



73rd Student Senate
Rules of Procedure Ad Hoc Committee Agenda
DATE | Zoom Meeting ID: 909 196 4098

Call to Order: 6:06 PM

Members Present: Linsky, Tackett, Rowan Randall,

Members Tardy:

Members Absent: Lessard, Soto

Guests:

Approval of the Minutes:

- Randall: Approves Minutes
- Tackett: So seconded

Announcements:

- N/A

Student Comments:

- N/A

Committee Business:

- Linsky: Our last business seems to be with the Analysis of the Rules of Procedure. Can you recap us on your work Senator Randall
- Randall: There is no new update. We are still waiting for the updated Rules and Procedure. It will take time for us to get that document, especially considering that they are busy since it is the end of the fiscal year. I will talk to the president tomorrow
- Linsky: It may go on the back burner for now, but at the moment we can go over the list of amendments that Rowan has created. It seems like the 1.2 amendments on ranked-choice voting are the last issues that we discussed. We were on the point that “revoting” was preferable.
- Randall: We should highlight the changes that we made.
- Linsky: I agree, we should iron out the language and vote on it. For 1.2 B, I want to fix some of the language with that.
- Randall: Why does second place matter again?
- Linsky: Look at C
- Randall: We should cut out that language. I am going to highlight all of the changes in green so we can see them.



- Linsky: The new language for 1.2b reads “if more than two candidates tie for first place, then there shall be a runoff of all tied candidates”.
- Randall: 1.2 a (iv) is redundant
- Linsky: I am okay with redundancy in this area.
- Randall: It refers to the exact same clause stated earlier
- Linsky: It is redundant, but it doesn't do any harm. I would prefer to have it there to be safe.
- Randall: By nature of having the rule, it is applied as such.
- Linsky: It doesn't have to be followed unless it is there.
- Rowan: It would be hard to pull off the idea that there is some different rule for the President and Pro-Temp election.
- Linsky: This is a special election, and for us to assume that the same rules apply for the special election is foolproof. It leaves room for implicit assumption to undermine the purpose of the rule.
- Randall: Does a good rule need to say that “you need to follow this rule”
- Rowan: What if we just included the words “if there is no winner, the election will follow under the same format”. This would be a good compromise.
- Randall: It is still redundant and unnecessary. I will vote yes for times sakes. **I move** to approve the changes in 1.2
- Rowan: **So seconded**
- Linsky: Any objections? I see none. Moving on. Let's look at 1.8
- Randall: We should remove the language of “i-clicker”. It should not be referenced
- Linsky: I agree
- Randall: Let's read it. It appears that the statement on “slander and personal attacks” is included somewhere else, it is redundant. This also includes a lot of different information it should be in bullet points.
- Rowan: When this rule was written, there was a concern about the minority of the senate boycotting and blocking any business from continuing. A minority that is organized enough can overpower 3/4ths of the senate.
- Randall: 2/3rds seems better than the 3/4ths. I don't want 51% of the senate deciding on the removal of the president.
- Rowan: Okay, I agree
- Randall: I also agree with striking the “i-clicker” language. The current language is on 1.8, 1.9, and 11.11. I will strike all those areas.
- Rowan: Does rule 1.8 apply to the president and pro-tempore?
- Linsky: We could include language that says that the rule applies to both
- Randall: Who would take the vote? We need to clarify who would take the vote. It could be the clerk but that position is not always filled.
- Linsky: Worst case scenario, wouldn't the Judiciary chair percide?
- Rowan: 1.7 outlines the list of committee chairs that would preside.
- Randall: Let's do one of those “redundant” rules and say “refer to 1.7” for the procedure of who shall assume the chair.
- Randall: How is no confidence different from Impeachment



- Linsky: Both are procedural. Impeachment at the federal level is relevant to “high crimes and misdemeanors” and requires participation from both chambers. Impeachment at our FSU constitutional level creates an explicit role for our courts. “No Confidence” is simpler and doesn’t require as much explicit rationale, which is why it is more often adopted in business settings.
- Rowan: In this case, the difference is “No confidence” means we are removing them from their current position while an impeachment removes them from the position entirely. “No confidence” would retain a president as a senator. For the “reason” in the motion language of 1.8, we should say that they “may include a reason”
- Randall: Why ask for the “reason” when it will be expressed in the first place?
- Rowan: If it is not explicitly stated in a rule like this, then there is no room for interpretation when it is reviewed by a court or someone else.
- Randall: Based on the district court ruling, I do think we must have a reason for the motion to be explicitly stated. Let’s talk about the “Slander” area of 1.8. It is a direct copy of 10.11 (b). It was copied and pasted. Since it keeps getting repeated, lets just make it a rule.
- Linsky: I don’t know why it needs to be its own rule when it used to fill the gaps.
- Rowan: That rule is explicitly said somewhere
- Tackett: Alex always cites the rule when someone is out of line. It is in there.
- Randall: I found it. 12.5 of the Senate Code of Conduct
- Linsky: I do think it should be a rule, I am trying to see how to fit it in there.
- Randall: It may need to be its own rule. I believe the slandering mentioned earlier should also be its own rule
- Linsky: If we are not mentioning someone’s name, it would be hard to slander. Also slander is a legal term with a lot of kinks when it comes to the burden of proof - which varies based on the nature of the speech, the speaker, and the subject of the speech. For simplicity’s sake, we should get the word “slander” out of our rules of procedure and keep it at “personal attacks.”
- Randall: We should add this rule to 12.5.
- Rowan: I don’t think we should copy and paste it, I think we should reword it.
- Randall: I think this does not explicitly apply to the public, it should apply to everyone.
- Rowan: The members of the public can only make comments in the public comment section.
- Linsky: I am against that for members of the public because it restricts their speech.
- Rowan: I dont think it is the place of the Rules and Procedures to make rules on the public.
- Tackett: Do we have the power to make rules over public conduct?
- Rowan: I believe we would under statutes.
- Linsky: (checking the time) I think I could have conducted this meeting better. We didn’t have much of a plan and didn’t get enough done and that’s on me. We do need to get a move on and get more organized. I am going to start assigning more work in certain sections. Randall, I want you to take the lead on the character rules. I will look at rule 2. When it comes to 3 and 4, I want Jack to take a deep dive into the changes he suggested. I also see Randall’s commentary is present.



- Randall: See how 12.5 reads over now
- Linsky: I am not too concerned with how intricate it is worded. It is still not necessarily enforceable to the average clever person who can work his way around not using senator's names. Let's move back to 1.8. So far, we agree we need a plan to consolidate 1.8, 1.9, and 1.10
- Randall: 1.10 needs to be consolidated too? I guess so, let me look real quick. Looking at 1.9, we should reword the last sentence so that it reads "the presiding officer shall immediately call for the election of the recently vacated position pursuant to rule 1.2".
- Rowan: I am concerned that 1.10 opens the door to what is exclusive in the senate.
- Randall: It opens it up to a lawsuit. It is already outlined in the conduct code. Again, another reference that doesn't need to be there.
- Linsky: Let's read 1.8 again
- Rowan: **I move** that we adopt the new language of 1.8.
- Randall: **So seconded**
- Linsky: We have finished section 1.
- Rowan: We should move to be weekly
- Linsky: let's meet every single Thursday in June.
- Randall: I also invite everyone to start commenting on the rules.
- Tackett: I also will start picking up some homework
- Linsky: What should be our goal for the end of June? Let's try to get through rules 2,3,4 next week. Then we will give 5 it its own week and maybe start tackling 6. 6 shouldn't be too long.
- Rowan: Before we get into next week, I want to inform you all about rule 4, I came across a section in the constitution. Article 2 section 2 says "selection other officers shall be set by statutes" meaning the method of selection. This runs contrary to the court decision. I have a whole report up on that.
- Rowan: **Motion to adjourn**
- Randall: **So seconded**

Adjourned: 8:04

Meeting Recording:

https://drive.google.com/file/d/13ZBqhVwJ4BJrIW-cRkI3LKBs0F_3rnl5/view?usp=sharing

Date and Time of Next Meeting: Thursday, June 3 at 6pm.