



The Student Senate

Texas A&M University

S.B. 64-62

The Student Senate
64th Session
Texas A&M University

Introduced By: Cody T. Vasut, Off-Campus
Paul Boehm, Rules and Regulations Chair

PASSED
November 30, 2011

Action Taken

Certified By:

Tanner Wilson
Tanner Wilson
Speaker of the Senate

Duly Approved:

Jeff Pickering
Jeff Pickering 12-7-11
Student Body President

The Sunset Commission Act *Special Designation: Act of the Senate*

"An act providing regulations for the annual review of the committees, commissions, and other offices of the executive and judicial branches, as well as the legislative commissions."

Whereas(1): It is necessary for the Student Senate to provide basic regulations governing the annual review of all existing entities of the Student Government Association, excluding the Student Senate, Judicial Court, and office of the Student Body President.

Therefore
Let it be

Enacted(1): That this Act shall take effect on February 20th, 2012; and,

Therefore
Let it be

Enacted(2): That Title V Chapter 403 of the Student Government Association Code is created to read as follows:

CHAPTER 403 – THE SUNSET COMMISSION ACT

ARTICLE I. LEGISLATIVE INTENT AND PURPOSE



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Further Certified By: *Tanner Wilson*

Tanner Wilson
Speaker of the Senate

SECTION I. The Student Senate intends this Act to set forward regulations governing the annual review of the committees, commissions, and other offices of the executive and judicial branches, as well as the legislative commissions, that have been established by statute pursuant to the Constitution.

ARTICLE II. MEMBERSHIP OF THE COMMISSION

SECTION I. SUNSET COMMISSIONER. The commissioner of the Sunset Commission shall be the Student Body President, or his or her designated member of the executive cabinet. The commissioner of the Sunset Commission is not required to be confirmed by the Student Senate.

SECTION II. SUNSET COMMISSION MEMBERS. The membership of the Sunset Commission shall be the following individuals:

- (a) THE EXECUTIVE BRANCH MEMBERS. There shall be three (3) members from the executive branch which shall include the Student Body President and two (2) members of the executive cabinet.
 - (1) Each of these three members may designate another member of the executive cabinet or member of an executive cabinet member's team or committee to serve in their place for any number of meetings of the Sunset Commission.
- (b) THE STUDENT SENATE MEMBERS. There shall be three (3) members from the Student Senate which shall include the Student Senate Finance Committee Chair, or such other officer of the Senate in charge of the Student Senate committee vested with power to approve the SGA budget; the Speaker of the Senate; and the Student Senate Rules and Regulations Chair.
 - (1) Each of these three members may designate a Student Senator to serve in their place for any number of meetings of the Sunset Commission.
- (c) THE JUDICIAL COURT MEMBER. The Chief Justice, or his or her designated Justice of the Judicial Court.
- (d) ADVISORS. The advisor(s) of the Student Government Association may attend meetings of the Sunset Commission and may serve as advisory non-voting ex-officio members of the Sunset Commission.

SECTION III. QUORUM. A quorum of five (5) members of the Sunset Commission shall be necessary to conduct any business.

ARTICLE III. COMMITTEE, COMMISSION, AND OTHER OFFICE EVALUATION

SECTION I. EVALUATION QUALIFIERS. Committees, commissions, and other offices of the executive and judicial branches, and legislative commissions, are required to be evaluated based upon the four qualifiers once every three (3) years. The commissioner of the Sunset Commission shall determine whether another office of the executive or judicial branch must be evaluated by the Sunset Commission at the commissioner's discretion; however, all established committees or commissions of the executive or judicial branches, or any legislative commission, must be evaluated.

- (a) Whether the entity is in compliance with all applicable Constitutional provisions, statutes, rules or procedures, or Texas A&M University rules and procedures;
- (b) Whether the entity is adequately perpetuating its mission statement and primary charge(s);
- (c) Whether the entities' membership is upholding the core values of Texas A&M University; and,
- (d) Whether the entity is serving one of the four interests:
 - (1) Developing service and leadership potential of current or prospective students at Texas A&M University;
 - (2) Serving the interests of current students at Texas A&M University;



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- (3) Promoting the Aggie Spirit, traditions, and core values of Texas A&M University; or,
- (4) Providing a service to the Texas A&M University campus or the Bryan/College Station Community.

SECTION II. NOTIFICATION. The entities being evaluated shall be notified on or before September 1st of the academic year (fall and immediately following spring academic semesters) during which they will undergo the evaluation process. The evaluation may occur at any time during the fall or spring academic semesters; however, it must occur before that entities officer transition period provided in the entity's by-laws or April 15th, whichever occurs first.

SECTION III. EVALUATION PROCEDURE. The evaluation shall be conducted in the following format, or a substantially similar format:

- (a) The entity shall make a presentation with materials deemed relevant to the evaluation process by the entity. The commissioner of the Sunset Commission shall advise the entity on what is relevant and pertinent. Any entity who substantially complies with the advice of the commissioner of the Sunset Commission on relevance may not be deemed to have failed to supply relevant material to the Sunset Commission.
- (b) A question and answer period shall follow.
- (c) A period of time shall be set aside for the Sunset Commission members to comment on the entity's presentation and materials.
- (d) The Sunset Commission members shall deliberate on the entity's presentation, materials, and status in closed deliberations.
- (e) The status of the entity shall be determined by a majority vote of the Sunset Commission membership present and voting at an announced meeting. The individual votes of the members shall be made public upon request. The status options include:
 - (1) "Approved"
 - (i) Approved entities should:
 - a. Complete the evaluation procedure in its entirety with all required materials and information;
 - b. Be in compliance with applicable provisions of the Constitution, the statutes, and the various rules or procedures;
 - c. Perform at budget or under budget; and,
 - d. Give due consideration to recommendations and suggestions from the Sunset Commission.
 - (2) "Under Review"
 - (i) Under review entities are entities who:
 - a. Have not completed the evaluation procedure in its entirety with all required materials and information;
 - b. Have been found to not be in compliance with applicable provisions of the Constitution, the statutes, or any rule or procedure;
 - c. Have been found to be unwilling to give due consideration to recommendations and suggestions of the Sunset Commission; or,
 - d. Is an entity which has not been reviewed at least once during the past three (3) years.
 - (ii) An entity shall remain under review for one (1) year from the date the original evaluation was conducted or, if it is a new entity, until it completes its first review and receives an approved status.



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- (iii) The entity shall undergo an evaluation again within ten (10) days before or after the expiration of one (1) year from the date the original evaluation was conducted.
- (iv) Any entity that is not placed under the status of "accepted" by the Sunset Commission shall automatically be forwarded to the Student Senate with a recommendation for removal or other legislative action to remedy deficiencies in the entity, as determined by the Sunset Commission.
- (3) "Removal or Amendment"
 - (i) Removal or amendment entities are entities who
 - a. Fail to fulfill the requirements of a follow-up evaluation under Sub-Division (2) above; or
 - b. Who have committed severe violations of the Constitution, the statutes, or any rule or procedure; or
 - c. Who have been disciplined by Texas A&M University for any significant violation of Texas A&M University rules or procedures.
 - (ii) The commissioner of the Sunset Commission shall forward a letter to the Student Senate summarizing what legislative action is requested to be taken regarding any entity placed under the status of "removal or amendment."
- (f) Written evaluations or reviews of the entity shall be completed by each Sunset Commission member and shall be submitted to the commissioner of the Sunset Commission.
- (g) The commissioner of the Sunset Commission shall compile the evaluations or reviews from the Sunset Commission members.
- (h) A follow up meeting shall be scheduled and conducted with the entity and the commissioner of the Sunset Commission in order to review the Sunset Commission members' evaluation or report results.

SECTION IV. DISCIPLINARY POWERS. The Sunset Commission shall have power to remove any executive branch committee chair or commissioner, executive branch committee or commission member, judicial branch committee chair or commissioner, judicial branch committee or commission member, legislative commissioner or commission member, or any other office holder under the executive or judicial branches, excluding members of the executive cabinet, Justices of the Judicial Court, or the Student Body President.

- (a) Removal may only be for cause: for gross dereliction of duty, for a substantial violation of the Constitution, the statutes, or any rule or procedure, or for conduct violating the Aggie Code of Honor.

SECTION V. PROSECUTORIAL POWERS. The Sunset Commission shall have standing to sue in the Judicial Court to seek to remedy any violation of the Constitution, the statutes, or any rule or procedure by any committee, commission, or other office of the executive or judicial branches, or any legislative commission.