



**71st Student Senate
Judiciary Committee**

Date: 9 April, 2019 - Strozier Faculty Conference Room

Call to Order: 6:31 p.m.

Members Present: Chair Jacobsen, Vice Chair Leckie, Senators Mcauliffe, Gerdts, Weber

Members Tardy: Senators Denton, Dobbins

Members Absent: Senator(s)

Guests: Mark Porter, Sen. Alvarez, Sebastian Torres, Sen. Sandroval

Announcements:

- Chair - Have a great week!
- Vice Chair - nothing
- Members - Congratulating Chair Jacobsen
 - Mcauliffe: Agree to Disagree is this thursday
- Guests - Mark Porter: hopes we discuss his legislation

Committee Business:

Here outline what the committee will be focusing on for the meeting - Bills, what is being talked about, interviews ...

- Bill 10 - Sponsored by Senator Ready - A revision to the Student Body Statutes Chapter 800, the Finance Code. Purpose: to facilitate the Finance Committee mandated review of Chapter 800
- Bill 30 - Sponsored by Senator Alvarez - Amending Statutes 704.2 and 712.1 to include Candidate Statements of Interest
- Bill 39 Sponsored by Senators Adamyk, Ready- Revising Statute 807.6 I to make it a requirement for PAC and RTAC Committees to keep a working knowledge of their budgets and pass Consent Resolutions that stay within their funded amounts.
- Bill 41 Sponsored Alvarez -Clarifying the statute of limitations of Election Code Violations
- Bill 42 Sponsored Alvarez-Removing Statute 419 due to the revisions made to Statute 207 in the 70th Student Senate
- Bill 44 Senator Weber -To Update Election Code Statutes in Chapter 700 in accordance with University Policies.
- Bill 45 Senators Torres, Harmon, Murcia, Weber, Harris, Dean, Gurau, Ready, Denton, Sandoval, Alvarez, Parker, Warren, Durham - To clarify and list the powers of the attorney general
- Bill 50 Senators Sandoval, Murcia, Harmon, Purganan, Alvarez - To redefine the purpose and duties of OGA's Agency Advisory Committee to allow SGA Agencies more participation in crafting the legislative agenda and FSU Day at the capitol.

- Bill 51 Senators Dean, Warren - To amend Chapter 605 of the Student Body Statutes to better reflect the values of The Union Board and enhance The Union Board Selection Commission.
- Bill 52 Senators Dean Warren - To amend Chapter 605 of the Student Body Statutes to better describe the committees of The Union Board and better define the powers and duties of The Union Board.
- Resolution 34 Senator Leckie - To encourage the use of the Legislative History act

Old Business:

- Bill 10 - Sponsored by Senator Ready - A revision to the Student Body Statutes Chapter 800, the Finance Code. Purpose: to facilitate the Finance Committee mandated review of Chapter 800
- Bill 30 - Sponsored by Senator Alvarez - Amending Statutes 704.2 and 712.1 to include Candidate Statements of Interest

New Business:

- Bill 10 - Sponsored by Senator Ready - A revision to the Student Body Statutes Chapter 800, the Finance Code. Purpose: to facilitate the Finance Committee mandated review of Chapter 800
 - Ready: culmination of 6 months of work in Finance Committee, previous chair initiated this. Eliminates sentences in chapters 800-804 “the above system shall not be used”, cutting redundant phrasing. Adding more structure for RSO A&S fee rules. PAC related issues, allowing entities to host on campus events, allows Finance to override PAC decisions. OCO: matching the change. Eliminate the need for a name on receipt, allowing SGA staff to use A&S fees for own purposes.
 - Denton: ***moves to round table***
 - Gerdtz: ***second***
 - Denton: make sure changes aren't in red
 - Gerdtz: Expense Category: clarifying that statutes related to conference fees (803.10) are not to be struck down
 - Denton: ***moves to amend bill 10***, to remove the red strike all for “meals, conference fees, and limited incidental expenses”
 - Gerdtz: ***seconds***
 - Weber: 802.4D, what is the process for senate or finance to override PAC?
 - Ready: it is better to have the ability to do it, it is the committee's discretion which is more flexible and allows for oversight
 - Leckie: does this allow for the editing of all PAC requests
 - Ready: this only applies to this specific instance
 - Weber: why is RTAC not included?
 - Ready: It is, this legislation is just specific to PAC
 - Denton: ***moves to call the question***
 - Weber: seconds
 - **Voting:**

- Denton: yes
 - Gerdt: yes
 - Leckie: yes
 - Mcauliffe: yes
 - Weber: yes
 - **Bill Passes Unanimously**
- Bill 41 Sponsored Alvarez -Clarifying the statute of limitations of Election Code Violations
 - Alvarez: Takes on something we thought we solved, when election code can be enforced. Enforced during 3 week period of election season. Violations can only occur within the 3 week period. The 48 hour block is to account for failure to remove advertisements related punishments in statutes. Yields with 2:43
 - Weber: ***moves for round table***
 - Dobbins: ***second***
 - Gerdt: preceding vs proceeding, the bill says preceding, which means before and not after
 - Alvarez: this was a mistake, should say following closing of the polls
 - Gerdt: ***moves to amend to use following rather than preceding***
 - Dobbins: ***second***
 - Dobbins: is 48 hours enough time?
 - Denton: might be worth giving an entire weekend, could say “the following monday”
 - Weber: going to sunday at least is good, people have class
 - Alvarez: if violation itself takes place 48 hours after, additional 48 hours to submit violations
 - Weber: is that the one the supervisor can use, or can everyone submit?
 - Dobbins: is 48 hours a hard stop, or business days?
 - Alvarez: yes it is a hard stop, not business days
 - Weber: did you comply with Walker V. Cortez
 - Alvarez: the additional 48 hours is in line with the decision of elections commission and previous limitations
 - Denton: does this affect the power of the supervisor of elections?
 - Weber: this would expand the amount of time election code can be enforced after the election
 - Gerdt: should we write another bill if we amend the power of the supervisor?
 - Dobbins: we might have to change other statutes
 - Alvarez: final deadline for all violations is 48 hours consecutive after close of polls
 - Dobbins: people should have until the next monday to submit violations
 - Gerdt: make it a priority to ensure all statutes are in line with sentiments of this bill
 - Alvarez: we can change things until the last meeting
 - Dobbins: summer senate can change statutes
 - Weber: we should write bill to allow summer senate to change statutes

- Alvarez: is the 48 hours comfortable? Rather than 2 business days. Chose 48 hours, as this is how the elections commission runs.
- Dobbins: we could amend or write new legislation
- Dobbins: 11:59 P.M. on the monday following the election
- Dobbins: just submission details
- Weber: lets get another bill on first reading
- Alvarez: proviso: only instated if another bill is passed revising submission windows
- Alvarez: forget my previous statement
- Gertds: would this effect final expense statement?
 - Alvarez: no
- Leckie: filing vs recognition
 - Alvarez: this only effects recognition
- Weber: ***moves to amend to extend the statute of limitation for violations to 11:59 P.M. on the following monday***
 - Dobbins: ***second (Alvarez hesitantly finds friendly)***
- Weber: ***moves to call question***
 - Gertds: ***second***
- Alvarez: thanks for partaking in stressful election code discussion. Hopes that this will help newer senators find inspiration for new changes, not something that will be perfect, shows we follow recommendations of supreme court.
- **Voting**
 - Denton:yes
 - Dobbins: yes
 - Gertds: yes
 - Leckie: yes
 - Mcauliffe: yes
 - Weber: yes
- **Bill Passes Unanimously**
- Bill 42 Sponsored Alvarez-Removing Statute 419 due to the revisions made to Statute 207 in the 70th Student Senate
 - Alvarez: senator orientation was successful, eliminating redundancy between statutes, two statutes regarding senator orientation, eliminating an older version. 4:09 yields
 - Denton: ***moves for round table***
 - Gertds: ***second***
 - Denton: cleaning up statutes, sponsored new senator orientation bill last semester, following up previous change, eliminating irrelevant statutes
 - Denton: moves to call question
 - Gertds: seconds
 - Alvarez: waves
 - Voting
 - Denton: yes
 - Dobbins: yes

- Gerds: yes
 - Leckie: yes
 - Mcauliffe: abstain
 - Weber: yes
 - **5-0-1 passes**
- Bill 44 Senator Weber -To Update Election Code Statutes in Chapter 700 in accordance with University Policies
 - Weber: eliminating blackboard from statutes, only requires FSUID. 4:37
 - Denton: ***moves for round table***
 - Gerds: ***seconds***
 - Denton: don't debate, vote yes
 - Denton: ***moves for a non committee member to speak***
 - Gerds: seconds
 - Alvarez: glad he's not the only one who reads election code
 - Dobbins: calls question
 - Gerds: seconds
 - Weber: yields
 - Voting
 - Denton:yes
 - Dobbins: yes
 - Gerds: yes
 - Leckie: yes
 - Mcauliffe: yes
 - Weber: yes
 - **Bill Passes Unanimously**
- Bill 45 Senators Torres, Harmon, Murcia, Weber, Harris, Dean, Gurau, Ready, Denton, Sandoval, Alvarez, Parker, Warren, Durham - To clarify and list the powers of the attorney general
 - Denton: this is clearly a very thorough detailing of the office of the attorney general, wrote this with current attorney general, has a thorough understanding. This office is important, needs to be clearly defined. Yields with 3:37
 - Weber: ***moves for round table***
 - Denton: ***second***
 - Denton: ***moves to allow non senator to speak***
 - Dobbins: ***second***
 - Dobbins: currently there is no definition of office of attorney general
 - Torres: it has no central statutory location, no need to amend the rest of statutes
 - Weber: chapter 300.6E, "pursuing a degree at college of law" is too vague and can involve people who are not trying to become lawyers
 - Gerds: 300.6G there is a typo, Then instead of than
 - Dobbins: are there undergrads in college of law?
 - Torres: only undergraduate student involved can be an acting attorney general
 - Dobbins: this might need clarification
 - Weber: are you familiar with John Tyler? Came down to specific wording.

- Torres: will accept help and clarification
- Dobbins: who is apart of the office of the attorney general?
 - Torres: up to discretion of attorney general
- Dobbins: should there be stipulations on what positions are allowed to be created?
 - Torres: powers and responsibilities clarifies this, senate can come in later and amend as it comes into place
- Weber: in contrast to that, supreme court can appoint consul, who overrides who? Council for any proceedings, general council can be appointed by supreme court, can attorney general do the same?
 - Torres: ability to appoint students on their behalf
- Dobbins: why does attorney general serve executive branch
 - Torres: senate has its own investigative authority, it's about separation of powers
- Dobbins: what if senate president does something unethical?
 - Torres: senate has jurisdiction
- Weber: what if supreme court overrides general council decision?
- Gertds: Senators get general council, chair of judiciary can launch investigations
- Torres: separation of powers issue
- Gertds: similar to US government
- Torres: Talk to president Steinburg in the future
- Leckie: senate has subpoena power
- Dobbins: issue with C, can a student ask the attorney general to investigate?
 - Torres: yes
- Torres: added as a check on the attorney general, senate has investigative authority, attorney general is part of executive branch
- Gertds: thinks that it is good that we do need the attorney general to be beholden to the executive branch, and have some discretion about what proceedings are initiated.
- Torres: senate can impeach and subpoena
- Weber: what if the attorney general doesn't show up
 - Torres: maleficence
- Dobbins: impeachment is slow
 - Torres: make it a solid role
- Gerds: prevents us from having to use power of impeachment, expedite impeachment
- Leckie: long proceedings aren't bad
- Dobbins: why are they beholden to the President?
 - Torres: they are an executive agency
- Gerds: return back to adding language to provide more clarification of role of acting attorney general, should we do this?
- Denton: what are we concerned about
- Weber: There could be conflict between council appointments of supreme court and Attorney General
 - Torres: Supervisor of election not in this bill, unclear if they work for judicial or executive. Court appointed council, not sure if it overrides, or if it is similar to general council
- Gertds: this is probably rare
- Weber: it happens 3 times a semester
- Dobbins: back to the question of acting attorney general, specify a time frame, and undergrad student who understands legal proceeding

- Torres: time frame could be a long time
 - Gertds: if we added time frame, or specified undergrad students, we would be limiting ability of exec to interview and find qualified people
 - Torres: acting attorney general could be anyone
 - Leckie: why are undergraduates able to be acting attorney general, and is there language for recusing of the Attorney general?
 - Not to limit the number of people who can be the AG, and not recusing yourself is malfeasance
 - Gertds: we've been talking for awhile, identify what issues we found, and amend, acting attorney general language by adding clause under G, acting is clear.
 - Mcauliffe: acting is defined
 - Dobbins: until i can see how they are given the acting role, i cant pass
 - Torres: the senate can reject candidates, and can even select their own
 - Leckie: can there be an acting AG for one investigation?
 - Dobbins: two people holding same office of different credentials is problematic
 - Torres: does not want to change section D
 - Gertds: acting AG is probably going to be the deputy AG or a senate selected candidate, the senate voting for someone is a good check
 - Leckie: agrees
 - Torres: the senate has a say, and can reject candidates
 - Weber: would it be like any appointment?
 - Torres: it's up to rules and procedures
 - Gertds: we have identified all issues, we should make up our minds
 - Leckie: why can't the AG be undergraduate
 - Torres: we should not constrain the office
 - Weber: can they represent the executive branch properly?
 - Torres: advertise the opportunity, it is an SGA wide issue
 - Gertds: ***moves to call the question***
 - Mcauliffe: ***second***
 - Denton: echos Torres's statements, important for there to be an undergraduate student, it is thorough, hopes that we vote yes.
 - Voting
 - Denton: Yes
 - Dobbins: No
 - Gertds: Yes
 - Leckie: Yes
 - Mcauliffe: Yes
 - Weber: Yes
 - **5-1-0 Bill Passes**
- Bill 50 Senators Sandoval, Murcia, Harmon, Purganan, Alvarez - To redefine the purpose and duties of OGA's Agency Advisory Committee to allow SGA Agencies more participation in crafting the legislative agenda and FSU Day at the capitol.
 - Sandoval: trying to get WSU to lobby at FSU day at the capital, technically agencies can't do this, and have little role in the legislative agenda. This would allow for more equal representation of FSU's various groups. Expands power of agencies, allows for them to lobby with OGA. 3:56
 - Denton: ***moves for round table***
 - Gertds: ***second***
 - Denton: why not just ask OGA to support interests of these groups

- Sandroval: the purpose of the agency advisory committee, sometimes they don't meet, and this shuts out agencies. This allows agencies to have a direct voice in formation of the legislative agenda
- Alvarez: more bodies for OGA, more effective when its lobbying from students who it effects
- Weber: did anyone from WSU leadership ask for this?
 - Sandroval: yes, she is the lisaon to the WSU and talked with HLSU
- Alvarez: chair Murcia and Chair Harmon are liaison and support this bill
- Weber: will HLSU only use FSU lobbyists?
 - Sandroval: only OGA can hire, power is differred to them
- Dobbins: bureau needs to be added everywhere, but also extended to bureaus as they advocate for ideas, concern with 3, if OGA doesn't decide for a sustainability point on the agenda, what can OSS do?
- Alvarez: why we have legislative agenda come to senate is for this reason, can be discussed
 - Sandroval: great idea for bureaus to have a say, only individuals authorized by OGA can lobby
- Denton: To what extent did you work on this bill with OGA, and did they approve of this bill?
 - Sandroval, yes but the hurdle is university policy, only thing was about faculty lobbying, trying to get in contact with President Steinberg
- Mcauliffe: will agencies work with a specific law group?
 - Sandroval: in language all power and coordination is differred to OGA, no room for outside law groups
- Mcauliffe: can agencies approve people to lobby if OGA doesn't approve of them?
 - Sandroval: no, they would still go through an application process, apply through OGA, but under name of agency
- Denton: this bill changes the purpose of agencies, allows them explicit lobbying power, agencies are supposed to produce events, this is moving them into direction of politics, not a good place for agencies
- Dobbins: disagrees, agencies established to represent voices that aren't typically heard, if OGA doesn't prioritize issue specific to women, WSU should be able to lobby for it.
- Mcauliffe: limited spots for lobbying, this narrows down people that are able to lobby, why not try to fix system? The board was established to hear concerns of agencies, should we work on this instead?
 - Sandroval: yes, but it is already mandatory, understanding that it is difficult to meet, agencies should have more of a voice
- Leckie: can bureau's ask for edits to the agenda from liaisons?
 - Sandroval: yes
- Weber: encourage them to get involved in the legislative process, strength in numbers, can we work with OGA to expand representation
- Alvarez: does not tell OGA how to involve agencies
- Sandroval: has wanted to sit down with President Steinberg
- Dobbins: can add "and bureaus"
 - Sandroval agrees
- Jacobsen: can we table and talk to OGA?
- Denton: ***moves to table bill 50***

- Bill 51 Senators Dean, Warren - To amend Chapter 605 of the Student Body Statutes to better reflect the values of The Union Board and enhance The Union Board Selection Commission.
 - **Tabled**
- Bill 52 Senators Dean, Warren - To amend Chapter 605 of the Student Body Statutes to better describe the committees of The Union Board and better define the powers and duties of The Union Board.
 - Warren: revising union board committee, old union board looked over, cross out duties they have not used, advising certain duties and reevaluation others. 3:13 yield.
 - Denton: **moves for round table**
 - Gerds: **second**
 - Dobbins: **moves for non senator to speak**
 - Gerds: **second**
 - Dobbins: redundant crossing out:
 - **Tabled**
- Resolution 34 Senator Leckie - To encourage the use of the Legislative History act
 - **Tabled**

Unfinished Business:

Bills 51, 52 and Resolution 34

Final Announcements:

Date and Time of Next Meeting:

April 16, 2019 at 6:30 p.m. in Strozier Faculty Conference Room

Adjourned: 8:28 P.M.

A handwritten signature in black ink, appearing to read 'Samantha Jacobsen', written over a horizontal line.

Signature of Chair Samantha Jacobsen