



74th Student Senate
Rules and Calendar Committee
Friday, July 15 @ 5:30PM | <https://fsu.zoom.us/j/7669809570>

Call to Order: 5:31 PM

Members Present: Pro Tempore Drackley, Chair DeChick, Chair Folwell, Vice Chair Kariher (in place of Tucker), Chair Rowan, Chair Marting

Members Tardy: N/A

Members Absent: N/A

Guests: President Diaz

Land Acknowledgement (Chair DeChick)

The Student Government of Florida State University acknowledges that it is located on land that is the ancestral and traditional territory of the Apalachee Nation, the Miccosukee Tribe of Florida, the Muscogee Creek Nation, and the Seminole Tribe of Florida. We pay respect to their Elders past and present and extend that respect to their descendants and to all Indigenous people. We recognize this land remains scarred by the histories and ongoing legacies of settler colonial violence, dispossession, and removal. In spite of all this, and with tremendous resilience, these Indigenous Nations have remained deeply connected to this territory, to their families, to their communities, and to their cultural ways of life. We recognize the ongoing relationships of care that these Indigenous Nations maintain with this land and extend our gratitude as we live and work as humble and respectful guests upon their territory. We encourage all to learn about and educate others on the contemporary work of the Indigenous Nations whose land we are on and to endeavor to support Indigenous sovereignty in all the ways that we can.

Committee Reports:

- Budget: Met last night, passed Bill 61, Bill 62, Bill 63 with no amendments. Bill 65 and Bill 66 did not pass.
- Finance: Did not meet, no bills
- Internal Affairs: Passed candidates Iaconis (Director of Academic Engagement), Delcin (Director of Communication), Youngston (Director of Investment), Hendricks (Director of Outreach), Pontes (WSU Director of Administration). Candidate Bonilla withdrew their candidacy as they were forwarded for an HLSU position. Passed Bill 65, Bill 66, and Bill 67.
- Judiciary: Tabled Bill 60, passed Bill 65, Bill 66, Bill 67, Bill 68, and Bill 69, voted down Bill 70. Also amended and approved the election code.
- Student Life: Passed Bill 62, Bill 69, and Bill 70 without amendments.

Announcements:

President Diaz POI to Chair Rowan: We discussed having two candidates confirmed in Internal Affairs as a whole on Wednesday, will you email them to come to Senate or should I?

- Rowan: I'll email them. For transparency, the candidates are Allen (Deputy Supervisor of Elections) and Merced (WSU Secretary).

Committee Business:

- **Bill 64 – Sponsored by Senators Rowan, Tucker (P); Kariher (Co)**
A Bill to Enact a Standard Term Length to Ensure Accountability.
- **Bill 67 – Sponsored by Senator Rowan (P); Kariher (Co)**
A Bill to Establish Regulations on the Formation and Operation of Bureaus in Order to Ensure Tangible Outcomes by Student Government Bureaus.
- **Bill 68 – Sponsored by Senators Rowan, Boisvert (P); Kariher (Co)**
A Bill to Codify that Resolutions Amending the Senate's Rules of Procedure Shall be Binding and Have Immediate Effect.

Old Business:

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New Business:

- **Bill 64 - Sponsored by Senators Rowan, Tucker (P); Kariher (Co)**
 - Opening Statement:
 - Rowan: This bill is very simple, it makes sure we have a set term length for all non-elected offices. The reason that it's non-elected is because there are offices elected in the Fall, whose term expires the next Fall following their election. There is also an exception for Supreme Court Justices because the Constitution says that they serve until they graduate or are impeached. There's another exception for Senate Officers because they term out at the end of the Senate in which they are serving, at the end of the Fall. This helps us have set term lengths, to increase accountability. If they want to do another term, they still have to undergo the full process of appointment and confirmation. Accountability should never be a problem. There was an amendment made in judiciary that fixes a point that was brought up that there are some offices that technically take their office in the middle of Spring Inauguration, which means that they would only be in office for about an hour if they were removed from office at the very end of Spring Inauguration. The bill also has a clause that says we immediately start enforcing the legislation.
 - Technical Non-Debatable Questions:
 - None
 - First Round of Pro:
 - **Folwell moves to amend, striking the final line "This section shall overrule all conflicting statutes and shall apply retroactively"; DeChick Seconds. Sponsor finds Unfriendly.**
 - Opening Statement:
 - Folwell: I understand why sponsor included this, but I think this sentence does two things: one, it overrules all conflicting statutes, and it makes it apply retroactively. So, it's simple what it does. With regards to overruling all conflicting: I'm not a huge fan of provisions like this, it feels

like it could lead to clauses like “This section shall overrule all conflicting statutes, unless there is a confliction override in that statute.” I don’t want to say it feels lazy – I know the sponsor isn’t lazy, which is why I’m a bit shocked – but I dislike that this is here instead of going through and fixing the conflicting sections of statutes. I know slippery slope is a fallacy, but it feels like a slippery slope. It really does. As for applying retroactively, I just don’t think it’s good policy, it feels ex post facto. You shouldn’t apply a statute that wasn’t in place to somebody who violated it when that statute wasn’t in place. Also, because it doesn’t specify that this applies to people who were in office at Spring Inauguration, the non-elected offices who we’ve confirmed since would also be removed from offices. It would vacate all current non-elected offices. It’s not the interpretation anybody wants, but textually speaking, that is what it does. I know the sponsor will have a lot to say in pro/con, but I think this is bad policy.

- Technical Non-Debatable Questions:

- Kariher: Is there better wording to accomplish the same goals?

- Folwell: To be non-debatable, there’s no way to fix all my issues with it in another way.

- First Round of Pro:

- DeChick: The sponsor of the amendment has a good point in the interpretation of the bill, and this would close a loophole. This obviously isn’t the way the sponsors of the bill intended for this to be interpreted, but it does show an inherent flaw. This closes up a lot of my issues with the legislation, so I am in support of this amendment.

- First Round of Con:

- Rowan: Sponsor talks about bad policy, but this is a bad amendment. The opening was a very strong misconstruing of the intentions behind this bill, and what it does. It’s been butchered in the opening, so let’s set the record straight: which Spring Inauguration does this apply to? All of them – they all matter. If there’s someone who’s still been in office since Spring 2020, I would hope they would be taken out of office because that’s several years that they have not been held accountable by Student Senate or the Student Body President. I would hope this applies retroactively beyond this past Spring Inauguration. With regards to overruling conflicting statutes, I simply ask the sponsor to look at where similar clauses are made. They are made throughout statutes. This saves us not only from statutes currently in place, but also from potential future issue. So, this future-proofs it until someone removes this amendment. This prevents people from setting different regulations for specific agencies or bureaus. So, this amendment opens up a litany of loopholes from future legislation that would make none of this matters. So it is

important to have this part in here, with both the overruling clause and the retroactive clause because this is all about ensuring accountability. It is indeed ex post facto, that's the intention – there needs to be accountability. If someone has been in office two years, I'd love for them to come back through the confirmations and interview process, and interview against all competing applicants. What is there to be afraid of? Why should we be afraid of instituting accountability right now? This amendment is written in fear of accountability, so vote down on the amendment.

- POI Diaz to main bill Sponsor: What would happen if somebody else along the line decided to make a provision that overruled another statute, in conflict with a provision like this? Which statute would then win?
 - Rowan: That would be a direct conflict of statutes, which would be decided by the Supreme Court. I would hope people would not need to do that if we're setting a single standard term length. I would hope that senators would ask, "why do you deserve to be treated differently from everyone else?" if such a bill was proposed in the future.
- Second Round of Pro:
 - None
- Second Round of Con:
 - Kariher: My biggest qualm with this amendment is that the retroactive application is struck out. I understand the overruling aspect, since if that sort of clause is overused, then which statutes are overruled and which ones aren't? If this amendment passes, I will be introducing another amendment reinstating the retroactive application, to prevent someone who's been in office for two years from saying something along the lines of "Well, when I came into this role, this rule wasn't a thing, so that means it doesn't apply to me now." If it doesn't apply retroactively, then they can continue to do what they've already done, and that's not fair since all the other offices have to have term lengths. I think the retroactive portion is fine. If you think it's too vague, I will write out an amendment that lists out every single office that needs to be vacated, to make it specific.
 - Rowan: I want to touch on one more legal point here, on what the previous speaker just mentioned. The sponsor shakes his head at someone in office saying "This doesn't apply to me because it doesn't say that it does, because I've held this office before", but that is exactly what the prohibition on ex post facto criminal laws in the U.S. Constitution laws does – it allows someone to say "I've been here before this law was passed, so I'm not affected by it." What the stricken section is saying is that they are still bound to do this, and that they must go through the confirmation process again, to be held accountable by the

student body instead of just sitting there for four more years. I ask that we vote no on this, and get back to debate on the main bill.

- **Kariher moves to call the question; Rowan seconds.**

- Closing Statement:

- Folwell: I'm just going to reiterate two points: one, applying retroactively means that this will apply to all non-elected offices. It doesn't say "all non-elected offices who are in office during Spring Inauguration shall be vacated upon that Spring Inauguration", it says "all non-elected offices shall be vacated upon Spring Inauguration." If you apply that retroactively, it doesn't matter that they weren't in office during Spring Inauguration. Very textually speaking, that's not how it works. Secondly, with regards to ex post facto, it says that the offices shall be vacated, not that someone who has been in office for the past few years shall leave. I think no court shall hold up someone who has been in office for the past few years electing to stay in their role during the next Spring Inauguration, because there is no retroactive component. I'm sorry, I'm struggling to articulate myself. I hope y'all understand what I'm getting at and vote how you feel.

- Vote:

- Yes: [1] Marting
- No: [3] DeChick, Kariher, Rowan
- Abstain: [1] Folwell

- **RESULT: THE PROPOSED AMENDMENT DOES NOT PASS**

- POI Diaz to Sponsor: Would this bill immediately remove the Supervisor of Elections and Homecoming Council upon it being enacted, and do you have a problem with that?
 - Rowan: Homecoming Council, I do not. Chair Tucker said at the end of Judiciary that he does not believe it will affect them. Supervisor of Elections, yes, because he has been in office for the year and Spring Inauguration has come and he claims to still be in office. This would immediately impact him. We will have a Deputy SOE in office as of Wednesday, so he will just need to get forwarded again and reconfirmed.
- POI Diaz to Sponsor: How does this not affect the Homecoming Director, Homecoming Assistant Director, and Homecoming Live Director, given they were in place in February?
 - Rowan: We confirmed them for the 2022-2023 School Year, and I will continue to look into this point, but if the case happens that there is an issue, and they accidentally get caught in this, then I don't think anyone will have any issue with exec reforwarding them and us quickly confirming them. I don't think anyone should be scared of the confirmations process. I think all of them passed unanimously last time, and they're doing a great job, and I know that they will continue to do a good job. Senate would probably confirm them unanimously again, and in quick order.

to strike out conflicting language. We all know that statutes are already a mess, and they're sprawling and all over the place. In many cases, there's two different rules in two different places. I don't like that. When you're looking at the forwarding process for agencies and bureaus, you may see the part that says they maintain their roles until their successors come into office, and not know that this statute exists because there are two different roles in two different places. If we're going to do this, let's start removing the places where statutes conflict. These are just a few concerns I have.

- DeChick: I don't like to vote down on a bill unless I explain why. I believe the amendment proposed earlier would solve a good number of issues, and I understand why the sponsor would find it unfriendly. However, because there is a foundational gridlock of opinion, I just don't see myself supporting this version of this bill.
- Marting: I like the idea of the bill, but I'm also not a fan of the retroactive part.
- **Folwell moves to call the question; DeChick seconds. Kariher objects, Folwell withdraws.**
- Second Round of Pro:
 - Kariher: I think that this bill does a lot of really good work. I was also concerned about the Homecoming Council. If this did move on, I would be willing to amend the bill that strikes out the last line and add the exact roles that need to be vacated right now, which include all non-elected roles that don't have to do with Homecoming. We can find those roles, and we can list them out, and we can do that right now. I do not think it's fair that people would just get to continue to serve. I can draw up that amendment on the floor if this gets passed.
 - POI Diaz to Sponsor: Could you tell us what prompted this bill and what positions you have a problem with people staying in, instead of excluding and making more exceptions?
 - Rowan: This was generally prompted, due to many conversations with people who have held appointed office who did talk about not having anyone come into office until their successor comes into office, so they're not going anywhere. There is no specific impetus for this, so I have no list of specific positions to be affected by this. I would assume this also affects IRHC leadership, as they have not come back to be reconfirmed, probably SCURC would be affected and need to come back through since it's been a year, the Supervisor and Deputy Supervisor of Elections, and maybe affiliated projects? But this is made for general purposes, and we should not be afraid of having accountability.
- **Folwell moves to call the question; Kariher seconds**
- Closing Statement:
 - Rowan: I hear some of the concerns raised, and I think that one of the problems in addressing these concerns is that the amendment that was offered was a blanket amendment that sought to strike out all of the specifications around this, and I think if this goes to the floor, I would definitely be interested in seeing amendments talk about one or the other, but I don't think it's a good idea that we talk about both. These are very separate, very distinct conversations that deal with different points of the law. I would love it if this passes committee tonight, and when this goes to

the floor next week we can talk about these issues individually, instead of together, like they are. So, I ask that you vote for this. The only thing to fear is fear itself, we should not be afraid of accountability and we should not be afraid of thanking people for their service and asking people to reapply after a year in their role. We want new people to be involved, and we want competition; we want the best and brightest around. There are many circumstances in which one person was the best and brightest of their time, and then a year passes and someone else comes in. If someone came in and had a better application to be Parliamentarian in the Fall, I would not be surprised if that happens since new people come in all the time and do a great job. That's why we need this, to make sure we have standard term lengths that apply across the board. I don't think we should be putting in a lot of exceptions; the only exceptions are either mandated by the Constitution or Common Sense. I ask that you vote for this bill, even if you aren't personally in favor of it, so that it can go to the floor, and have the conversations about the individual components of this bill in more depth, with my fellow Primary Sponsor there to help discuss this. Let's have this conversation, let's have it on the floor. Please vote yes.

- Vote:
 - Yes: [2] Kariher, Rowan
 - No: [3] DeChick, Folwell, Marting
 - Abstain: [0]
- **RESULT: BILL 64 DOES NOT PASS**
- **Bill 67 - Sponsored by Senator Rowan (P); Kariher (Co)**
 - Opening Statement:
 - Rowan: This bill is about the bureau process. We talked about bureaus last week with a previous bill dealing with the bureau review process. This bill deals with the front end of the process: how bureaus are created. This bill tries to make sure that we have bureaus that are providing real resources, which is done through my definition of what "tangible outcomes" are. In Judiciary, we had a conversation about this where I resorted to Merriam-Webster dictionary, which defines tangible as "perceptible by touch," and wasn't sure if that was the best definition of that. This bill also has a provision that any bureau creation bill must go to Internal Affairs. If Internal Affairs deals with bureau review, they should also be involved with bureau creation. It also asks that a report be made of the bureau to get a better understanding of what this bill will do, and could do, so Senators are going into debate with the full breadth of information on the bill, which can be difficult for something as wide-ranging as the creation of a bureau. Once a bureau-creation bill is passed, then at the upcoming election there shall be a ballot referendum asking if the student body supports the creation of the bureau. I know there will be an amendment proposing the addition of the purpose of the bureau to the ballot, which I'm supportive of. If the majority votes yes, the bureau sticks around, but if the majority votes no, the student body does not believe that the bureau is worth spending our money on and the bureau will be repealed. That's the bill in brief, please let me know if you have any questions for it.
 - Technical Non-Debatable Questions:

- None
 - First Round of Pro:
 - **Folwell moves to amend, adding “The purpose of the bureau, as given in the bill creating this bureau, shall also be included on the ballot.” to 900.3, Section E after the sentence ending in “shall be ‘yes’ or ‘no’.”; DeChick seconds. No objections, and Sponsor finds it friendly.**
 - **RESULT: THE PROPOSED AMENDMENT IS ADOPTED**
 - **Marting moves to call the question; Folwell seconds**
 - Closing Statement:
 - Waived.
 - Vote:
 - Yes: [4] DeChick, Kariher, Rowan, Marting
 - No: [0]
 - Abstain: [1] Folwell
 - **RESULT: BILL 67 PASSES**
- **Bill 68 - Sponsored by Senators Rowan, Boisvert (P); Kariher (Co)**
 - Opening Statement:
 - Rowan: This is another quick bill, it states the obvious that we all know is already true. Specifically, once we pass resolutions to change the rules of the senate, those changes take immediate effect. When we say we are changing the rules, we are actually changing the rules. Additionally 400.1 Section B is amended to say that we only adopt the Rules one time, at the beginning of a new Senate, since that’s all you’re supposed to do. Sometimes we have to take things that we already know and put them in statutes, and this is one of those times.
 - Technical Non-Debatable Questions:
 - None
 - First Round of Pro:
 - POI Folwell to Sponsor: Is there a substantive difference between saying “at the first meeting of the Senate after Fall Inauguration” and “at the first meeting of a new Student Senate”?
 - Rowan: That’s what I would have liked to say, but this is one of those situations where we must state the obvious out loud. We can’t have people interpret “new” however they would like to interpret it, so we have to be as explicit as possible to ensure we don’t have issues. This is me being as explicit as possible.
 - POI Folwell to Sponsor: Just to be perfectly clear, there is no difference between the two phrasings?
 - Rowan: The effect of the two phrasings is no difference, but the version on the bill is more explicit and closes any potential loopholes.
 - Kariher: In that vein, I feel like if you leave out “after the Fall Inauguration”, it could be interpreted as the first meeting of summer senate, or after Spring Inauguration – essentially, the interpretation of “does a new group of people in office constitute a different Senate?” So I think having the language of “after Fall Inauguration” is very good. Also, I’m in support of this bill.
 - POI Diaz to Sponsor: Is it your intent that the Rules be adopted at the organizational session of the Senate?

- Rowan: Yes, because that is what the rules say. I'll read them out now: "1.1: During [the organizational meeting], the Senate Rules of Procedure from the previous session shall be adopted, in order to conduct business."
- Folwell: I love this bill. My points of information were not in opposition, I just like to be as clear as possible. This is solid, it closes any potential loopholes. I like things that close possibility for abuse, or confusion or ambiguity. I will be voting in favor and encourage everyone else to do so as well, though I don't imagine that will be a huge issue.
- POI Diaz to Sponsor: Do you think it would be more clear if a theoretical amendment were made to say "the organizational meeting of Senate after Fall Inauguration"?
 - Rowan: No, I don't think that's necessary, since it doesn't specify what type of meeting. If it said the first regular meeting, sure. If it said the first special meeting, sure. But it doesn't, it says the first meeting of the Senate. The first time Senators get into a room and the gavel is brought down, that's when the Rules of Procedure are adopted.
- **Marting moves to pass by unanimous consent; no objections**
- **RESULT: BILL 68 PASSES BY UNANIMOUS CONSENT**

Unfinished Business:

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Closing Announcements:

- Drackley: It's been a good summer, and hopefully the last two Senate meetings go well.
- Rowan: Just a warning: there's a resolution I introduced today that will have to go on the floor, just due to the timeline. The Commission on Student Government has a really late start (about two months late), so this resolution would extend their deadline until either September 28th or September 21st – one of those two, I can't remember which one precisely off the top of my head. We're doing a lot of good work right now, we've finished up our work involving the Graduate students and a little bit of the Executive, and we're pretty deep in the Judiciary which will be having some pretty radical reforms. Some other committees have had a bit of a quorum problem, and we're working on that, but they're doing some good work in the meantime.
- Marting: I wanted to thank you guys for helping me, especially being a summer senator. Shoutout to Jack, Sam, and Alden for teaching me the ropes. Thanks guys!
- Diaz: Come to special session on Monday, I'll send a GroupMe reminder, but please show up. I'm a little worried, and if we don't hit quorum it would really be bad. We have so much business that it's important to divide it between two meetings. I know a majority of you are not coming back, but this committee has been great! All your committees did really great work. I hope to see some of you back, in the future.
- DeChick: I just wanted to thank you guys for your time and help. I've probably reached out to all of you at some point for one thing or another. This was my first full session, and I've really learned a lot and grown. You guys are the reason why I've been able to do that, so I wanted to thank you guys and wish you luck for the rest of Summer and future.
- Kariher: Thanks for letting me come today in Chair Tucker's place! He definitely could have spoken on his bill a lot better than I could have. Thanks, and I look forward to seeing you guys next week.

- Folwell: Thanks for being awesome, and for helping me dip my toes into committee leadership. I think we've all gotten along pretty cordially, even when we've butted heads at times. See you all in the meetings next week, and hopefully in the Fall!

Next Meeting: N/A

Adjourned: 6:36 PM

Alden Drackley

Signature of Pro Tempore Drackley