



**73rd Student Senate
Judiciary Committee
Date: November 2, 2021**

Meeting recording:

https://drive.google.com/file/d/1RWyQ6uYpKoJtoCyx6g2iETlvq1awK3_k/view?usp=sharing

Call to Order: 7:00pm

Members Present: Chair Little, Senator(s) Arutt, Reeves, Meyers, Rossi, Stewart, Linsky

Members Tardy: Senator(s)

Members Excused Absent: Senator(s) Guillamont

Members Absent: Senator(s) Stults

Guests: Alberto Marrero

Announcements:

- Chair -
- Vice Chair -
- Members -
- Guests -

Committee Business:

- **Confirmation Hearing:** Alberto Marrero
- Opening: I hope to one day be on the federal judiciary and so that's something that interests me and why I'm pursuing the position of associate justice here at our Supreme Court of Florida State. From Miami went to Florida International for undergrad and for my MBA as well I'm currently gubernatorial fellow at the division of Emergency Management so that's pretty much my professional life and I'm open to any questions that the committee might have.
 - Candidate reserves 2 minutes and 16 seconds.
- Myers - Can you just give us our can you guys hear me or is it muffled sorry can you give us a little more info or like details about your experience with the 11th judicial circuit and just what your role was there
 - At law school I'm very involved with our legal community. In Miami I was fortunate enough to get to intern for judge Jean when she was to enter for her she was counting judge at the civil within the civil division and so now she's over at criminal circuit however when I was with her she was very hands on me I would come in and she would immediately give me case Lauren motions that were before her am i review that present her with my analysis of the case well

on the arguments and we discussed what did you come with me or not that was kind of knowing the regular day to day.

- Linsky- apologies for being a minute late i'm moving today also why the lighting is pouring here question i have for the candidate is pretty open ended can you tell us about your experiences on the elections commission and how that suits you for a role in the supreme court
 - Last year was very fortunate to be our vice chair and a bit of acting chair last year when we were in transition through supervised group elections that position really did prepare me for the position that I'm now applying for social justice at least when it comes to the election code I got very familiar with the election code through that position we had several cases before us one of which I ended up anything for and so I got very familiar with their election code aside from that I was very familiar with their statutes in our constitution simply in preparation for that position and I think that that kind of goes hand in hand with our Supreme Court simply because the court will hear most definitely disputes for elections.
- Chair Little- What is your approach to interpreting statutes
 - My approach is essentially that the text is with the text is the plain language and text as it was enacted by the legislature in this case our student government yourselves and so that is my approach to that and if there is any ambiguity that may be brought up by the advocates maybe by one of my fellow just potential justices then at that point you know there are several tools that judges or justices have at their disposal to kind of weed away at that ambiguity before they come down to final conclusion but always I begin with the text and go from there.
- Senator Reeves- apologies for not having my camera on I'm home but my question is what goals do you have for the potential role
 - I hold some positions as treasurer of the student bar association here at law school and i do hold some of their positions with our RSO's here at the law school however i have already planned to kind of way to that down a little bit next just because it's my final year and i wanted to keep myself not only to this potential position but also to assist my community.
- Chair Little- Do you think your role includes advocacy, if so how?
 - I think advocacy definitely plays a role in terms of understanding where parties are coming from right at the end of the day we're human beings and you can't approach law or statutes with a cold mind. Of course we do have to be impartial and we do have to follow the language of the letter of the law that is my philosophy test measures prudence however I think standing where people come from does help now in terms of being a jurist it kind of goes a little bit with fairness.
- Linsky- Where is it acceptable to craft an advisory opinion,
 - Very interesting question struggles with a little bit my approach to advisory opinions is along the lines of essentially it has to be completely ambiguous and really difficult statute or application of a statute that the executive is struggling

with that the legislature is struggling with to really worn a judicial opinion from the courts because at the end of the day it's not the courts job to tell other branches of government how to do their job it really just has to come down to if there really needs to be some kind of statutory interpretation to the specific issue now in terms of the second part of that question where these all that line a perfect example is if something is can be seen as a political issue or a political question as we call it in the law I think that's when the course he just typical step back and kind of let the parties requests in that opinion note that this is something that reported simply can't get involved with i'm sure that by decide to make actions that then end up in the courts that so question for later date but in terms of an advisory opinion i think it really comes down to the branches of government have to govern themselves they're not there to tell each other how to how to do their own job

- **Linsky moves to enter deliberations, Reeves seconds**

- **Closing**

- again I will be very brief I appreciate your time for hearing me today and for your great questions I mean this is I like to say great preparation in case I ever go in front of Congress but really I am very passionate in public service I think my my tracker could shows that in my future career goals as well that's why I'm doing it Oriel fellow that's why I'm very involved with our government at all levels not only with the judiciary but I also extend the municipality down in Miami and so I'm very involved with getting to know government how it operates and I'm just kind of this is kind of the next step in getting into more involved with the judiciary and seeing what it's like to be a jurist do you even have the student government valuable and I think that would be great preparation for me for my future career goals and also to help serve our students here to bring my inside and my background with judges to our bench to help our students as best that I can so thank you again for your time

- **Deliberations**

- Linsky- we're in the same section in one L year and he's always struck me as a leader and somebody who is willing to stand up and to take charge an more than that he follows through I don't always agree with him in fact we disagree pretty often on our the way that we look at political issues legal issues but i always respect the way that he comes to the table prepared
- Arutt-well spoken and impartial and like you know he's willing to put in the work to do this position so I support his election to this role
- Myers- just looking at his resume and his past experience and looking through his answers that he submitted on the Qualtrics form you can just tell by the way he answers those questions that he seems really passionate about this he seems into it I think it's good to have further like careeer goals for this position just because I think we can trust that he'll take it seriously that he'll do this job with integrity

- **Myers moves to forward candidate, Reeves seconds**

- Y (Arutt, Reeves, Meyers, Rossi, Stewart, Linsky)
- **Bill 63 - Description**
 - Linsky- Wednesday I actually really liked that we had so much high level agencies support within OGA invite to myself this is the kind of OGA that that the pipeline that I'd prefer rather than going from Senate directly to it but being advocates for specific groups on campus and then having them represent those groups within our professional legislative wouldn't say unit but lobbying arm and So what this amendment does is it explicitly states the members of OGA who are major offices and instead of in in a way that you can't confuse like the president or the either the Senate or the student body or the cogs speaker for holding two major offices I mean it also eliminates the provision in Section 2 which I think is just really broad and sweeping and you know I I'm open to modifying this further and finding something that works for everybody but I did find myself to be persuaded by watching OGA and thinking to myself wow these are like the most passionate advocates that I personally know at FSU I'm happy that they're on OGA and that there is still working with their agencies so they can be conduits of information i i didn't really want to take that away as much as i thought that it would be good to delineate you know the positions and OGA that are major offices
 - Tackett- point of information
 - Amendment to make sure that certain positions are still on the board of OGA?
 - Linsky- Yes, it is good to have interfaceable positions as OGA is an important org within SGA.
 - Little- Does amendment address the nomenclature issue?
 - Linsky- No, I'd rather cut that part out.
 - Little- So the amendment does not currently permit for those holding major offices to serve on OGA board.
 - Linsky- Disagrees, leaders from RSOs should be trusted with positions on OGA as they can advocate for the students they represent.
 - Point of information- Gonzalez
 - Issue of nomenclature was reason for the tabling of the bill.
 - Linsky- Had a change of heart, amendment is not intended to be adversarial.
 - Gonzalez- Under impression that BSU president position issue was going to be addressed, but that RSOs also have representation mandated by statutes.
 - Linsky withdraws intent of Amendment.
 - Myers, is BSU the only RSO with different nomenclature?
 - Linsky notes making a list for positions with different nomenclature.
 - Gonzalez notes some statutes may not yet reflect new major positions.
 - Little asks if any RSOs have more than four student offices that are major offices.
 - Tackett asks if WBFS (affiliated projects) is considered a major office.
 - Little- yes.
 - Senator Arutt keeping section 2 may be helpful.
 - Chair Little echoes

- Senator Myers speaks about making Section 2 encompass all positions on campus that may be of issue.
- Senator Gonzalez notes not understanding secretary positions for affiliated projects.
- **Linsky moves to strike Affiliated Projects, Arutt seconds.**
 - **Gonzalez finds friendly.**
- Myers echoes support for work being done by Linsky to amend
- Little asks if the amendment includes bureaus, and if it does not, should the wording addressing bureaus be struck?
 - Linsky agrees with tinkering wording regarding bureaus.
 - Tackett notes wariness regarding listing out all positions addressed by bill
 - Linsky agrees, states that it could create a future cycle of bureaucratic change and revision.
 - Stewart- Proviso language is helpful as OGA appointees were not aware of potential consequences that the current bill could have if passed.
 - Tackett- If there is a conflict of interest, then they should have never been an appointee to the OGA board of directors in the first place.
 - Little- Proviso is wrong as appointees should be barred from serving in different branches of government at the same time.
 - Linsky- Scrap the proviso language, unnecessary, separation of powers issue, yet COGS speaker and Senate president serve, per statutes, on the OGA board of directors. However, he does understand worries, and suggests an idea for proviso being rewritten to include language that bars senators in OGA from voting on OGA-related matters.
- **Myers moves to call question, Stewart seconds.**
- **Tackett-** Intent was to preserve separation of powers, fix wording and budgeting issues.
- Y (Arutt, Reeves, Meyers, Rossi, Linsky) A (Stewart)
- **Bill 65**
 - **Roy-** Split office of secretary in ½. Minutes are expected to be painstakingly specific, reaching around 20-30 pages a meeting. Current clerk approached me about introducing this bill, and the intent is to streamline minute-writing process.
 - Myers moves to enter roundtable, Arutt seconds
 - Stewart notes support for bill, thinks it is a great idea.
 - Arutt agrees, thinks the minutes will now be more accurate.
 - Little asks if the new position will be advertised.
 - Roy affirms, but states that senate leadership has not yet engaged directly since bill has not been passed.
 - Myers asks about Section E clarification
 - Roy explains the specifications of how the work would be split up between the clerk and historian.
 - Myers moves to call question, Stewart seconds
 - **Roy-** Appreciates questions and comments, thinks bill will alleviate pressures from Clerk, and will make future senates more efficient regarding the publication of minutes.
 - Y (Arutt, Reeves, Meyers, Rossi, Stewart, Linsky)

Old Business:

Bill # -

- Opening Statement:

- x
- Technical non-debatable:
 - X:
- **X moves to enter roundtable, X seconds**
- Round table:
 - X
- **X moves to call the question, X seconds**
- Closing:
 - x:
- Vote:
 - Y(x) N (x) A (x)
- RESULT:

New Business: N/A

Unfinished Business:

Committee Legislative Round Table:

Stewart makes announcement regarding upcoming elections code bills, notes willingness to cooperate.

Final Announcements:

- Chair: Submitted five bills pertaining to elections code, will withdraw one, will put them in the drive, next week's meeting will be long, 15+ bills coming through, very important to be present and active at committee meetings, ½ absences will be given out moving forward.
- Vice Chair:
- Members: Myers- When does Senate session end, December 3rd?
- Guests:

Date and Time of Next Meeting: Tuesday, November 9th, 2021

Adjourned: 8:37 PM

Gabrielle Little

Signature of Chair