



**71<sup>st</sup> Student Senate  
Judiciary Committee  
Date 10/08/2019**

**Call to Order:** 7:03 p.m.

**Members Present:** Chair Jacobsen, Vice Chair Leckie, Senators England, Fehringer, Gerdts, Latham, Weber

**Members Tardy:** Senator Mcauliffe

**Members Absent:**

**Guests:** \* Thomas Driscoll

**Announcements:**

- Chair - Come to phright night, can't wait to scare everyone, election season starts tonight at 12, be nice to everyone
- Vice Chair - Midterms coming up
- Members -
  - Gerdts: ad hoc committee meeting thursday at 6 P.M., must attend half of the meetings to have your name on the legislation
  - Was elected to a party, favorite senator came from another party, be nice
  - Weber: on wednesday october 23rd, 8 am to 12, FSU transportation is launching a strive not to drive event, encouraging people to not drive
- Guests - None

**Committee Business:**

- Bill 77 - Latham- -The Supreme Court has the power "To issue advisory opinions concerning student rights under the Student Body Constitution upon request of the Student Body President or any Senator.". The court has no guidance or restrictions on issuing advisory opinions. This bill would add advisory opinions to the time frame for issuing written opinions. Additionally, this would decrease the time allowed for written opinions to be published on election cases, to expedite the election process as the decision is made by the court during the proceedings.
- Bill 88- Gerdts and Jacobsen - The Selection Commission allows elected student officers to engage in restricting ballot access. To ensure a representative union board, we must bring Union Board election procedures in line with the election procedures for all other SGA offices. The Union Board has voted in support of this bill, and its accompanying bills relative to Union Board elections.
- Bill 89- Ready - To remove the requirement in statutes for the publishing of the election date, time, and polling location(s) of the recall election in a campus newspaper, and instead have said info published on the SGA website.

- Bil 90- Jacobsen and Gerdts - This is a companion bill to two others being introduced on recommendation of the Ogelsby Union Board. The Union Board would like to ensure that all candidates are fully aware of the responsibilities and commitment expected of each elected member.
- Bill 91- Fehringer - The Union Board would like to ensure that every candidate is aware of what duties and responsibilities they are running to do. The Union Board has voted in support of this bill and accompanying legislation pertaining to the Union Board Elections.
- Bill 92- Sandoval - Redefining major offices in student body statutes to reduce conflicts of interest between the branches of student government. Would affect most bureau and agency positions not covered currently by statutes such as WSU's director of administration which gets confirmed and would generally be considered the secretary of the agency (a current major office) but under a different name. It would also affect the Clerk of the Court for FSU's Supreme Court and reduce its status of major office. Students currently holding more than one major office at the time of this statute change will not be required to resign and may keep their positions to the end of their terms.

#### **Old Business:**

- Bill 77- Latham and Weber -The Supreme Court has the power "To issue advisory opinions concerning student rights under the Student Body Constitution upon request of the Student Body President or any Senator.". The court has no guidance or restrictions on issuing advisory opinions. This bill would add advisory opinions to the time frame for issuing written opinions. Additionally, this would decrease the time allowed for written opinions to be published on election cases, to expedite the election process as the decision is made by the court during the proceedings.
  - Introduction: Latham and Weber: Sat down with Dr. Acosta, considering inauguration concert and timelines, Chief Justice responded, but has not followed up on everything, if they can't get a response they will amend the bill to a time period of 5 days. Yield: 2:00
  - Gerdts: moves to table the bill
  - Leckie: seconds
  - **Bill is tabled**

#### **New Business:**

- Bill 88- Gerdts and Jacobsen - The Selection Commission allows elected student officers to engage in restricting ballot access. To ensure a representative union board, we must bring Union Board election procedures in line with the election procedures for all other SGA offices. The Union Board has voted in support of this bill, and its accompanying bills relative to Union Board elections.
  - **Introduction:** Gerdts - the primary purpose of this is to bring the Union Board in line with all other processes in our statutes. Jacobsen - I served on this committee last year, and we approved everyone. It is in everyone's best interest to get rid of this committee.
  - Weber: Wasn't there a bill very similar to this that came through?
  - Gerdts: I move for a non-senator to speak.
  - England: Second.
  - Driscoll: We as the union board withdrew our support from that bill, and it did not pass.
  - England: What will happen if this bill is passed?
  - Driscoll: They will file candidacy, go to the meeting held by the SOE explaining the time spent on the Board as a potential member.

- Weber: I move to exit roundtable.
- England: Second.
- Weber: I move to call the question.
- England: Second.
- **Closing:** Thank you for your questions. We hope you will pass this bill. Yields 1:10.
- England - Aye
- Fehringner - Aye
- Gerdts - Aye
- Jacobsen - Abstain
- Latham - Aye
- Weber - Aye
- **Bill passes.**
- Weber: I move to unlock the calendar.
- England: Second.
- Bill 89- Ready - To remove the requirement in statutes for the publishing of the election date, time, and polling location(s) of the recall election in a campus newspaper, and instead have said info published on the SGA website.
  - **Introduction:** Ready: Thank you, this bill is simple, with these statutes eliminated we can save money, this will hopefully lower the budget by some amount, Dr. Acosta will get a cost estimate. Yields: 2:20
  - Round Table
    - Gerdts: are you aware if we have to amend this to put in the correct format?
      - Ready: Dr. Acosta should have the correctly formatted version
    - Weber: if Dr. Acosta has the proper version it will be on the floor
    - Gerdts: **moves to amend the bill** to include black and white and to add back the deleted the portions of statutes with a strikethrough (the original format intended by the sponsor)
    - **Sponsor finds friendly**
    - Latham: this is an amazing bill I move to call to question
    - Weber: Second 8
  - **Closing:** Ready: thank you for your time. Yields 2:14
  - Voting
    - England: Yes
    - Fehringner: Yes
    - Gerdts: Yes
    - Latham: Yes
    - Leckie: Yes
    - Weber: No
    - **5-1 Bill Passes**
- Bil 90- Jacobsen and Gerdts - This is a companion bill to two others being introduced on recommendation of the Ogelsby Union Board. The Union Board would like to ensure that all candidates are fully aware of the responsibilities and commitment expected of each elected member.
  - **Introduction:** This bill outlines that candidates for Union Board need to go to a meeting to help them understand more about the Union. There are two sessions, and if a candidate does not attend this orientation or make an effort to reschedule, they will be ineligible to run for Union Board.

- Weber: Moves to amend. Stikes “502: Records of the Court”
- **Sponsors find friendly**
- Leckie: Any further questions?
- Weber: I really like this bill. This brings Union Board in line to how we as Senators are elected, so it clears up confusion.
- England: I agree with Weber.
- Weber: I move to call the question.
- England: Second.
- Closing: Thank you for your time and support. Yields: 1:38.
- England - Aye
- Fehringer - Aye
- Gerdts - Aye
- Jacobsen - Abstain
- Latham - Aye
- Weber - Aye
- **Bill passes.**
- Bill 91- Fehringer - The Union Board would like to ensure that every candidate is aware of what duties and responsibilities they are running to do. The Union Board has voted in support of this bill and accompanying legislation pertaining to the Union Board Elections.
  - Introduction: Fehringer: This is stright forward, the purpose is to allow union board to have a uniform process for new members, currently the selection commission can deny members, this gives more discretion to union board. Yields 2:15
  - Round Table
    - Gerdts: what’s up with the formatting?
    - Weber: moves to allow non senator to speak
    - Gerdts: seconds
    - Driscoll: many statutes are written wrong
    - Latham: **moves to amend section 3**, strike 48 hours to 2 business days
    - **Sponsor finds friendly**
    - Gerdts: **moves to amend section 1**, to say “this shall be done a minimum 10 buisness days preceding the Spring Term Elections”
    - **Sponsor finds friendly**
    - England: **moves to amend section 4**, to strike the word “to”, capitalize “Supervisor”, capitalize “Election”, and make “Election” “Elections”
    - **Sponsor finds friendly**
    - **Gerdts**: should we amend this to fit within the formatting of all other statues?
    - Closing: Fehringer: thank you for your consideration, this is a step in the right direction, helps students get involved. Yields 1:50
    - Vote
      - England: yes
      - Fehringer: yes
      - Gerdts: abs
      - Latham: yes
      - Mcauliffe: abs
      - Leckie: yes
      - Weber: yes
      - **Bill passes 5-0-2**

- Bill 92- Sandoval - Redefining major offices in student body statutes to reduce conflicts of interest between the branches of student government. Would affect most bureau and agency positions not covered currently by statutes such as WSU's director of administration which gets confirmed and would generally be considered the secretary of the agency (a current major office) but under a different name. It would also affect the Clerk of the Court for FSU's Supreme Court and reduce its status of major office. Students currently holding more than one major office at the time of this statute change will not be required to resign and may keep their positions to the end of their terms.
  - **Introduction:** Sandoval: thank you, this bill redefines major office as it currently is defined in statutes, i have changes for the bill, instead of crossing out the list and using two premises to define the office, i created a more segmented list.  
Yields: 1:36
    - Weber: ***moves to amend section 100.5*** to further clarify which offices are included
    - ***Sponsor finds friendly***
    - England: ***moves to add Senator Cohen to bill 92***
  - Round Table
    - Gerdts: i believe this is too restrictive, it is more restrictive than previous legislation and we haven't seen any issues with the current wording, "directors of leadership institutes and class council treasures and secretaries"
      - Sandroval They are major offices
    - Latham: only the president and vice president are confirmed by the senate
    - England: the senior class president and vice president are elected, treasurers and secretaries are not elected, this bill is restrictive in a good way, allows more people to get involved
    - Latham: What was the inspiration for this bill?
      - Sandroval: looking at the list to make sure i wasn't holding two major offices, some of these offices shouldn't be considered major offices, for OGA candidates in senate, i felt as if we should have abstained
    - Weber: i feel that its good for OGA to have senators in it, it is a major office but it is good that senate is involved
    - Gerdts: many people would be forced to resign from current positions, the director of the FLI and TLI are looking to get involved in senate, how many people would this force to resign?
      - Sandroval: students who are currently holding major offices would not be forced to resign, sat with Dr. Acosta, went through all major offices. The added positions are Bureau board of directors, director of FLI, TLI, and COGS elected members.
    - Gerdts: my only concern: i respect the intent, i have concerns with OGA, i'm not certain. People who are currently in line to be confirmed to IA should be exempt as well.
      - Sandroval: yes, we can move the language in the purpose to the proviso section. For candidates currently going through confirmation, not sure.
    - England: i think i agree with the candidates, we need to put party politics aside, I know there are people on this committee that would be effected by this bill. We need to be careful and give people exemptions

- Weber: the bill at face value, why weren't PAC and RTAC members included?
  - Sandroval: this is a good concern, Dr. Acosta brought up the concern that while they are financial officers, it is technically an office that can be vacated easily, not many people go to these meetings and are members. Can't have two offices in two different branches.
- Gerdts: candidates can choose, the timing is just improper for the bill, this will effect current candidates, we are changing the rules around this election, adding another requirement to gain office, changing the rules for when the agreed to run for senate.
- Mcauliffe: aside all of this, the people that are very involved are few, we could have more empty seats, this is someone's freedom of choice, being biased is something we need to address but we can go about it another way, this seems unfair.
- Weber: i hold two offices and choosing would be difficult
- Sandroval: I understand the concerns about finding people to fill the positions, most of these are almost always filled, eliminating conflict of interest, multiple branches of government
- Weber: i believe most people are reasonable, with all due respect, what benefit does this create?
  - Sandroval: this opens up more positions, allows more people to get involved and eliminates conflicts of interest, these are all highly sought positions, the only positions that isn't included is the clerk of the court
- Mcauliffe: whoever might be in a position without this rule may not have the chance to be in this position, this forces other people out and equalizing things in a way that isn't capitalist, this isn't freedom, we need to not have biases and conflict
  - Sandroval: you can't have jobs that conflict
- Latham: i agree with Senator Mcauliffe, this is inadvertently affecting senate, will have less people involved in senate, trying to get more people in, this will have inadvertent effects on senate
- England: i don't think this changes too much, many of these positions are already included, i can count on my hands the number of people that this would effect, Senator Mcauliffe mentions making people pick, people already do, they already can't be both
- Gerdts: the fact that it brings up election concerns, this bill is not properly timed in the election season, counting the number of people that would be affected, I don't see a problem with the office they hold, the senior class council should be allowed to hold multiple position, these inconsistencies are bad for the bill, adding the director of FLI and TLI would prevent people from going into senate, not a major conflict of interest, this bill is improperly timed it also addresses a problem that doesn't exist, I'm at a loss for the necessity for the bill
  - Sandroval: i'd be open to adding or removing positions, i disagree because the conflict of interest is on an individual level
- Weber: I appreciate the spirit of the bill, however, i agree with some of Senator Gerdts's opinions, when you do think about the realities of SGA, i don't believe this will solve the problems it is intended to resolve, forwarding the candidates can cause a moral problem, the justification is

having legislators create our agenda, most of this is covered in statutes, i trust us as students to make the right choice

- Leckie: ***moves to amend the bill adding proviso language*** to have the bill take effect following the fall inauguration
- England: given that the proviso language has been added, we should move to the floor for more discussion, we should still discuss all the valid points on the floor, do the positions need to be changed at all, this is all valid, this discussion can take place on the floor
- Weber: we need more voices, however, if this bill goes to the floor, we will not leave the chambers, i truly do believe all our bills need to be debated, i do not think it is in our interest to debate this on the floor, people will come to judiciary next week if they truly care, i want to invite everyone in senate to come next week
- Gerdts: echoing what senator weber said, throwing a bill we are unsure about on the senate floor is an abdication of duty, that would take up a great deal of senate time away from other things, as it stands i am unsure of this bill, i would like to hear from who this would impact, should the proviso language hold up, we should table this bill to hear from more senators, either the committee or senate will have to go line by line, we should do this in committee
- Weber: we shouldn't shy away from conflict, it would be irresponsible for us to send a bill to the floor that isn't complete, we should bring people in here, this is the equivalent of throwing a live hand grenade on the floor, ***moves to table to bill***
- ***Bill is tabled***

**Unfinished Business:**

None

**Final Announcements:**

- None

**Date and Time of Next Meeting:**

October 15, 2019 Innovation Hub 113 7-9pm

**Adjourned:** 8:54

A handwritten signature in black ink, appearing to be 'D. Weber', written in a cursive style. The signature is positioned above a horizontal line.

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Signature of Chair