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Senate Bill (S) 52-028 An Act to Update the Powers and Responsibilities of the President

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University of South Florida Student Senate

SB [S] 52-028

An Act to Update the Powers and Responsibilities of the President

The intent of this legislation shall be to update the statutorily mandated duties of the Student Body President in accordance with the changes outlined in Title II regarding Contracts and Agreements.

Author: N. Kiger & L. Rustan

Sponsor: N. Kiger & L. Rustan

Committee Action

First Reading: 04.02.2012

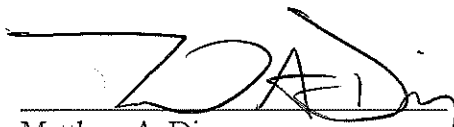
Final Action: 6-0-1

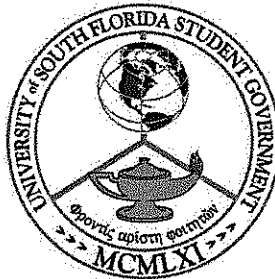
Senate Action

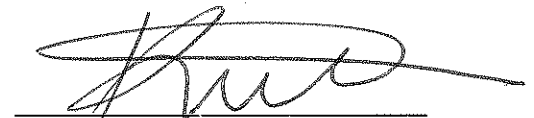
First Reading: 04.03.2012

Final Action: 30-0-1

ATTEST:


Matthew A. Diaz
Student Body President




Khalid J. Hassouneh
Senate President

Chapter

301

Powers and Responsibilities of the President

301.1 The powers and responsibilities of the President shall be enumerated herein.

301.2 Constitutionally granted powers of the President are those powers delineated in the Student Body Constitution, including to:

- 301.2.1 Nominate, with the advice and consent of the Senate, Justices to the Supreme Court.
- 301.2.2 Nominate, with the advice and consent of the Senate, a Chief Justice to the Supreme Court.
- 301.2.3 Nominate, with the advice and consent of the University President, Student Representatives to University Wide Committees.
- 301.2.4 Represent the Student Body on the Florida Student Association Board of Directors, and other similar representative bodies.
- 301.2.5 Sign or Veto within ten (10) business days, all legislation passed by the senate, with exception to changes of the Rules of Procedure of the Senate. Failure to act within this time period shall be deemed as approval of such legislation.
- 301.2.6 Address the Senate at least once a semester in a State of the Student Body.
- 301.2.7 Call for a referendum of the student body, subject to the approval of a supermajority of the Senate.
- 301.2.8 Initiate the Annual Budget proceedings by convening the Activity and Service Fee Recommendation Committee.
- 301.2.9 Nominate, with the advice and consent of the Senate, a student to fill a vacancy in the position of Student Body Vice President, should the need arise.

301.3 Statutorily granted powers are those powers granted to the President by these Statutes. These powers, duties, and responsibilities are to:

- 301.3.1 Propose, with the advice and consent of the Senate, an Executive Branch structure no later than the first Senate meeting of the summer term;
- 301.3.2 Nominate, with the advice and consent of the Senate, Executive Department Directors and Executive Branch Employees.
- 301.3.3 Terminate Executive Branch Employees, unless otherwise specified within the Constitution or Statutes.
- 301.3.4 Nominate Student Representatives to serve on the Marshall Student Center Board.
- 301.3.5 Proclaim and promulgate Executive Orders at his or her will. Executive Orders shall only be applicable to Executive Branch employees.
- 301.3.6 Administer and enforce all Student Government Statutes.
- 301.3.7 Initiate legislation for consideration by the Student Government Senate.
- 301.3.8 Call, at will, special session of the Student Senate, providing at least 72 hours notice to all members in writing.

216.1.1.1. Authorize, in conjunction with the Senate President, all reoccurring contracts and agreements totaling less than \$50,000 a year. The Student Body President must inform the Chief Financial Officer, ASBO, SGATO, and the Chair of the Senate Committee on Appropriations and Audits of any such expenditure forty-eight hours prior to the action. If the expenditure request requires action to be taken in less than forty-eight hours, the Student Body President shall be required to inform the parties immediately upon taking action.

301.3-8301.3.9

301.3-9301.3.10 Officially represent the USF Student Body to all vested bodies of interest that the Student Body or Student Government has a vested stake hold in.

301.3-10301.3.11 Officially represent the USF Student Body as a voting member of the USF board of Trustees.

301.3-11301.3.12 Any and all other actions necessary and proper to carry out the duties of this office.

1 ~~301.3.12~~**301.3.13** The Student Body President shall call the Our Shirt taskforce through an Executive Order
2 by the second Friday in November. The President shall ensure that the committee has a finished
3 product by the last official business day in April.
4 ~~301.3.13~~**301.3.14** Nominate an Election Rules Commission Supervisor of Elections by 4:59:59 PM of the last
5 business day of the third week in July.
6 **301.3.13.1.** Once the aforementioned deadline has passed, if the nominee for the position of Supervisor
7 of Elections is failed by the Senate, the Student Body President must submit a new nomination
8 within fifteen (15) business days.¹
9 ~~301.3.14~~**301.3.15** Initiate, following the termination of the Student Body General Elections, an Advisory
10 Council which shall, in a non-binding form, assist and advice the President Elect during his/her
11 transition period. The council shall include at a minimum, but is not limited to, the Attorney General,
12 the Chief Financial Officer, the Chief of Staff, the Director for Student Government Advising,
13 Training & Operations, and the Student Government Business Office Manager. This council shall be
14 initiated no later than ten (10) business days following the termination of the Student Body General
15 Elections and shall be terminated no later than five (5) business days following the Inauguration of
16 the President Elect

Chapter

302

Powers and Responsibilities of the Vice President

21 **302.1** Constitutionally granted powers of the Vice President are those powers delineated in the
22 Student Body Constitution, including:
23

24 **302.1.1** Assume responsibilities of the President, should the President be unable to complete
25 his or her term for any reason.
26

27 **302.1.2** Represent the Student Body in the absence of the President.
28

29 **302.2** Statutorily granted powers are those powers granted to the Vice President by these Statutes.
30 These powers, duties, and responsibilities are:
31

32 **302.2.1** Any and all other actions necessary and proper, delegated to by the President, to
33 carry out the duties of this office.
34
35

Chapter

303²

Standing Positions

36
37
38
39
40
41
42 **303.1** The positions outlined in this chapter shall serve as permanent positions of the Executive
43 Branch and are not subject to the proceedings of Chapter 304. The positions outlined in this
44 Chapter shall still remain subjected to all other processes and restrictions outlined within the
45

¹ SB [S] 004 adds clause 301.3.13.1

² SB 51-001 Adds this chapter

1 Constitution and Statutes, unless otherwise specified. These processes specifically include,
2 but are not limited to, Chapter 306 and Chapter 807 of these Statutes.
3

4 **303.2 Chief of Staff**

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6 **303.2.1** The Chief of Staff shall serve as the primary Advisor to the President and Vice
7 President and assist in the management of the Executive Branch.
8
9

10 **303.3 Office of the Attorney General³**

11 **303.3.1** The Office of the Attorney General shall act as the official legal counsel and
12 representation of Student Government and enforcement entity of Student
13 Government governing documents and University Policies.

14 **303.3.2** Officers in the Office of the Attorney General may include:

15 **303.3.2.1.** The Attorney General

16 **303.3.2.2.** The Solicitor General

17 **303.3.2.3.** The Deputy Attorney General

18 **303.3.3** No member of the Office of the Attorney General shall be involved in the hiring or
19 appointment of any Supreme Court Justice.⁴
20

21 **303.4 Attorney General**

22

23 **303.4.1** The Attorney General shall be responsible for the clarification and enforcement of
24 all Student Government Regulations and Laws. The Attorney General shall also
25 serve as legal counsel for Student Government and the prosecutor of impeached
26 officials in all cases before the Student Supreme Court.
27

28 **303.4.2** The Attorney General shall be responsible to:

29
30 **303.4.2.1.** Draft legal documents on behalf of the Executive Branch and the
31 President

32 **303.4.2.2.** Provide written legal opinions for the purpose of clarifying and
33 enforcement of statutes or any other legal documents of Student
34 Government. Such opinions must be requested to the Office of the
35 Attorney General⁵ in writing;

36 **303.4.2.3.** Enforce and clarify all Student Government laws, rules, policies and
37 procedures and protect the legal interests of the entity of Student
38 Government;

39 **303.4.2.4.** Serve as legal counsel to Student Government in all matters before the
40 Student Supreme Court;

41 **303.4.2.5.** Serve as prosecutor of all cases of impeached officials before the Student
42 Supreme Court;
43

44 **303.4.3** The Attorney General shall only be removed from his or her office by means of
45 impeachment

³ SB [S] 022 Adds clause 303.3 and all subsequent sub clauses

⁴ SB 52-013 Adds this clause

⁵ SB [S] 022 Changes Office of Legal Affairs to Office of the Attorney General

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2
3
4 **303.5 Solicitor General⁶**

5 **303.5.1** The Solicitor General shall be used as a resource to students with their knowledge of
6 Student Government Governing Documents, University Policies, and Parking and
7 Transportation Rules and Procedures. The Solicitor General shall serve as the
8 defense in cases which include, but not limited to, election violation appeals on
9 behalf of the candidates, parking and transportation appeals, and resource to any
10 Student Government Impeached official for purposes of clarifying rules and assisting
11 defendants in understanding trial procedures.

12 **303.5.2** The Solicitor General shall be responsible to:

13 **303.5.2.1.** Assist in researching and clarifying statutes and other policies to students
14 during their appeal process.

15 **303.5.2.2.** Review documents upon request of the student who wish to file an appeal to
16 the Supreme Court.

17 **303.5.2.3.** Serve as legal counsel at the request of the students in all matters that may
18 come before the Student Supreme Court which may include

19 **303.5.2.3.1.** Parking Appeals

20 **303.5.2.3.2.** ERC Candidate Appeals

21 **303.5.2.3.3.** Grievances against Student Government members

22 **303.5.2.3.4.** Impeachment Proceedings

23 **303.5.2.3.5.** Appeals of Student Government Laws, Actions, or Decisions

24 **303.5.2.4.** The Solicitor General may only act upon the request of a student, All
25 requests must be made in writing;

26 **303.5.2.5.** Assist in any other duties prescribed, as necessary and appropriate, within the
27 capacity of a member of the Office of the Attorney General

28 **303.5.3** The Student Body President may remove the Solicitor General with the advice and
29 consent of the Senate by a supermajority vote.

30 **303.5.4** The Attorney General may not provide instruction to the Solicitor General on
31 matters pertaining to an active case in which the Attorney General is party to.
32
33

34 **303.6 Chief Financial Officer**

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36 **303.6.1** The Chief Financial Officer shall:

37
38 **303.6.1.1.** Assist the President in overseeing the preparation of the Executive Annual
39 Budget;

40 **303.6.1.2.** Supervise the administration of the budget within the Executive Branch
41 Departments and Agencies;

42 **303.6.1.3.** Evaluate the effectiveness of Executive Branch Departments and Agency
43 programs, policies, and procedures;

44 **216.1.1.2.** Authorize contracts and agreements that mandate a one-time expense. The Chief Financial
45 Officer must inform the Student Body President, the Senate President, ASBO, SGATO, and the Chair
46 of the Senate Committee on Appropriations and Audits of any such expenditure prior to the action. If
47 the expenditure request requires action to be taken in less than forty-eight hours, the

⁶ SB [S] 022 Adds clause 303.5 and all subsequent sub clauses

1 Chief Financial Officer shall be required to inform the parties immediately upon taking
2 action.

3 ~~303.6.1.3.~~ 303.6.1.4.

4 ~~303.6.1.4.~~ 303.6.1.5. Assist with managerial and clerical duties as prescribed by the
5 President.

6 ~~303.6.1.5.~~ 303.6.1.6. Serve as the Chief Financial Officer for all branches of
7 Student Government equally.

8
9 **303.6.2** The Chief Financial officer shall only be removed from his or her office by means
10 of impeachment.