



**72<sup>nd</sup> Student Senate  
Judiciary Committee  
Date: November 18th, 2019**

**Call to Order:** 8:15 p.m.

**Members Present:** Chair Leckie, Vice Chair England, Senator(s): Absten, Ascanio, Gerdts, Recht, Slimak, Sojos, Weber

**Members Tardy:** None

**Members Excused Absent:** Senator(s): Primozic, Ready, Silvia

**Members Absent:** None

**Guests:** Pro-Tempore Harmon, Vice-Chair Villacorta, Elizabeth Chabot (Legislative Aid)

**Announcements:**

- Chair - Thank you for putting your confidence in me as your chair. Welcome to everyone! In our Google Drive we have 3 folders, make sure to use all of them correctly. Reviews today's agenda. Don't be afraid to ask questions.
- Vice Chair - Thank you for electing me as your Vice Chair. I look forward to working with you all!
- Members -
  - Weber: Starting a sustainability project. Meeting Friday Dec 6th 11am. More bike repair stations on campus. Explore student government funding. Looking for other people to work on this with. Long process with lots of parties involved.
  - Gerdts: Chair of Ad-Hoc committee on Grad Student seat apportionment. Come on down! Welcome to the committee, very excited to work with you all.
- Guests -
  - Villacorta: Sustainability ad-hoc will meet at some point. If you're interested in working on sustainability issues/legislation, let me know! Support your ad-hocs.
  - Harmon: If you're going to be absent from either a committee or Senate meeting, please let your chair know and fill out the absentee form. Make sure to support your funding boards and show up if they need help!
  - Chabot: Hey! Just want to introduce myself. Freshman studying political science. Here to help if anyone needs any help writing legislation or anything.

**Committee Business:**

- **Rules & Procedure Round Table** - Discussing rules for the Judiciary Committee
- **Bill 1** - Sponsored by Senator Sojos - To delete chapter 1112 from the Student Statues as the Affiliated Project of the Student Government Association, Men Advocating Responsible Conduct (MARC), is inactive.
- **Bill 2** - Sponsored by Senator Sojos - To broaden the scope and reach of campaigning for candidates living on-campus.

- **Bill 3** - Sponsored by Senator Sojos - To ensure all necessary campaign related documents submitted to the Supervisor of Elections by candidates or political parties are made publicly available before any campaign violation decision is issued by the Supervisor of Elections, the Elections Commission, or the Supreme Court.

**Old Business:**

- None

**New Business:**

- **Rules & Procedure Discussion**
  - Senator Ascanio moves to enter Round Table Discussion
  - Senator Slimak seconds
  - Round Table
    - Recht: So do we have a previous rules of procedure to go off of?
    - Leckie: It's complicated. We don't.
    - Weber: use robert's rules of order but make some changes to apply to judiciary. It's a committee which is a much more relaxed environment.
  - Gerdts moves for a non-Committee Member to speak. Ascanio seconds.
    - Villacorta: IA has a good rules of procedure which can be referenced if necessary.
    - Gerdts: Motion for non-committee members to speak are timely. Finance committee allows non-committee members to speak as long as no other committee members wish to speak. At the discretion of the chair.
    - England: To clarify, anything we don't mention will default to Senate rules of procedure.
    - Leckie: Parliamentarian Alvarez will be coming when we vote on Rules of Procedure.
  - Senator Recht motions to exit Round Table. Slimak seconds.
- **Bill 1** - Sponsored by Senator Sojos - To delete chapter 1112 from the Student Statutes as the Affiliated Project of the Student Government Association, Men Advocating Responsible Conduct (MARC), is inactive.
  - Opening Statement
    - Sojos: Bill 1 would eliminate the "Men Advocating Responsible Conduct". It's not active. There are several alternatives that have contact information and can be reached. As they're not active we should remove them from statutes.
  - Technical, Non-Detableable
    - Absten: Where are they listed?
      - Listed on FSU's tools for healthy relationships
    - Ascanio: What do they do?
      - It's not exactly clear
    - Gerdts: Have you contacted the new IA chair?
      - Nope
    - Weber: Was this referred to SLAA?
      - Nope
  - Senator Weber moves to enter Round Table Discussion
  - Senator Recht seconds
  - Round Table
    - Gerdts: I like the idea of cleaning up statutes. I do have somewhat of a qualm with doing this before contacting IA as it's somewhat in their

- wheelhouse. Would like them to be contacted. Preference for it to be tabled for a week and ask IA.
      - Sojos: It's under the President's discretion to send it to IA and he chose not to.
      - Recht: This was talked about over the summer. Everyone agrees to this clean up but we chose to wait until fall. Commends Sojos for wanting to clean statutes up and presenting this bill.
      - Weber: Thanks Senator Sojos for cleaning up statutes
    - Senator Recht moves to call the question
    - Senator Absten seconds
    - Closure:
      - I hope all of you support cleaning up statutes.
    - Vote
      - Absten - Yes
      - Ascanio - Yes
      - England - Yes
      - Gerdts - Abstain
      - Recht - Yes
      - Slimak - Yes
      - Sojos - Yes
      - Weber - Yes
    - **Bill PASSES**
  - **Bill 2** - Sponsored by Senator Sojos - To broaden the scope and reach of campaigning for candidates living on-campus.
    - Opening Statement
      - Sojos: Broaden the scope of campaigning for students living on campus. If you're not living on campus, you can campaign freely including fraternity houses. Senator Alvarez tried to limit this for fraternities a few weeks ago, so I think that if that's going to be allowed we should allow this for those living in residence halls.
    - Technical, Non-Detableable
      - Weber: Did you talk to housing or IRHC about this?
        - Talked to all the RAs in my hall
    - Senator Gerdts moves to enter Round Table Discussion
    - Senator Ascanio seconds
    - Round Table
      - Slimak: Just being aware of the relationship to fraternities and sororities, they're technically off campus hence why they are classified differently.
      - Sojos: This would allow them to post where they already can post such as bulletin boards or on their doors.
      - Slimak: Campaigning is restricted in all of the buildings.
      - Sojos: Only restricted in dining halls, libraries, etc. It wouldn't affect us.
      - Recht: First of all I find issue with 709 as a whole. You can be double charged under statutes. I take issue with editing something that is functionally wrong. I think we should just eliminate 709 and just fix 706. I think instead of trying to fix what we have here, let's tackle 709 as a whole.
  - Senator Porter entered the room.
    - Sojos: So we have an election coming up in the spring and I really don't think we can tackle the whole election code before that. I therefore think

we should try to tackle smaller things before that. I'm open to an amendment that would only allow things to be posted.

- Weber: Might get into limiting free speech issues. Forbidden in the past because the university is a government institution and they don't want us interfering with the process of studying, etc. While this could improve voter turnout - at what expense? Fears the court cases that will arise.
  - Sojos: Willing to amend to only allow posting on bulletin boards. I think they have a right to do that.
  - Villacorta: On that, candidates are different than RSOs and classified differently. IRHC are against this. They want students to have a living space on campus that is free from SGA politics if students so choose. It gives an unfair advantage to those living in the residence halls. These people could form pseudo voting blocks. Access is restricted would limit the amount of people who could post and see inside. We set the date for the spring election right before Christmas break and we shouldn't be rushing legislation regarding election code through. I think rushing it would harm the electorate more than anything.
  - Sojos: This would only allow for the posting of things. I think this is a right that RSOs have.
  - Villacorta: If you don't live there RSOs can't just walk in.
  - Gerdts: Listening to this, I think there are bits that are good and bad. I don't see the bits that are good in this bill however. I see the passion however as Senator Recht mentioned, 709 is a "gaping wound" in statutes. This is a relatively short bill trying to do a relative amount. There needs to be many favourable interpretations that we can't expect of the Student Senate and Supervisor of Elections. We are not always perfect in interpreting statutes so let's revisit this in a more long-term approach. Prefer to see this happen in an election ad-hoc or a larger discussion of election code. I still commend the sponsor for what they're trying to achieve. Amending election code takes a few months so I recommend a few more conversations take place.
  - Slimak: It takes discussion and collaboration to make things happen. Commends the sponsor for wanting to make change however encourages the sponsor to talk to others and those impacted.
  - Recht: We're all reiterating the same points. I more than anything want to pass an election code revision right now but I've come to learn that you have to go through discussion and probably an election ad-hoc and while I love the spirit, it's just unavoidable.
- Senator Sojos **withdraws** the bill.
  - **Bill 3** - Sponsored by Senator Sojos - To ensure all necessary campaign related documents submitted to the Supervisor of Elections by candidates or political parties are made publicly available before any campaign violation decision is issued by the Supervisor of Elections, the Elections Commission, or the Supreme Court.
    - Opening Statement
      - Sojos: Force the Supervisor of Elections to release all campaign statements and all related documents before any actual hearings happen or any decisions are released.
    - Technical, Non-Detableable
      - Recht: Have you reached out to the Attorney General or Supervisor of Elections?

- Nope
  - Gerdts: Would this prevent hearings on campaign hearings that aren't related to campaign statements?
    - I don't think it would. The elections commission is releasing documents now saying they've reviewed these and have accused candidates of things without releasing the facts.
- Senator Weber moves to enter Round Table Discussion
- Senator Gerdts seconds
- Round Table
  - Weber: Why did you choose this specifically?
  - Sojos: Because I think this is the biggest and broadest issue. This is the only thing campaigns submit on a broad basis and should be submitted.
  - Slimak: As brought up by Weber, I think this enters a bigger scope. Echo sentiments of Bill 2 in regards to using an election ad-hoc.
  - Recht: Civil suits instead of criminal suits. This is part of it as we have a wonky campaign financial thing. I think this is a good idea for the ad-hoc and we really need to talk to the elections Supervisor.
  - Gerdts: Campaign contributions and financial expenses are wonky parts of the election. Not a good definition of "campaign violation". Personally I would like to see this done through an ad-hoc. This passion shown is good but tackling these big things should be done in an ad-hoc.
  - Sojos: Wants to clarify that before they release their own opinion that statements should be released. If they're charging someone they should release their evidence. Still not released from Fall 19.
  - Weber: I like this bill because you can get away with not releasing all documents.
  - Recht: I would want to amend this language to change "campaign violation" to "before any opinion of any violation of chapter 710" and would table it until the ad-hoc is here.
  - Villaorta: I was lead counsel on a case. The incompetence of the election commission was at fault. They don't have an obligation to make evidence public. Additionally, considering that the final expense statements and things are made public after the certification of the election makes things very difficult and confusing. I think this bill needs to include more election code changes.
- Gerdts moves to table bill 3 indefinitely. Sojos seconds.

**Unfinished Business:** None

**Committee Legislative Round Table:**

- Slimak: Rewrote 400.2 to add a Senate Press Secretary. In doing so I would need to update Rules of Procedure. Lots to go into this and I need help!
  - Slimak moves for a non-Senator to speak. Recht seconds.
- Weber: I will be proposing reworks to our election code penalties and punishments. They don't hold people accountable currently. I've met with Law students and have had some inspiration. Open to people helping out! Will drop it in the Drive once drafted.
- Recht: Made a couple changes to election code. Legislation is in the drive. I eliminated an entire chapter. Changed the definition of campaigning.
- England: Changing threshold required for removing a sitting PAC or RTAC chair.

- Gerdts: Reapportionment bill. Remove Grad student seats but instead all Grads are considered part of their constituent college. Undergrads moving into Grad programs within the same college can retain their seat.
- Gertds: We can change COGS without their opinion. I want to put a section in that says any legislation that comes through Senate wanting to change COGS requires being tabled for 2 weeks upon being placed on second reading. This gives COGS an opinion to comment.

**Final Announcements:**

- Leckie: Good meeting! Got through 3 bills with lots of people here. Probably won't be meeting next week due to it being Thanksgiving.
- Slimak: Sweepings is this week! Deliberations on Friday of this week.
- Gerdts: Ad-hoc on reapportionment is meeting on Sunday the 24th of November at noon. Innovation hub 113.
- Porter: Finance meeting tomorrow 7:30pm Innovation Hub 125. Come see me be a Vice Chair!
- Villacorta: IA meeting tomorrow 8:00pm Thagard 401. Come see how the best committee is run!
- Harmon: Rules & Calendar will meet Wednesday at 6:00pm in Thagard 401. Discussing the committees, how Market Wednesday will be run along with meeting times and stuff like that. Talk about social media and setting the Spring election date.

**Date and Time of Next Meeting:** We will **not** be meeting next week.

**Adjourned:** 9:25 p.m.

*Griffin Leckie*

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Signature of Chair