



75th Student Senate Judiciary Committee

April 7th, 2023 | <https://fsu.zoom.us/j/92245198409>

Call to Order: 5:01 p.m.

Members Present: Senator(s) Alvarez, Folwell, Newsome, Rivers

Members Tardy: Senator Crusey

Members Absent: Senator(s) Garrison, Brewer, Casiple, Chatellier

Guests: Senator(s) Bettley, Humberg, Rawan Abhari, President Diaz, Andres Cubillos

Land Acknowledgement: 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.

Announcements:

- Chair Kariher: Thank you all for showing up.
- Vice Chair Maglin: I echo the previous sentiments.
- Senator Folwell: **CUT OFF DUE TO RECORDING ISSUES**
- Senator Rivers: Can you send the bill in the chat please?
 - Chair Kariher: It's under Judiciary in the Canvas Module.
- Senator Humberg: **CUT OFF DUE TO RECORDING ISSUES**
- Senator Dale: **CUT OFF DUE TO RECORDING ISSUES**
- Rawan Abari: **CUT OFF DUE TO RECORDING ISSUES**
- Andres Cubillos: **CUT OFF DUE TO RECORDING ISSUES**

Committee Business:

- **Bill #47 – St. Hilaire (P) Dale (Co):** To remove the OGA Board of Directors and Deputy Supervisors of Elections from being a major position to allow for increased involvement on campus by interested students.

Old Business:

- None

New Business:

- **Bill #47 - Sponsored by Senator St. Hilaire (P) Dale (Co)**
 - Opening Statement:
 - Dale (Co): **CUT OFF DUE TO RECORDING ISSUES** Yields with 47s
 - General Questioning:
 - Senator Folwell: **CUT OFF DUE TO RECORDING ISSUES**
 - Dale (Co): **CUT OFF DUE TO RECORDING ISSUES**
 - Senator Folwell: **CUT OFF DUE TO RECORDING ISSUES**
 - Dale (Co): **CUT OFF DUE TO RECORDING ISSUES**
 - **Senator Folwell moves to enter round-table discussion; Senator Newsome seconds; Senator Humberg objects – motion withdrawn.**
 - Senator Humberg: **CUT OFF DUE TO RECORDING ISSUES**
 - Dale (Co): **CUT OFF DUE TO RECORDING ISSUES**
 - **Senator Folwell moves to enter round-table discussion; Vice Chair Maglin seconds; no objections**
 - Round-Table Discussion:
 - **Chair Kariher POI** to the Sponsor: Would you basically be saying you'd remove the Secretaries and Treasurers of agencies from Major Offices so that they could hold the Deputy Supervisor of Elections?
 - Dale (Co): No, I would just be removing the Deputy Supervisor of Elections and then still the Board members of OGA, but there would be a clause that states the Deputy Supervisor of Elections still cannot hold any of the Major Offices on this list except the Secretaries and Treasurers of Agencies and Bureaus.
 - **Senator Folwell:** Yeah, I agree with the principle, but I don't know if that exact phrasing is the best way to do it in my opinion, but I do think that solves some of the issues that people brought up the other day. Obviously, I do not agree with those issues, but I think that if we're going to address them that is a pretty good way to address them. I hope that we can figure out the best way to do that.
 - **Senator Rivers:** Yeah, so first, going down the list: people talked earlier about the amendment that the Director, Deputy Director, and Assistant Director of the OGA would not be allowed to do other things. However, that's not the system that was in place that caused the introduction of the original legislation. The problem was that the people on the Board—the voting members on the Board outside of those positions—were people who were in these other categories and there was a problem identified with that. There was a remedy to that problem and the remedy is the implementation of the currently stricken portions of this Bill into statutes. There was conflict of interest when it came to the Agency Advisory Council and the double-dipping that accompanied that. There's still problems when it comes to being a senator and being on the OGA Board and people on Wednesday talked about how "oh, they have a moral obligation to abstain if we're voting". Sure, cool beans. That is not the problem when it comes to that. The problem is that individual being in two places at once. Look at our state legislature or our federal government. You don't see the Attorney General of the United States of America also serving as a state Senator because that's not how government works.

That's not how our democracy works. We are the Student Government Association, and we are based off of the government of the United States and that's just not how it works. There are checks and balances in place to ensure that everything runs smoothly and that is why these positions were added to Major Offices so that everything continues to run smoothly. Trying to take these offices off so that people can "help out more in other spaces" or "do more in other spaces" is inherently unfair to the idea of Student Government Association and inherently unfair to individuals who want to get involved with Student Government Association. It's like, dang, this person is thing, and this person is this thing, so if they have fifteen-hundred positions, what can measly-little-old me do? What can I get involved in if they're just hogging up all the space in these places? I completely get the idea of you want other people in other places, but I think what needs to happen is that we need to stop pigeon-holding ourselves in the idea that these positions are the end-all-be-all of SGA and if you can't do this and this then that's a problem. SGA is not the only avenue on campus to get involved in. We have seven hundred RSOs on campus. Taking myself as an example, I am currently a Student Senator. I am also the Chair of the Fine Arts Leadership Council, which is a subsidiary of SGA while also being the Vice Chair of the Arts and Sciences Leadership Council, which is also a subsidiary of SGA. I currently have all these positions and I am fine, and I don't feel the need to do more because I'm already doing what satisfies me. I'm already making changes in other areas that are not on this list. I think everyone should think about that when we're looking at this, it isn't just like "oh, SGA is the only way to get involved on campus and these statutes currently existing is stopping people from getting involved on campus" because it's not. The statutes that we have in place now are ensuring our checks and balances and ensuring that we are not having oversight, or undermining, or conflicts of interest in these spaces when there doesn't need to be that. People can simply say "well I have this and I'm happy with this because this is a very important job, but this job is not stopping me from joining an RSO that's based in my college, an RSO that's based on protecting the environment, and RSO that's based on activism and helping out there". What the statute in place is ensuring is that we have one person in this one space doing an excellent job and we have another person in this other space doing another excellent job. So now, we're actually promoting diversity. And not just diversity in regard to skin color or sexual orientation, but diversity in thought and diversity in just the people you have in these spaces.

- **Senator Alvarez:** On Wednesday there was some discussion of "back-room deals", so I wanted to address those for clarification purposes and stuff like that. So, people were asking for examples, and I wanted to provide those. The current Supervisor of Elections had applied for Student Body President with one of the parties on campus, the Student Body President-elect was also offering people major positions in exchange for votes on Election Day, and there was also the former Forward FSU Caucus Chair who was offered that position while an independent-- which would have influenced joining that party. So, these are some things that we're hopeful that these things don't happen, but the reality is, and they continue to happen regardless of whether or not we're

taking off Director or Secretary—even if it's a lower position underneath Director. It's still going to happen. Allowing any sort of room for loopholes or anything like that is not something that we should be doing. Also echoing the statements of the previous senator, if we have such an issue with filling these spaces, then this just shows that we need to be doing a better job of allowing the student body to know about SGA and how they can get involved. Closing it off and limiting it to the small group that is SGA—we're not bringing in all those ideas from other students that can better benefit them, we're just keeping it to ourselves. I don't think that's a very healthy environment on campus, especially because Student Government can become very toxic very quickly. I think we need that separation of powers because this is how government works and if we're allowing one person to be in more than one higher level position, again we're not allowing for any of the diversity in ideas and just keeping it to ourselves. I am definitely not going to be voting in favor of this Bill.

- **Vice Chair Maglin:** Yeah, I'm going to share all my thoughts regarding this Bill. One of my concerns that I've been thinking about while listening to everyone is that I get the idea of adding a clause for the Deputy Supervisor of Elections, saying that they can't hold another office, but why are we passing this first and then doing that? I don't like that we're doing this backwards because if you're going to specify that, specify it first in a separate bill and then pass another one striking this. I don't like how we're going about this backwards because then that leaves room for no accountability. You don't have to go and write another bill about this—you can say that you will, but you might not, so I don't like that. Additionally, I don't like that we're striking Deputy Supervisor of Elections because we know, all of us know, that elections can get pretty contentious and I don't think that striking this from Major Offices—I get that this is under the guise of “more involvement” and I think that that's a good thing, I'm sure there's no malice behind striking that, but it's kind of like, why that position? Why are we involving ourselves with the elections process—which is already a very contentious and tense process. I guess more people can get involved, but like some other senators have said, there is involvement in other capacities within SGA. I think that keeping this as a Major Office would be better for the student body because then those people can truly be held accountable for making sure the elections are run as impartial as possible. Say they are the Director of Finance for the Mental Health Council; they can still insert their influence over the constituents of the Mental Health Council. They may be non-partisan, but members of the Mental Health Council may not be. It's a dangerous game when you start to allow people of multiple offices to have a say in the elections process. I do not like that Bill as it stands right now. I would like it better if Deputy Supervisor of Elections was unstruck. I just don't think we should be messing with the elections or the elections positions—it's not a very good idea for our student body and for our Senate and for our election cycle. Right now, I don't like this.
- **Senator Folwell:** I just wanted to say that I'm pretty sure the sponsor said in his opening that the intention was to withdraw this and then submit a new bill, which had, like the, the the additional language and the other part so that it would be passed as one bill, if I misunderstood that. I

apologize. But I do think that was the intention. So, it's not like, I promise I'll do this and then you don't. So, I just wanted to clarify that.

- **Senator Humberg:** Yeah, I just kind of wanted to echo the same thing, as most, a lot of the previous people have said, honestly, I'm fairly happy or satisfied with the amendments that Senator Dale proposed. I kind of don't see why the SOA shouldn't also be able to be like the secretary of H LSU, for example. So, but I definitely think that the bill as is, is very dangerous. And it's very much opening a Pandora's box, I understand that the intention was to allow for more involvement. But it just, I would so much, I feel like contention already surrounding elections, I think will especially really regret it next, come next election when there's if this bill were to pass, and there would probably be even more violation accusations over this and a lot more contention. I just don't think that it's our job to allow these people to have their hand in every last branch of government or student government. And especially because I mean, like coming, it's my first year of SGA. So, like coming from sort of like more of an outsider perspective, people definitely already see us, and the parties as very closed off. I mean, even like, from inside of the chambers, it's kind of easy to see sometimes when someone will nominate someone for caucus chair and then that same person will nominate that person for chair of a committee and you're like, Wait, is everyone talking except for me? Now all these people have positions. So, I think that kind of adding on to that is just agreed we need diversity of thought and it would be better if we're just trying to get people from the outside to allow that.
- **President Diaz moves to amend, Vice Chair Maglin seconds; no objections.**
 - **Sponsor finds it friendly.**
- **Senator Rivers:** I will say the bill looks much better. However, I I still, I still have problem with it. Because I don't think like, OJ is serious, like, OCA is the official lobbyist for not just one student government association here. But in turn the 50,000 people, though 50,000, almost 50,000 students that attend this university. And like we've been saying diversity of thought just diversity of having two different people in two different rooms, is something that's very important. We pay a lobbying firm \$40,000 Almost \$40,000 each year to lobby for us. So ah, I'm still going to vote no.
- **Pro-Tempore DuChêne:** Okay. So under the this version, now? It would. So I guess it just frees up the board the Oga board. So the thing I'm just like trying to think out of things that that would change, and I guess it opens the door to Cabinet members and senators potentially serving on the Oga board of directors. My potential concerns with this are that the Oga board and the Senate have a inherent system of checks and balances that has to exist, right. The OG board makes the recommendations, and the Senate acts on the recommendations. And you know, they go back and forth proposing amendments. If senators, if a bunch of Senators can suddenly apply to be on the board itself, suddenly we just have to two legislative bodies. So I just don't know what the value of allowing Being senators to serve on the OJ board is and so I'm curious if any other members of the committee have a response to that, or if the sponsor has a response to that. So that's my first note and then Cabinet members. The student body president has already pointed all these other

positions. Are we just going to allow the OGA to be a further extension of the President's Cabinet by allowing on top of his appointed director to just have a board full of his cabinet as well, like, again, it just makes the OGA board. I wonder just more of what we already have, It makes the OGA board look more like Senate even though they're supposed to have like a constructively a constructive relationship built on checks. And it makes the OJ board look more like cabinet which already has, again, its own role. So, I just don't know the value of this. And if it's a recruitment problem, I don't think that's the legislature's problem to solve. I think it's this problem of whoever is doing SGA recruiting to solve. Um, that's, those are the thoughts that I'm having, even though I like how this has been amended, I still don't know if I see the value of the bill.

- **Vice Chair Maglin:** Yeah, I'm definitely understanding the pro tempore thoughts. I like the idea of, like, agency directors on the board of Governmental Affairs just because we had so much issue with that this past legislative agenda session because the former director did not reach out to any agencies. So I, you know, I like the idea of that so that there is representation from multiple entities with a lot of different you know, diversity of thought is something that's been said, so, um, but I definitely see the concerns with Senate and cabinet because that there's a lot of room for, you know, someone to just handpick, you know, members or their friends or something. So, I don't know that it could turn into a really messy partisan thing with Senate and cabinet being involved in that. But I do like the idea of, of agency directors. So that's what I'll say on that.
- **Senator Folwell:** I agree with the previous speaker. I, I think similar language that was kind of proposed for the supervisor of elections, which has now been resolved with a recent amendment. I'm sorry, I lost my train of thought for a second, I think similar language could be put into Oga statutes of like, like, you know, perhaps, if you're especially one of the big few positions, you shall not be, you know, affiliated with a political party, or you shall not hold an elected office. And I think that would solve some of these issues. I just like it, I struggle a little bit to, like, have somebody turned away because they're the secretary of, you know, pride, Student Union, or anything like that, like they, they don't have a conflict of interest at the end of the day. And I think there's a lot of major offices that really wouldn't have this conflict of interests with being a board of director or on the board of directors. So, I think there needs to be a system devised. And I think, you know, the current way that it works is not the best system. But I also think that perhaps the way that this bill is written is not the best system, I think there is a good middle ground that we can find. And I just hope that we can find that.
- **Chair Kariher POI:** Thanks. I actually have a question this original language, members of the OFFICE OF GOVERNMENTAL AFFAIRS Board of Directors excluding elected positions, does that even mean excluding like, Are there any elected positions on the board of directors?
 - **President Diaz:** Myself, the student body president and like, speaker of cogs are also on the board. However, I chose not to participate this semester.
- **Senator Alvarez:** So, I still see the issue with even just allowing board members to continue to hold multiple positions. Mostly because, well, for a lot of reasons, but one of the things is they're still voting members. So,

they still have weighed in the decisions that are made within OGA. So, if there is that conflict of interest, which we cannot have hope that there's not always going to be a conflict of interest. It's going to happen This is just the reality of it. Um, they still have that way of voting on certain things within OGA that's going to affect whether or not if they're a senator, they're going to have to vote. They're going to vote in Senate, they're going to vote in their OGA board or a board of director meetings. So, and we just had issues with public comment, like being making sure that those minutes are being posted. The former OGA director resigned because there was an issue with posting public comment. So, we can't guarantee that he's any OGA director is going to ensure that the people that are going to be put on that board are not going to have that Congress with conflict of interest. It's just not going to happen. And we're not guaranteed that we're always going to have senators who are in OGA, and then there's things it's just I really don't see how, like, we can just ignore that that is going to be an issue in the future. Maybe not next year, but it's going to happen. And yeah, just allowing, even allowing those board members, it's, I still have an issue with that. So

- **Senator Rivers:** Yeah, I'll try to keep this short. I've been hearing what people said. And I have a little checklist of things I want to talk about. When it comes to OGA, a lot of what we've a lot of people have said this Senate session has been that the relationship between Senate and OGA was not good this semester. And I think people are placing blame in places that the blame does not need to be placed. The problem was the former director, and that problem was rectified. I guess some people can say that they had a problem with people on the board, however, I don't think that. I hate to keep bringing this up by diversity of thought. Yes, did Senate and OGA butt heads this session? Yes. But OGA, excluding some things, did what they were put there to do: formulate a legislative agenda. They did that job, no matter who disagrees with who they are, what their beliefs in, or what they said, they did that job. We did our job and said, we don't like this so we're changing it. Does everyone want to be Kumbaya? 24/7? Sure whatever. There's going to be moments of contention, there's going to be head butting, there's going to be back and forth. And people like to call SGA and Senate a learning lab. And that's a part of learning. When you get into the real world, you're going to disagree with people. So, the relationship that Senate and OGA had this semester to me, was a very meaningful one, and a very needed one for everyone on both sides. Then we talked about directors being on the board of OGA, and it sounds such like an amazing idea. But trust me, it's not. That's why in statutes there is an advisory council for the agencies; so, they get their voice heard. And this was one of the problems that OJ had this session: the person who was leading it did not allow those agencies to get their fair voice. That is a problem that had to do with that person which had a ripple effect. But it was not due to the fact that the agency directors were not on the board. It was due that they were not given their statutorily dictated representation that they are deserved by our student body statues. Be better at who you're picking for these positions and who you're picking to be in these rooms. And let's not act like everything is kumbaya when it is. But Facts are facts America, what happens, it's what happens. And I've watched it happen. We've all watched it happen. It happens every year,

year after year, day after day. And that is the environment that we are at in SGA. Is it good? Maybe not. But that's where it is.

- President Diaz: I asked the former director of OGA and would love to hear her opinion on this issue.
- **Vice Chair Maglin moves to allow non-senator Former OGA Director Rawan Abari to speak; Senator Folwell seconds.**
- **Vice Chair Maglin POI** to Former OGA Director Rawan Abari: What are your thoughts on what President Diaz said?
 - Rawan: There were two senators and two agency directors on the board of directors. The work they did was strongly correlated to what position they were given. The social media creator will have less work to do than another position in OGA, but also it does depend on person to person as well. I will say the two senators contributed the least number of hours to OGA work and one of the agency directors contributed the most amount of work and the second agency director was about half and half.
- **Senator Folwell POI** to Former OGA Director Rawan Abari: Do you believe there are any other major positions that an OGA board member could hold?
 - Rawan: No. Because the whole point of designating something as a major office position and that status comes with some sort of interpretation of an hours commitment. If you sign up for OGA Board directors, you cannot expect to just meet once a week and nothing else. And while being Senior class president isn't comparable to being Black Student Union president but being assigned to a major position especially in the most burdensome bureau, you have to be committing to a certain number of hours a week. All of the positions require at least 10 hours a week and by giving more someone more than one would be requesting students more than that.
- Vice Chair Maglin **POI** to Former OGA Director Rawan Abari: Is it your recommendation that the OGA Board of Directors remains a major office?
 - Rawan: Yes.
- Senator Humberg **POI** to Former OGA Director Rawan Abari: Since this bill is in the name of involvement, did you ever feel hindered from involvement while you were in OGA.
 - Rawan: No because as director it took about forty hours a week and even if I wanted to hold another position I don't think I would have been physically and mentally able to because of the time commitment.
- Senator Alvarez: I understand we want students to be involved, however there are so many ways to get involved on campus. I hold many leadership positions, and I think that we need to expand the opportunities to students that are not yet involved in SGA.
- President Diaz: I think it's obvious the result the bill will have. This bill was written because some people like who are deputy SOE like a former suite mate of mine who just wanted to get involved like in the mental health counsel. I hope there is a work around to allow for a little more leg room and I understand a lot of the points about SOE handles the election process and we need impartiality, but I think a little more wiggle room

could be beneficial for those wanting to get involved in the less strenuous positions in student government.

- Senator Folwell: Thank you former OGA director. You are one of the best speakers. I am unsure where I sit but you swayed me significantly and you are the only person who swayed me. It helped something click. I think the principle is good because we want the best people in the job. There was a lot of good conversations that came from this bill.
- Vice Chair Maglin: I am glad we had good debate on this bill and thank you Rawan and there were some things I hadn't even considered. The intentions are not malicious, but I still think adjusting these positions is a dangerous game because of all the reasons and debate we had.
- **Vice Chair Maglin moves to call the question; Senator Folwell seconds.**
- Closing Statement:
 - Dale (Co): This was one of the most debated bills since I have been in Senate. I am glad we were able to have a good discussion with no emotions and I think their elements I would like to bring back eventually like as the President stated early about mental health or something like that.
- Vote:
 - Yes:
 - No: Rivers, Maglin, Alvarez, Folwell, Crusey, Newsome
 - Abstain:
- **RESULT: BILL #47 DOES NOT PASS**

Unfinished Business:

- None

Closing Announcements:

- Chair Kariher: Thank you for meeting. I couldn't think of a better way to end the semester than to have an hour-long debate on this bill. I really appreciate in this committee especially my vice chair.
- Vice Chair Maglin: I loved the debate. We haven't had a debate like that in a while. Thank you for letting me vice chair. I promise the minutes from the last few weeks will be submitted; I just have had a lot of exams. They are coming don't worry! If you have any questions about vice chair you can always come to me. Thank you to the chair and everyone in the committee. I had a lot of fun.
- Senator Rivers: Loved this meeting. I didn't want to have to say this, but I have to say this. SGA is such an amazing space and I have had so much fun doing everything in SGA and senate. I would be remised if I didn't say how much of a mental strain Senate has put on me and how much unnecessary BS I have had go through in Senate. I was talking today with someone, and I realized in all my 21 years of living I have never been in a space that I have had so many microaggressions thrown at me, so many demeaning dog-whistle remarks thrown at me, so many off the wall qualities placed on me. I think it is very dangerous when people say things about how people speak and act without looking at a bigger picture. Do I speak loud? Yes. Am I always talking? Yes. But that's because I know what I believe in, and I understand that other people don't have the same opportunity to be in the rooms I am in. And they don't have the opportunity to fight for themselves. But when I have to stand up and fight the good fight and I am being called emotional, a bully, rude, people antagonizing me for the way I speak and for my tone of voice, and the gumption I speak with it is very disheartening for myself and for

students that look like me and it reflects poorly on SGA. You might not like me and that's okay but using demeaning dog-whistle remarks and put them in a box of "they are disorderly, presumptuous, and too much to handle" is against what everyone in here is doing especially since it's in such a public forum. I have been through so much in Senate. I have been called disgusting and slimy; I have been physically assaulted. But no matter what I have persevered and fought for the students I need to fight for. And I am doing the work I need to do. And that is something that should be reflected on. I didn't want to end on this note, but I felt that it just had to be said. Especially over the past couple weeks, it is all I have heard, and just because someone is doing a job in a way that you don't like doesn't you can publicly discredit them, their accomplishments, ideas, and contributions by smearing their character. I just want to end off with that.

- Senator Alvarez: I think this meeting was a perfect example that we can work together and initiate change while being respectful to each other and collaborate and bring our ideas together and that is something I look forward to. To the remaining senators that is something I look forward to more of with you guys. And for the senators leaving I look forward to keeping in touch with you guys and letting you guys giving us tips.
- Senator Folwell: I really appreciate today's debate and any debate that changes my mind is definitely one that is worth having. I value these conversations and I am going to miss them and that's the way the cookie crumbles sometimes. I am glad we have been able to remain cordial even though we haven't always gotten along, and I really appreciate you all. I really just want to thank you and I hope as time goes, we can make this space and this world and this university a better place. Thank you.
- Senator Dale: I was the sponsor and even I had a change of heart and learned a lot of new insights on how this bill wasn't going to accomplish exactly what we were wanting to accomplish. I appreciate the debate and I think it was very productive and I love the exchange conversation and thought. To all the Senators leaving it means a lot to have worked with you guys and you have taught me a lot and made me feel familiar with process and that I have a place in SGA so thank you.

Next Meeting: TBD

Adjourned:

A handwritten signature in black ink that reads "Cole Kariher". The signature is written in a cursive, flowing style.

Signature of Chair Kariher