any provisions in the RUSA Constitution or Standing Rules where appropriate.

(a) Any ambiguity in terms of this Act, its terms, or its application shall be resolved in the same manner as prescribed under Article 15, Section 5(b) of the Standing Rules, as of January 19, 2018, or the successor section in subsequent amendments thereto.

### 3. Reference of Permanent Legislation

3-1. All Permanent Legislation shall be compiled into a directory, reference file, or repository, where

- (a) The Secretary shall maintain such records, which shall be ordered based on the advise and consent of the
  - (i) Secretary of the Assembly,
  - (ii) Parliamentarian, and
  - (iii) Chair of the Internal Affairs Committee; and
- (b) Such records shall be made available online where possible and made available to all RUSA Members upon request, and
- (c) Such records shall be annotated to include the initial bill number and enactment date, where known, and the bill numbers and their corresponding enactment dates for any amendments, including repealers.

3-2. Such records, which shall be ordered in a method as described above, shall be ordered based on a title and then the sections of the operative clauses of the permanent legislation, where

- (a) each new Act shall be given a new title, which may consist of alphanumeric characters and dashes and shall be ordered by subject matter, grouping like subjects together, except that

(b) any Act which specifically identifies that portion of a permanent legislation to be amended may have such language directly deleted or supplemented in the record where appropriate.

(i) The above clause shall only apply to the text within the record of permanent legislation and shall not affect the original record of any legislation as enacted by the Assembly.

3-3. Notwithstanding the provisions of Section 3-1 above, the Assembly, through legislation, may designate titles within the record and may reorder or rename such, as it may deem necessary.

3-4. In accordance with Section 3-3 above, the following ordering is designated for the following documents:

(a) The current version of the Standing Rules shall be the second legislative item within the record, ordered as “1 - Standing Rules”.

(b) The current version of the appendices of the Standing Rules shall follow, in their order under the Standing Rules, and shall be ordered as “1” followed immediately by the letter for the appendix and then followed by “ - ” and the name of the appendix.

(c) The current version of the Permanent Records Act shall be the first legislative item within the records, ordered as “0 - Permanent Legislation”.

(d) All other documents shall be numbered and named accordingly, beginning with “3”.

3-5. Any permanent legislation, or portion thereof, may be referenced as “P.L. (ordering number)” followed by the designated section where applicable.

(a) References thereto should include the date in parentheses following the reference scheme as indicated above.

3-6. The RUSA Constitution shall exist as a separate document and shall not be subject to indexing as permanent legislation.

(a) No part of this Act shall affect the Constitution or any provision therein.

#### 4. Permanent Legislation, as of the enactment of this Act in 2018

4-1. The following legislation, as amended and supplemented, shall be considered Permanent Legislation as of the first enactment of this Act, and shall appear as such in their current forms:

(a) The Standing Rules, including its appendices,

(b) The Standing Order to Adopt Revised Amendment Procedures (Resolution F16-6),

(i) except that this order shall not be misconstrued to prohibit the submission of the text of amendments directly to an online source of pending bills or resolutions (e.g., Google Docs),

(c) The Elections Code,

- (d) The Allocations Guidelines, and
- (e) The RUSA Allocations Process Transparency Act (RAPTA), and
- (f) The final two enactment clauses of the Bill to Create Foam Free Events (Bill F16-6) and the first and last enactment clauses of Bill to Host Zero-Waste Events (2016),
  - (i) both of which shall be considered as one piece of permanent legislation, and
- (g) this Act upon passage by the Assembly.

5. Repealer

5-1. Any legislation which would meet the definition of permanent legislation which is also not listed in Section 4-1 of this Act and which was enacted prior to January 1, 2018 shall hereafter be considered repealed, ineffective, and not enforceable.

5-2. This Act shall not prohibit any repealed legislation from being reintroduced in whole or in part.

5-3. The repealing of such legislation shall be considered to be done without prejudice to said legislation and shall not affect any opinions or other sentiments of the Assembly as expressed in said legislation.

6. Severability

6-1. In the event that any provision of this Act contradicts the RUSA Constitution, or the Standing Rules, or any subsequently enacted legislation, such provision shall be deemed nullified.

6-2. No portion of this legislation, except those rendered nullified under Section 6-1 above, shall be deemed void because of any actions of the Assembly listed in Section 6-1 above.

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RUSA President

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Date