



**71<sup>st</sup> Student Senate  
Judiciary Committee  
Date 10/01/19**

**Call to Order:** 7:05: p.m.

**Members Present:** Chair Jacobsen, Vice Chair Leckie, Senators England, Gerdt, McAuliffe, Fehring, Weber

**Members Tardy:** Senator(s)

**Members Absent:** Latham

**Guests:** Harmon, Dean, Admyk, Cohen, Durham, Harris, Alvarez, Ready

**Announcements:**

- Chair - Sorority's philanthropy coming up, "phright night" get tickets from me
- Vice Chair - Apologizes for being absent last week
- Members - Gerdt: the ad hoc committee on grad seat apportionment will be meeting in Stroz 107e at 6:00 P.M. on Thursday
  - Weber: Ms. Killings wants to say thank you for her award
- Guests - Alvarez: naming ad hoc committee will be meeting on Saturday at Thagard or SSB
  - Villacorta: Sustainability meeting on Friday Meeting

**Committee Business:**

- Bill 70- Alvarez - Repurposing "Compulsory Referenda" to ensure SGA is held accountable
- Bill 73- Alvarez -Clarifying the procedures for filling Vacancies for the office of Elections
- Bill 78- Admyk - The purpose of this bill is to facilitate the Finance committees mandated review (Senate Rules and Procedures - Rule 6.2) of Chapter 800 otherwise known as Student Body Statutes TITLE VIII.
- Bill 84- Durham and Levin -Revising Chapter 300.2 Composition of the Executive Branch
- Bill 85- Durham and Levin- Deletion of Chapter 305 Campus Security Council
- Bill 86- Villacorta- To inform the Internal Affairs, Judiciary, and Rules and Calendar Committees of the number of applicants to positions forwarded to the Student Senate for confirmation by the Executive Branch.
- Bill 87- Dean and Warren -To revise HLSU statute section 1005.4 Executive Board to reflect the needs of the organization.
- Election Code Exam

## Old Business:

- Bill 70- Alvarez - Repurposing “ Compulsory Referenda” to ensure SGA is held accountable
  - **Intro: Alvarez:** This was written in conjunction with the opinion poll question resolution, currently we have a statute related to compulsory referendum, yet we do not enforce this at all, this is changing it from compulsory referendum to compulsory opinion polls, the questions are the same as the previous questions, brought up as a means to gauge public opinion related to student government. Yield: 1:22
  - **Round Table:**
  - Mcauliffe: this is the same as the questions we passed in previous resolutions?
    - Alvarez: yes
  - Weber: what if people don't approve of our work
    - Alvarez: we need to take action and find out what they don't approve of, and if we continue to get bad approval ratings we need to change what we do
  - **Closing: Alvarez:** thank you, i don't expect this to be the one stop shop to end all issues with SGA, this is a tool, those that are involved enough to answer questions are those who understand what SGA is doing. Yield: 0:48
  - Voting:
    - England: Yes
    - Fehringer: Yes
    - Gerts: Yes
    - Leckie: Yes
    - Mcauliffe: Yes
    - Weber: Yes
    - **Bill passes unanimously**
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- Bill 73- Alvarez -Clarifying the procedures for filling Vacancies for the office of Elections
  - **Introduction: Alvarez:** The original language of this bill was passed by this committee, the senate had concerns about the timeline, after requesting comment from the Supervisor of elections, he said this won't interfere with his job, this is still warranted but needs specification, i apologize for my odd attempts at legislative maneuvering. Yields: 1:21
  - **Round Table**
    - **Gertds: moves to strike section 401.2**
      - Seconded by England
      - **Sponsor Finds Friendly**
    - Alvarez (correspondence with Supervisor of Elections):
      - Hello Supervisor Jain, I just wanted to let you know that there are several pieces of legislation related to the election

code pending committee confirmation, and I was wondering if you have any comments on any of them in regards to your office and your responsibilities. Resolution 61: Adds opinion questions to the Fall Ballot (identical to those in Bill 70 as the Bill wouldn't take effect until Spring), will be heard in the Rules and Calendar committee this Wednesday. Resolution 62: Adds referenda to the Fall Ballot (ongoing discussions with the Office of the VP, tabled in the SLAA committee in the intermediary). Bill 70: Amends the chapter concerning "compulsory referenda" to instead be "compulsory opinion polls" (same questions as Resolution 61) will be heard in both the Judiciary committee tomorrow and the Rules and Calendar Committee on Wednesday. Bill 73: Amending the Supervisor of Elections Selection process (includes original emergency powers provisions, removes the original restrictions on timeline) will be heard in the Judiciary committee tomorrow. Hope all is well!

Hi Senator Alvarez, Thank you for updating me on these pieces of legislation. I have no comments and look forward to these possible additions to election code. Thank you,  
Ahan Jain

- England: we want to extend the time periods to 5 and 4, campaigning week is the week before elections, so this really is 2 weeks before the election, we need someone in the position by 3 weeks, suggests 6 weeks, election code is enforceable 3 week prior to election
- Gerdts: recommends the Supervisor of Elections should be chosen 5 weeks prior to the election, confirmation process takes two weeks at minimum, five weeks allows for process to take place in timely manner.
- Weber: that is the logic i would use for a 6 week change, that puts you at the first session of senate, there is no promise the process for confirmation would be timely
- Gerdts: i was just recommending 5 weeks as the limit for when the senate can step in, this is an emergency power and 5 weeks prior is an emergency
- England: if we were to go through everything it would take a week
- Alvarez: usually candidates are forwarded on friday, seen on tuesday, and sent to the floor on wednesday
- Alvarez: if they leave office within three weeks that would trigger emergency powers, giving the president enough time
- Gerdts: the three weeks makes sense as the emergency, if we amended section A to five weeks, then the senate gets emergency powers, so senate has 2 weeks to confirm

- Weber: why don't we propose an amendment to allow appointments 6 weeks out and confirmed within 2 weeks, giving them time to be confirmed and prepared
- Gerdts: i agree with that, this is the best solution, the timeline works, 6 weeks for a candidate, 5 weeks to appoint one.
- Alvarez: section 2 and 2A are different and deal with different issues
- Weber: while there could be a distinction, if the president hasn't done the job by the deadline, it should be the same in A
- England: I think the numbers should be 5 and 4 or 6 and 5, to clarify, we would want a supervisor 6 week prior to election, and the nomination would come from student body president, senate would have a week to confirm
- Alvarez: we are expanding the scope from what was originally written, i recommend 6 and 4 we don't interview candidates that are forwarded within 2 business days
- England: how does 6 and 4 sound? So we don't thrust someone into the position
- Alvarez: should change language to forwarded rather than appointed
- Weber: we should go into 2A to make it 6 weeks, allowing us to appoint earlier rather than later
- Gerdts: i think that the six weeks makes sense in section A but not for the Supervisor, should read "if there is non candidate forwarded at 6 weeks, the senate should choose a candidate"
- Mcaullife: this is constitutional because the president can veto it right
- Weber: this has already been put into law, we're just altering timelines
- Mcaullife: would exec veto this?
- Alvarez: There hasn't been any motion to amend the bill since 400, and this was brought forward with president Pierre, the past precedent has been the week or two after the Spring Elections, this should never happen but this bill is a safety valve
- **England: moves to amend 702.1A2 to say "a candidate for supervisor of elections must be forwarded no later than [6] weeks prior to an election and confirmed by the senate [4] weeks prior to that election"**
  - Gerdts: seconds
  - **Sponsor Finds Friendly**
- **England: moves to amend 702.1A2a to say: "if there is no candidate for supervisor of elections forwarded within 6 weeks of an election"**
  - Leckie seconds
  - **Sponsor Finds Friendly**

- **Closing: Alvarez:** thank you for the involved debate, I appreciate the comments and this is more agreeable for everyone, I don't want any legislation to be assumed to be well written Yields: 0:27
- Voting:
  - England: Yes
  - Fehringer: Yes
  - Gerts: Yes
  - Leckie: Yes
  - Mcaullife: Yes
  - Weber: Yes
  - **Bill Passes**
- Bill 78- Adamyk - The purpose of this bill is to facilitate the Finance committees mandated review (Senate Rules and Procedures - Rule 6.2) of Chapter 800 otherwise known as Student Body Statutes TITLE VIII.
  - Intro: Adamyk: thank you for having me here, this is the big goal of the 71st student senate, i took the input from the finance committee and amended this, everything in this bill was unanimously approved by the Finance Committee, Dr. Acosta has given her input on this bill as well. Yields: 2:01
  - Round Table
    - Gerdt: 807.6G, in this section it says the committee would not fund for events for group members or events only for an E board, should this be waivable?
      - Adamyk: 1 is geared to PAC, 2 is geared to RTAC, section F says the rules of the committee may be overruled by a 2/3rds vote, section 1 was already in statutes
    - Gerdt: i only mention this because I am currently sponsoring a resolution about consistency in our rules, sometimes E boards go on trips, is there any leniency for exec only trips? Why not have an override for this as well?
      - Adamyk: there is a cost difference between the two situations, section 1 is dealing with on campus events, cannot be funded unless they are open to all students anyways
    - Weber: is the finance code only referring to PAC Events on campus when dealing with advertisements?
      - Adamyk: it applies to both PAC and RTAC
    - Weber: what about trips and advertising to people not in an organization?
      - Adamyk: this is not new and is already in statutes, the meaning of this part of statutes is not changing
    - Gerdt: both sections are well written and correlate to each funding board, is there a clarification for what "likely" means in section 807.16G

- Adamyk: finance does not define this term, it gives the committee “wobble room”
  - Gerdts: to some extent the term could be applied to every event, members of that organization are more likely to go to that event
  - Mcaullife: 1 and 2 are supposed to work together, it sounds like both points can be waived by a three quarters vote
    - Adamyk: there is a distinction, “and” separates both and qualifies each section
  - Gerdts: I want to change 807.6J pertaining to consent resolutions, I want to make sure senators on the floor can’t undo the work of the finance committee on the floor, as it currently stands, the way things work
  - **Gerdts moves to amend 807.6J**
    - **Withdrawn**
  - Mcaullife: what other sections were hotly debated?
    - Adamyk: just 807
  - Gerdts: one change that is important to mention, 807.4C3a strikes from the rules that the vice chair can fill in for chair, they would not be senators and could not be chair, this is a good change
  - Weber: i trust the finance committee and their decisions
  - Alvarez (Guest): in relation to advertisements for events, any discussion about events requiring national dues?
    - Adamyk: there was not, this is not something RTAC or PAC handles
- Closing: Adamyk: thank you all for hearing me out, im glad this didn’t take too long, thank you for the questions. Yields: 1:38
- Voting
  - England: Abs
  - Fehringer: Yes
  - Gerdts: Yes
  - Leckie: Yes
  - Mcaullife: Yes
  - Weber: Yes
  - **Bill Passes 5-0-1**

### **New Business:**

- Bill 84- Durham and Levin -Revising Chapter 300.2 Composition of the Executive Branch
  - **Intro: Durham:** this is really simple, 300.2 is supposed to show how exec statues are composed, and its not correct, so this is changing to to reflect statues and be more specific. Yields: 2:14
  - Round Table
    - England: this changes nothing other than clear explanations
      - Durham: yes
    - Gerdts: why adding numbers?
      - Durham: I will change this

- **Closing: Durham:** Thanks guys, there will be more bills about the executive branch, to help the structure make more sense. Yields: 1:49
- Voting:
  - England: Yes
  - Fehring: Yes
  - Gerdt: Yes
  - Leckie: Yes
  - Mcaullife: Yes
  - Weber: Yes
  - **Bill Passes**
- Bill 85- Durham and Levin- Deletion of Chapter 305 Campus Security Council
  - **Intro: Durham:** this bill deletes chapter 305, i talked to Dr. Acosta, this is a request from President Steinberg, they haven't met in a long time, the security council is composed of people who don't realize they are apart of this. Yields: 2:12
  - Round Table
    - Weber: i do agree with this bill, last time we did any security related things was the walk
    - England: this makes sense
    - Gerdt: is this mentioned anywhere else in statutes
      - Durham: not sure
  - Closing: Durham: thank you, this is just one of more bills to come, get excited. Yields: 1:57
  - Voting:
    - England: Yes
    - Fehring: Yes
    - Gerdt: Yes
    - Leckie: Yes
    - Mcaullife: Yes
    - Weber: Yes
    - **Bill Passes**
- Bill 86- Villacorta- To inform the Internal Affairs, Judiciary, and Rules and Calendar Committees of the number of applicants to positions forwarded to the Student Senate for confirmation by the Executive Branch.
  - **Intro: Villacorta:** thanks for seeing this, this bill was written to add to the applications for SGA positions, a big issue we've seen is applicants we are hesitant about and wanting to see if other applicants are available, on the forwarding letter, it should include how many people applied to the position, and that we can know if a position has no applicants at all. Yields: 1:35
  - Round Table:
    - Mcaullife: sounds good
    - Gerdt: this pertaining to applicants to the executive branch right
      - Villacorta: yes, will help the committee to make the best decisions knowing as much information as possible

- England: this makes sense
    - Leckie: any way to know who the other applicants are?
      - Villacorta: not currently
    - Gerdt: knowing who people are would breach the confidentiality of the application process
  - **Closing: Villacorta:** I hope to see you all soon. Yields 1:26
  - Voting
    - England: Yes
    - Fehringer: Yes
    - Gerts: Yes
    - Leckie: Yes
    - Mcaullife: Yes
    - Weber: Yes
    - **Bill Passes**
- **Bill 87- Dean and Warreen -To revise HLSU statute section 1005.4 Executive Board to reflect the needs of the organization.**
  - Intro: Dean: thank you for all the work you do, this bill is simple and straightforward, adding positions that exist in HLSU and making it official, these positions increase transparency and communication with the student body, the HLSU director endorses this bill. Yields: 1:54
  - Round Table
    - England: makes sense, especially if they already have this in practice
  - **Closing: Dean:** thank you guys, i want to see HLSU succeed. Yields: 1:35
  - Voting
    - England: Yes
    - Fehringer: Yes
    - Gerdt: Yes
    - Leckie: Yes
    - Mcaullife: Yes
    - Weber: Yes
    - **Bill Passes**
- Election Code Exam
  - The election commission must take this exam, we write this for the Spring Election and half the committee wrote this exam. All of the questions are taken out of statutes
  - Round Table
    - Weber: moves to amend exam to title it to the 2019-2020 Exam
      - England Seconds
    - Weber: three of us on this committee wrote this, i would be comfortable passing this again
    - Gerdt: for the ranking members, have any changes to election code been implemented?
    - Weber: only procedural changes
  - Voting:

- England: Yes
- Fehringer: Abs
- Gerdt: Yes
- Leckie: Yes
- Mcaullife: Yes
- Weber: Yes
- ***Exam Passes***

**Unfinished Business:**

**Final Announcements:**

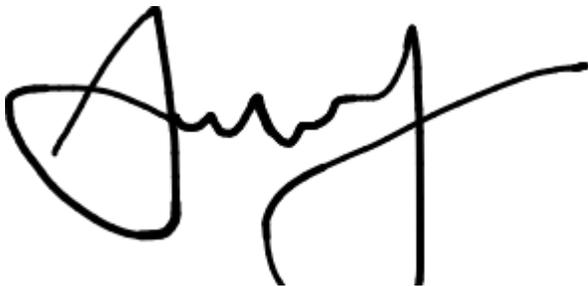
Gerdt: congratulate to all of us, especially the Chair for dealing with all the people, we are the engine keeping the senate running

Weber: Please stand up for our committee in Senate and explain our decisions

**Date and Time of Next Meeting:**

October 8, 2019 at 7:00 p.m. in innovation hub room 113

**Adjourned:** 8:51 P.M.

A handwritten signature in black ink, consisting of a large, stylized initial 'A' followed by a series of loops and a long horizontal stroke extending to the right.

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Signature of Chair