



**73rd Student Senate
Judiciary Committee Agenda
Sunday July 18,2021 | Zoom Meeting ID: 909 196 4098**

Call to Order: 8:05 pm

Members Present: Chair Linsky, Senator(s) Freeman, Myers, Bowling, Edouard, Puwalski, Flashman, Wissman

Members Tardy: X

Members Absent: Senator Lessard (unexcused)

Guests: Pro Tempore Hunter, Senator Barrett, Gabrielle Little, Parliamentarian Rowan

Approval of the Minutes:

- Chair Linsky entertains motions to approve minutes of last week
- Senator Puwalski moves to approve minutes
- Senator Edouard seconds
- No objections
- Minutes are approved

Announcements:

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

Student Comments: X

Committee Business: X

Old Business:

- Linsky: We'll be discussing Senate Bill 44 today and we had a couple amendments to discuss about last week's bill that we can potentially cover here in committee. We also wanted to have the Chief Justice of the Supreme Court in here to discuss that.

New Business:

- Senate Bill 44, sponsored by Barrett
- Opening Statements (3 minutes):
 - Senator Barrett: Good evening everyone, as Chair Linsky said this is just amending statute 1011.4 which outlines the executive board of the Veteran Student



Union, it's a simple revision of verbiage and the addition of a description of the seventh executive board position, Public Relations and Marketing Officer. It's just making sure statues are accurately reflecting what is actually happening with the VSU as this position has already been added. 2:21 yielded to closing

- Technical Non-Debatables:
 - None
- Senator Puwalski moves to enter round table
- Senator Edouard seconds
- No objections
- Enter into Round Table:
 - Chair Linsky: The only points I have to make are formatting wise, and I think this is a note for all of us, when we get to section E, responsibilities, it's confusing how you formatted it if you're going to cite this legislation. This is not on Senator Barrett at all, this is just the statue. Not what I want to focus on debate wise, just a note for all of us when writing legislation to format it in a way that improves on statues. Point of information as well that I found interesting, this struck me as strange that the director of the VSU has veto power over any amendment senate makes to article 1011.11. Amending these statues requires that it must be proposed to the director who can veto it and I'm not sure if that's actually the case, even though it says that in the statues. I'm not sure if the constitution gives them that power, and further, other unions don't have this power.
 - Parliamentarian Rowan: I just popped in and noticed that you're having this conversation and I wanted to note that there was a bill to remove this veto power from the agencies, I think it was in the 72nd senate and the bill failed. The senate decided not to repeal those powers.
 - Chair Linsky: It's very odd because it convinces the VSU into a sense of security and power which I'm not actually certain that they have.
 - Parliamentarian Rowan: I'm being corrected by someone now, whoever is contacting me please send me the bill number
 - Chair Linsky: In practice I can see this being a problem where if somebody decides, well you don't actually have veto power, they take it to the court and likely win. It's just something I noticed
 - Senator Bowling: I just had a question about precedent, I know Parliamentarian Rowan mentioned other organizations have veto power, is this a common thing for all organizations?
 - Chair Linsky: Just the VSU from what I can tell
 - Senator Puwalski: Thanks for pointing that out I didn't see it, I think that's interesting and something to look at in a different bill. I guess i see the rationale behind that but if the senate is passing legislation, the student body president should be the only one approving or vetoing that, I don't see how this power fits into the process we use
 - Senator Barrett: I just want to say I read these statues and now looking back on them I do see what you're talking about. When I originally read it I thought it



meant proposals made by the board to the director, but I can talk to Sarah, the director, and see if she knows anything about it or write a new bill to take that out of it.

- Chair Linsky: We can amend it in judiciary if we want or have the conversation and try to amend it on the floor.
- Senator Freeman: Just on that note, if it's already been in place has it ever been used or is it just a power hidden away?
- Chair Linsky: I don't know, but in reality if the VSU has a big problem with something the senate is doing, they can use their soft power and go to the student body president and make their argument for why they should veto that bill. There is no such appeal process in this veto, it would seem that the authority of a veto by the director of the VSU when it pertains to an amendment is undeniable. It's odd they have that level of authority. What if we strike this and then pass the bill and then they veto the bill based on that power, and then it becomes a direct clash and the student body doesn't benefit from senate fighting with the VSU, so I'd prefer to take a conversational approach and just tell them I know it says this, but here are the potential pitfalls your successors will fall into if they bank on this
- Senator Flashman: I agree with that, I don't see the point in going after taking this out. Seems like a lot of energy that'll end up in a fight that's not worth pursuing. We'd be much better off trying to talk to them.
- Senator Barrett: As somebody on E board for VSU, I don't think Sarah, the director, would have an issue with this being changed. She's not somebody I'd ever describe as abusive to power so this won't be a fight. I can even text her real quick and see if she can hop on this call, I don't know if I have time to amend this tonight.
- Chair Linsky: I would try and get in touch with her sometime before this bill hits the floor and we can address it there based on her response. Going back to the purpose of the bill, I think the merits of this bill are excellent and putting forth the creation of a new office is great to see a new senator do as well.
- Parliamentarian Rowan: Looking through old records, I cannot find any record of a bill passing that removes those powers. I found a series of bills tabled in judiciary or withdrawn by sponsors so if anybody has those records I'd love to see it but if its current time i can't find any bill that removes those powers
- Senator Freeman: What was the original reason this veto power was given?
- Parliamentarian Rowan: Because of how our records are set up and the legislative history is set up with statues I don't know about that being something that was added in the last 3 years and once you get further back and beyond that you need to figure out the specific bill and get in touch with Ben Young about it. The best answer for you is time and memoriam, it's a power because it's been a power for as long as we've known. I know that's not the best answer but the only answer i have
- Chair Linsky: Will entertain motion to call the question



- Senator Puwalski: Moves to call question
- Senator Edouard: So seconded
- No objections
- Closing Statements; 2:21 seconds
 - Senator Barrett: Thank you guys for hearing this bill, I'm texting Sarah right now and may be able to get her to hop on the zoom right now. This is the first piece of legislation I've ever written, it was fun and I'm proud of it and thank you all for hearing it tonight
- Vote:
 - Freeman: yay, Myers: yay, Bowling: yay, Edouard: yay, Puwalski: yay, Flashman: yay, Wissman: yay
 - 7 yes, 0 no, 0 absentions
 - Passed and sent on to senate floor
- Chair Linsky: The second order of business is the conversation with the Chief Justice who was supposed to join this call at some point but has not yet. Let's recess for 5-10 minutes so I can try and track her down and get her attention
- Senator Puwalski: Motion to take an indefinite recess
- Senator Edouard: So seconded
- No objections
- recessed at 8:31
- Chair Linsky: Checking in again at 8:51, I still have not heard back and I'm not sure where to go from here other than wait for a response and judge the tenure of how enthusiastic the judicial branch is to work on this.
- Chair Linsky: Ok guys we are about to adjourn so I emailed Chief Ducey to see if she could meet again on Tuesday. I'm disappointed but I'm gonna be optimistic and say there was a good reason the Chief Justice couldn't make it tonight. With that, are any closing announcements?

Unfinished Business:

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Final Announcements:

- Chair-
 - The last meeting of ROPAH will be Thursday so if any of you all can make it, we have finished our first pass and we'll be having some fun debates and we could really use some additional input. We could always use fresh eyes and fresh minds to tell us if we've gone too far into the weeds
- Vice Chair- X
- Members-
 - Senator Puwalski: Thanks so much for your efforts to try and get Chief Ducey here. Yesterday in the senate groupme I sent two pieces of legislation I'm



working on, no obligation to any of you, but if you'd like to sign on as a cosponsor or have any advice to offer, I'd love to get some opinions and more support. Check it out and text me with any questions.

- Guests-
 - Pro Tempore Hunter: I am here today and just wanted to thank you for being a very productive committee this summer. Your work doesn't go unnoticed so from me and Alex to say thank you for your time and commitment to judiciary and senate as a whole.
 - Parliamentarian Rowan: Shoutout to our summer senators, thank you for the work you've done. To those who are sticking around, we lost people and we have people who are coming back but other people who aren't, so we need people, so maybe consider giving us a shot.

Date and Time of Next Meeting: after session reconvenes in Fall

Adjourned: 9:06 pm

Senator Puwalski: Moves to adjourn

Senator Edouard: Seconded

No objections

Meeting Recording:

<https://drive.google.com/file/d/1TkCFU5mAVZmtWY8tbVlcO-DtHmwQLG1o/view?usp=sharing>

Matthew E. Linsky