

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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October 2, 2019

TO: Senate Records Access Officer/Secretary of the Senate Alejandra Paulino, Esq.

FROM: Elena Ruth Sassower, Director
Center for Judicial Accountability, Inc. (CJA)

RE: FOIL/Records Request: Resolutions Pertaining to Senate Rules for 2019-2020

On Wednesday, January 9, 2019 – the first day of the 2019 legislative session – the Senate voted to approve a “Senate Resolution by Senator Stewart-Cousins, to adopt the Rules of the Senate for the years 2019-2020” (transcript, p. 49).

The Senate’s webpage for the resolution – Resolution 3 – furnishes the text of the resolution – and a single entry for “ACTIONS”, *to wit*, “09/Jan/2019 ADOPTED”. Completely empty is the section of “RESOLUTION DETAILS”.

Germane are the following two Senate rules for 2019-2020 – materially unchanged from the corresponding Senate rules for 2018-2019:

Senate Rule VI, §9 entitled “Resolutions”:

“a. All original resolutions shall be in quadruplicate, and no original resolution may be introduced unless copies thereof first shall have been furnished, to the extent practicable, forty-eight hours prior to the time for acting on such resolution to the Temporary President and Minority Leader. All resolutions, upon introduction, shall be referred to a standing or select committee by the Temporary President or an officer designated by the Temporary President and shall at all times remain within the exclusive control of the introducer...” (underlining added);

Senate Rule VII §6 entitled “Reports”:

“a. No committee shall vote to report a bill or other matter unless a majority of all the members thereof vote in favor of such report. Each report of a committee upon a bill shall have the vote of each Senator attached thereto and such report and vote shall be available for public inspection. A member’s vote on any matter before the committee shall be entered by the member on a signed official voting sheet delivered to the Committee Chair. ...” (underlining and italics added).

Based thereon, and pursuant to Senate Rule XIV "Freedom of Information", this is to request:

- (1) records reflecting the date Temporary President Stewart-Cousins' original resolution was introduced;
- (2) records reflecting the date the resolution was "furnished to...the Temporary President and Minority Leader";
- (3) records reflecting the date the resolution was "referred to a standing or select committee by the Temporary President or an officer designated by the Temporary President" – and which committee that was;
- (4) a copy of any memorandum accompanying the resolution, setting forth the differences between the proposed Senate Rules for 2019-2020 and the Senate Rules for 2017-2018;
- (5) records reflecting the date the committee to which the resolution was "referred" met to discuss the resolution and any proposed amendments thereto – and the vote of each committee member;
- (6) records reflecting the January 9, 2019 vote by each senator on the resolution.

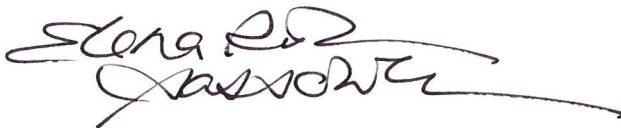
Additionally – and in keeping with Senate Rule XI, §1 entitled "Resolution to amend or suspend the Senate Rules", which reads:

"No amendment to or suspension of the Senate Rules shall be considered by the Senate unless a resolution for such amendment or suspension, together with a memorandum specifying the purpose of the proposed amendment, suspension, or rescission, shall be introduced to the Committee on Rules and reported therefrom to the Senate floor. Passing of any such rules change shall require an affirmative vote of three-fifths of all Senators elected."

please also furnish, pursuant to Senate Rule XIV:

- (1) a copy of any subsequently proposed amendments to the 2019-2020 Senate Rules, including the "memorandum specifying the purpose" of same;
- (2) the record of proceedings and votes thereon by the Committee on Rules and the Senate.

Thank you.

A handwritten signature in black ink, appearing to read "Stana R. Paulino". The signature is written in a cursive, flowing style with a long horizontal stroke extending to the right.