



**72<sup>nd</sup> Student Senate  
Judiciary Committee  
Date: June 15, 2020**

**Call to Order:** 7:00 p.m.

**Members Present:** Chair Leckie, Vice Chair Chabot, Senators Cusnier, Garcia, Little

**Members Tardy:** Senator Rossi

**Members Excused Absent:** None

**Members Absent:** Senator DeJonge

**Guests:** Student Body President Levin, Senate President Daraldik, Senators Gnanam, England, Gonzalez, Parliamentarian Alvarez

**Announcements:**

- Chair - The Parliamentarian report on bills 80-82 is in drive
- Vice Chair - None
- Members - None
- Guests - England: I am here on behalf of Senator Lavender for bills 80-82. I have amendments based on the Parliamentarian report and talking to cosponsors.

**Committee Business:**

- **Bill 80** - Sponsored by Senators Lavender and England - Restructuring of the Executive Branch
- **Bill 81** - Sponsored by Senators Lavender and England - Restructuring of the Deputy Student Body Treasurer Position
- **Bill 82** - Sponsored by Senators Lavender and England - Restructuring of Appointed Executive Positions
- **Bill 84** - Sponsored by Senator Leckie - to facilitate the staffing of the Office of General Counsel
- **Bill 85** - Sponsored by Senator Leckie (P) and Senators Adamyk, Porter, Murcia, Kilinc, Martin, Little (CO) - to define the powers and duties of the Office of the Student Body Attorney General

**Old Business:**

- **Bill 80** - Sponsored by Senators Lavender and England - Restructuring of the Executive Branch
  - Opening Statement
    - England: Based on what was discussed last time Judiciary met, the most pressing issue is that the formatting is wrong. This is the one that seemed to have the least problems. Nothing else has changed.
  - Technical, Non-Debatable

- None
    - Senator Cusnier moves to enter Round Table Discussion
    - Senator Garcia seconds
    - Round Table
      - Chabot: No real issues beyond the formatting. Making some positions into major offices is fixed in Bill 86
      - Chabot moves to amend to fix the formatting, Cusnier seconds
        - Sponsor finds friendly
      - Cusnier: It seems the error is corrected. Is that right?
      - Leckie: It seems to regard the constitutional language that is removed with this bill.
      - Chabot: The language of the bill is not in line with the constitution so bringing it in line would be better as well as adding a point to add the new language the sponsors want.
      - Little moves to call to question, no second
      - Chabot moves to amend, Little seconds
        - Sponsor does not find it friendly
        - Chabot withdrew
      - Little: What was the point of the amendment?
      - Chabot: It replaces the current language with constitutional language and adds what the sponsors wanted in a new point.
      - England: What is the constitutional language? And what is the difference in the amendments and current language?
      - Chabot: The Constitution coordinates only with cabinet and new would add coordination with all of exec.
      - Chabot moves to amend, Little seconds
        - Sponsor finds friendly
    - Senator Cusnier moves to call the question
    - Senator Garcia seconds
    - Closing: Thank you!
    - Vote
      - Y 5(Cusnier, Garcia, Little, Rossi, Chabot), N 0, Abstain 0
    - **Bill RESULT:**
      - **BILL PASSES**
- **Bill 81** - Sponsored by Senators Lavender and England - Restructuring of the Deputy Student Body Treasurer Position
  - Opening Statement
    - England: This one is for Deputy Treasurer. We are proposing that section c is changed to assume responsibilities in the treasurer's absence. The issue was that "support" did not mean that they would assume their duties if there was a vacancy. Nothing else to amend.
  - Technical, Non-Debatable
    - None
  - Senator Garcia moves to enter Round Table Discussion
  - Senator Little seconds
  - Round Table
    - Garcia: What is the effect of removing from the cabinet and as a major office?
    - England: Bill 86 works to make it a major office again.
    - Garcia: Why is it a separate bill?

- England: Bill 86 adds more than the deputy treasurer to a major office. I'm not really sure why it is separate.
    - Chabot: It is in two separate statutes.
    - Cusnier moves to amend section C, Garcia seconds
      - Sponsor finds friendly
    - Garcia: Why are they making this a major office? What is the benefit?
    - England: This benefits the student body because without this list someone could hold a bunch of different roles within Student Government. This adds these positions so that you can't be, for example, a senator, and cabinet secretary. It basically updates the list.
  - Senator Cusnier moves to call the question
  - Senator Little seconds
  - Closing: Thank you again for working with me on these amendments.
  - Vote
    - Y 5(Cusnier, Garcia, Little, Rossi, Chabot), N 0, Abstain 0
  - **Bill RESULT:**
    - **BILL PASSES**
- **Bill 82** - Sponsored by Senators Lavender and England - Restructuring of Appointed Executive Positions
  - Opening Statement
    - England: This bill has a few more changes. Reads out amendments he wants.
  - Technical, Non-Debatable
    - None
  - Senator Little moves to enter Round Table Discussion
  - Senator Cusnier seconds
  - Round Table
    - England: Sends amendment to 302.5D that they request
    - Garcia: What does it mean by "and major level position"?
    - England: They must have support from upper-level exec.
    - Cusnier moves to amend 302.5D (strike "as "Cabinet Offices""), Little seconds
      - Sponsor finds friendly
    - Chabot: I am confused about the language saying "and major offices..."
    - Garcia: It seems kind of vague
    - Chabot: Do we want to remove that?
    - Little: We could move around the wording?
    - Cusnier: Agrees with Garcia
    - England: Proposes that we amend to say confirmed by the senate after appointment by the Student Body President (SBP)
    - Garcia: Does this move appointment power?
    - England: Ultimately the power falls to SBP, but they usually have input from Student Body Vice President (SBVP) and Student Body Treasurer (SBT).
    - Garcia: Is that stated somewhere else in statutes?
    - England: Yes, it is elsewhere in statutes. We should add clarity as to how cabinet secretaries are appointed.
    - Garcia: I would prefer it to be vague. Gives it more leeway.
    - England: Thank you for your comments. Senator Cusnier sent me an amendment that does that.

- Cusnier: Sends out proposed amendments
- Garcia: This seems more clear to me
- England: Would “after being confirmed” be correct since the president appoints not confirms?
- Chabot: It seems like it would give appointment power to others than the SBP.
- Garcia: Should we reference chapter 201?
- Chabot: Maybe we should word it as appointed by SBP with the support of other major level offices.
- Little: It seems redundant if we restate presidential appointment powers.
- Garcia: What would you like to see it amended as?
- Little: Give me a minute
- England: Currently it is what we the sponsors wanted it to be.
- Chabot: I would prefer to have it read “after being appointed by the SBP”
- Garcia: How would you feel about separating the two (appointment and confirmation)?
- England: Thinks that would be good
- Chabot moves to amend 302.5d (...confirmed by the Senate following appointment by the Student Body President.”), Cusnier seconds
  - Sponsor finds it friendly
- England: Sends amendments for 302.3C
- Little moves to amend 302.3C, Cusnier seconds
  - Sponsor find it friendly
- Garcia: Who reports to who?
- England: Directory of Cabinet Affairs would give reports to SBP at their request.
- Garcia: This verbiage gives them the ability to update as they wish?
- England: Yes.
- Chabot: This has a cabinet officer in charge of other cabinet officers which is against the constitution according to Parliamentarian Alvarez.
- England: Not quite sure. I will try to get President Levin here to explain. Can we move on and come back?
- Chabot: Sure.
- England: Sends amendment for 302.1C
- Chabot moves to amend 302.1C, no second
- Cusnier: Let push it back until the SBP can be here.
- England: Sends amendment for 301.1F
- Chabot: The Secretary of Appointments is not in the cabinet?
- England: No, in EOP
- Cusnier: Grammatical error?
- England: Both ways make sense to me
- Garcia: Are there any other things that the Secretary of Appointments would do?
- England: No, they are meant to lighten the load for the Chief of Staff since they are in charge of appointments
- Cusnier moves to amend 301.1F, Garcia seconds
  - Sponsor finds it friendly
- England: That’s the end of my amendments except the two we put on hold.
- Cusnier moves to table Bill 82, Little seconds
- Garcia moves to go back into Round Table, Cusnier seconds

- England: We had 4 amendments, 2 have been made. President Levin is here to answer questions.
- Chabot moves to allow a non-senator to speak, Cusnier seconds
- Pres. Levin: The SBP can call for an update of the cabinet. Our amendments update 302.3 so they only give updates to the SBP.
- Chabot: IS it against the constitution to have a member of the Cabinet manage the cabinet.
- Levin: I don't think it is against the constitution after consulting with the sponsors and other senators.
- Chabot: Would you open to making the Director of cabinet affair part of the Executive Office of the President?
- Levin: Would the Director of cabinet affairs report to the SBVP or Chief of Staff then? It would be against the constitution if they report to the Chief of Staff.
- Cusnier: I think that it may be an issue having a cabinet member in charge of the cabinet. Does Pres. Levin think it's an issue?
- Levin: No. I think that this keeps the hierarchy.
- Cusnier: If Levin has no issue, then I don't think there is much of an issue. I want to hear others' opinions
- Chabot: I am not comfortable with going forward without Parliamentarian Alvarez here to clarify his report.
- Levin: I am willing to change to just "manage" instead of "manage and lead" but I still don't see the conflict.
- Chabot: England, can you send the amendments again?
- England sends amendments
- Little: Parliamentarian Alvarez, are there any constitutional problems with this amendment?
- Alvarez: No
- Little moves to amend 302.3C, Cusnier seconds
  - Sponsor finds it friendly
- Cusnier: Is 302.3B a violation as currently written?
- Alvarez: Yes, it is a violation to give a cabinet officer the power to "manage and lead" the cabinet.
- Cusnier: If we change it to just manage would it be okay?
- Alvarez: Using to the legal definition of "Manage", it would go against the constitution.
- England: Can you read those sections of the constitution?
- Alvarez: reads Article III, Section 3, Clause H; Article III, Section 4, Clause B
- Chabot: What if we make it at the discretion of the SBVP?
- Alvarez: It could be considered nonfeasance. I would be cautious with that wording.
- England: It could be considered delegating.
- Levin: Is it an issue that they are leading or is it their position within the cabinet?
- Alvarez: A combination of both
- Garcia: Is what we want is to give the SBVP an assistant for cabinet affairs?
- England: The SBVP also supervises agencies and bureaus, the Director of Cabinet Affairs will only be supervising the cabinet.
- Garcia: How can we make that happen without violations?

- Alvarez: It is difficult with unitary theory versus divided power. It is difficult because it is an enumerated duty of the SBVP.
  - Chabot: Would making them an Independent Executive Officer be better?
  - Alvarez: It is better than being a cabinet member but there still may be an issue.
  - Levin: I disagree. The SBVP still has these powers. The Deputy Chief of Staff would have been acting in violation all these years. I think that this gives the SBVP help and allows the cabinet to do work. I think that they should be a member of the entity they control. I don't think that this would violate the constitution.
  - Chabot: I agree that this should be a position, it's just a matter of how to lay it out in statutes.
  - Cusnier: I think that this is okay the way it is.
  - Chabot: What if we add to "assist in the constitutional duties of the Student Body VP"?
  - Alvarez: That would be better but still might present a problem
  - Garcia: Is there someone already in this and are they acting out of statutes?
  - Levin: Yes, there is someone there and their position was clarified in our letter to Senate. Technically everyone is acting as a cabinet member right now.
  - England: Let's circle back to the amendment. Sends the amendment that they want.
  - Little: does the constitutional issue apply to this amendment or to the bill?
  - England: I believe it's the bill. This is the last amendment we want to do.
  - Little moves to amend 302.1C, Chabot seconds
    - Sponsor finds it friendly
  - Cusnier moves to call to question, no second
  - Chabot: Does this amendment change the legality of it?
  - Alvarez: No
  - England: This is something that the Deputy Chief of Staff was previously doing. It is not necessarily a new responsibility.
  - Chabot: Would it help to change the language to "assist the SBVP in managing and coordinating the efforts of the Executive Cabinet."?
  - Alvarez: It would help in one aspect.
  - Levin: Everyone agrees that it should be a thing. This position can be in one of three places: the Executive Office of the President, an Independent Executive Officer, or in the Executive Cabinet.
  - Garcia: If this was a responsibility of the Chief of Staff, why are we changing it?
  - Levin: Yes, the Deputy Chief of Staff had this duty prior but this makes it a position. It should be within the cabinet.
  - Chabot: The Deputy Treasurer is an Independent Executive Officer that reports directly to the Treasurer so could we make the Director of Cabinet Affairs an Independent Executive Officer that reports to the SBVP?
  - Alvarez: Yes
  - Chabot: I think that we need to discuss further before moving it to the floor and talk about what we want to do.
- Chabot moves to table, Cusnier seconds
  - **Bill RESULT:**
    - **TABLED**

- **Bill 84** - Sponsored by Senator Leckie - to facilitate the staffing of the Office of General Counsel
  - Opening Statement
    - Leckie: This bill doesn't mean the General Counsel would be investigating SGA on behalf of SGA. I consulted with Parliamentarian Alvarez and everything seems to be fine in relation to that
  - Technical, Non-Debatable
    - None
  - Senator Garcia moves to enter Round Table Discussion
  - Senator Cusnier seconds
  - Round Table
    - Cusnier: The position would be open to all students?
    - Griffin: Yes
  - Senator Cusnier moves to call the question
  - Senator Garcia seconds
  - Closing: Waives
  - Vote
    - Y 5(Cusnier, Garcia, Leckie, Rossi, Little), N 0, Abstain 0
  - **Bill RESULT:**
    - **BILL PASSES**
- **Little moves to unlock the calendar and move back to bill 82**
- **Bill 85** - Sponsored by Senator Leckie (P) and Senators Adamyk, Porter, Murcia, Kilinc, Martin, Little (CO) - to define the powers and duties of the Office of the Student Body Attorney General
  - Cusnier moves to tabled, Rossi seconds
  - **Bill RESULT:**
    - **TABLED**

**New Business:**

- None

**Unfinished Business:** None

**Committee Legislative Round Table:**

- Cusnier: I want to work on making HCB more handicap-friendly
- Garcia: I would like to cosponsor Gonzalez's and Leckie's bill for the race/ethnicity credit requirement. Maybe we should have a community service requirement in those courses to be exposed people to the problem. UNF has already decided to implement this requirement.
- Cusnier: A community service requirement would have to be disclosed. We should look at other universities to see what they are doing
- Griffin: The point of the resolution is to get people thinking about it. If we get too specific it may take away from it.

**Final Announcements:** Leckie: We have gotten messages regarding appointments. We should have hearings to look into this. Thank you for doing good work tonight!

**Date and Time of Next Meeting:** X

**Adjourned:** 9:39p.m.

*Griffin Leckie*

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Signature of Chair