

Winter 12-31-2012

## Senate Statutes - Title IV (Legislative Branch) - Updated 04-29-13

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### Scholar Commons Citation

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**Title**

**4**

**The Legislative Branch**

## Chapter

### 400

#### Legislative Branch Composition and Authority

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- 400.1** The composition and authority of the Legislative Branch shall be as contained in the Student Body Constitution.
- 400.2** The Legislative Branch shall have the authority by a 2/3<sup>rd</sup> majority vote of the Senate to review, investigate, and subpoena any student employee of Student Government and its associated entities.
- 400.2.1** Failure of said employee or member to act in accordance with said Legislative Branch investigation or subpoena shall result in disciplinary action which may include, but is not limited to, any combination of financial sanctions of their respective entity or articles of impeachment.<sup>1</sup>

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<sup>1</sup> SB [P] 49-005, Adds from 400.2 through 400.2.1

## Chapter

### 401

#### General Requirements

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- 401.1** This Chapter shall consist of the general requirements of the Senate.
- 401.2** Senators shall be in compliance with the standards for being a member of the Legislative Branch as stated in Article III Section III of the Constitution of the Student Body of the University of South Florida. Any deviation from the standards set forth in the Student Body Constitution shall result in immediate expulsion of any member of the Student Government Senate.
- 401.3** All Senators are required to serve on at least one standing committee. Voting rights to be outlined in the Senate Rules of Procedure.
- 401.4** Standing Committees of the Senate shall be outlined in the Senate Rules of Procedure.
- 401.5** Senators are expected to attend all Senate Meetings and Standing Committee Meetings for which they are voting members.<sup>2</sup>
- 401.5.1** Attendance at these meetings shall be monitored by means of the Senate Point System which is further outlined within the Senate Rules of Procedure
- 401.5.2** Additional and alternative<sup>3</sup> attendance requirements may be outlined in the Student Government Senate Rules of Procedure.
- 401.5.3** Any senator removed from the Senate for being pointed out may not be eligible to run for or hold a Senate seat for one calendar year after being pointed out.
- 401.6** The Senate President shall submit all bills to the Student Body President within five (5) business days after those bills have been passed by the Senate.
- 401.7** If the Senate President fails to submit a bill within the five (5) business<sup>4</sup> days after the bill has been passed by the Senate, the Senate President Pro Tempore will present the bill to the Student Body President within another five (5) business days. The Senate President Pro Tempore will then inform the Senate as a whole of the violation of this Statute by the Senate President at the next Senate meeting during his or her report.
- 401.8** The Senate President shall present all vetoed bills that have been overridden by the Senate to SGATO and the Student Body President within five (5) business days after those vetoes have been overridden by the Senate.

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<sup>2</sup> SB [S] 52-003, modifies 402.5 and subsequent clauses

<sup>3</sup> SB [S] 49-016, Modifies 402.6.2

<sup>4</sup> SB [S] 53-005, modifies this clause and subsequent clauses

## Chapter

### 402

#### Officers of the Senate

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- 402.1** The officers of the Student Government Senate shall be as follows:<sup>5</sup>
- 402.1.1** The Senate President
  - 402.1.2** The Senate President Pro Tempore (hereafter referred to as Senate Pro Tempore)
  - 402.1.3** The Senate Committee on Rules
  - 402.1.4** The Senate Committee on Appropriations and Audits<sup>6</sup>
  - 402.1.5** The Senate Committee on Judiciary and Ethics
  - 402.1.6** The Senate Committee on Special Funding
  - 402.1.7** The Senate Committee on University, Community, and Government Affairs
- 402.2** When a Senate Bill creates a new Senate Officer it shall include an amendment to update Section 403.1.
- 402.3** All Officers of the Senate may be subjected to a vote of confidence as outlined in the Senate Rules of Procedure.
- 402.4** The terms of all officers shall coincide with his or her term as a Senator.
- 402.5** All officers of the Senate shall be Senators in good standing.
- 402.6** The Duties of the Senate President shall be:
- 402.6.1** Those duties enumerated in the Constitution.
  - 402.6.2** To Represent the Senate before the administration.
  - 402.6.3** To oversee the administration of the Senate accounts.
  - 402.6.4** To prepare the agenda for all Senate meetings.
  - 402.6.5** To oversee the day-to-day operations of the Senate.
  - 402.6.6** To call special sessions of the Senate when deemed necessary provided notification is given to the Senate forty-eight hours before the start of the Special Session.
  - 402.6.7** Authorize, in conjunction with the Student Body President, all reoccurring contracts and agreements totaling less than \$50,000 a year. The Senate President must inform the Chief Financial Officer, ASBO, SGATO, and the Chair of the Senate Committee on Appropriations and Audits of any such expenditure within forty-eight hours of the action.
  - 402.6.8** Inform the Student Body President, the Chief Financial Officer, ASBO, and SGATO of all reoccurring contracts and agreements totaling more than \$50,000 a year approved by a majority vote of the Senate forty-eight hours prior to the action. If the expenditure request requires action to be taken in less than forty-eight hours,

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<sup>5</sup> SB [P] 49-005 Changes Committee titles and adds Community and Governmental Affairs

<sup>6</sup> SB [S] 52-021, changes committee titles

the Senate President shall be required to inform the parties immediately upon taking action.<sup>7</sup>

**402.6.9** To appoint any positions deemed necessary according to the Senate Rules of Procedure.

**402.6.10** Those duties enumerated in the Senate Rules of Procedure.

**402.6.11** To call an ad-hoc committee to review the election process within two weeks of the certified results of the general elections.<sup>8</sup>

**402.7** The Duties of the Senate Pro Tempore shall be:

**402.7.1** To fulfill the duties of the Senate President should the Senate President become unable to perform his or her duties.

**402.7.2** To aid the Senate President in his or her duties.

**402.7.3** To represent the Student Senate before the Faculty Senate.

**402.7.4** To update and publish the Student Government Constitution, Student Government Statutes, and Student Government Rules of Procedure each time there is a valid change made to these documents.

**402.7.5** To maintain a record of all Committee Reports.

**402.7.6** To maintain the legislative area of the SG Website.

**402.7.7** To maintain a list of all Senate members and their contact information.

**402.7.8** Those duties enumerated in the Senate Rules of Procedure.

**402.8** The Duties of the Committee Chairs shall be:

**402.8.1** To manage all activities within their respective committees.

**402.8.2** To complete committee reports after all committee meetings.

**402.8.3** Those duties outlined for Committee Chairs in the Senate Rules of Procedure.

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<sup>7</sup> SB [S] 50-029, adds duties to the Senate President

<sup>8</sup> SB 50-018, adds this section

## Chapter

### 403

#### Order of Succession

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**403.1** Should the Senate President be unable to fulfill his or her duties, the order of succession shall be:<sup>9</sup>

**403.1.1** The Senate President Pro Tempore

**403.1.2** The Senate Committee on Rules

**403.1.3** The Senate Committee on Appropriations and Audits<sup>10</sup>

**403.1.4** The Senate Committee on Judiciary and Ethics

**403.2** Should the Senate President be removed from office or resign, the Senate President Pro Tempore shall assume the office of Senate President.

**403.3** Upon the succession of the Senate President Pro Tempore to the office of Senate President, a vote of confidence shall take place at the next general meeting of the Senate, in accordance with the Senate Rules of Procedure.

**403.4** Should the office of Senate President Pro Tempore be vacant at the same time that the office of Senate President is vacant, the position of Senate President shall be filled by an election at the next general meeting of Senate to be chaired by the next available officer in the order of succession stated above who shall serve as chair until such an election has occurred.

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<sup>9</sup> SB [P] 49- 005, Changes Senate order of succession

<sup>10</sup> SB [S] 52- 021, Changes Senate order of succession

## Chapter

### 404

#### Election of Senate Officers

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- 404.1** All Senate Officers for a new legislative term shall be elected in accordance with the Senate Rules of Procedure.
- 404.2** The Senate President for the current legislative term shall call a meeting for the purpose of electing officers for the next legislative term no sooner than two weeks after the general election and no later than the last meeting of the current term.
- 404.3** The Senators elected for the next term will meet only to be administered their oath of office and to vote on officers for their legislative term. They shall not have any speaking rights or voting privileges until the beginning of the legislative term for which they have been elected.
- 404.4** The first order of business following the swearing of the Senators shall be the election of the Senate President for the next legislative term, after which all other officers for the next legislative term shall be elected in order of ranking in accordance with Title 4.
- 403.4.1** All elected officers shall be elected Senators for the new term in which they will serve.
- 403.4.2** The officers elected for the next term are not eligible for remuneration until the beginning of the next legislative term and shall not assume any official capacity until the start of the new legislative term.



## Chapter

### 405

#### Summer Sessions

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- 405.1** The Senate shall have meetings during summer semesters A, B, and C to conduct business.
- 405.2** Senate must meet no less than two meetings per month and each meeting shall take place no more than three weeks from the previous meeting.<sup>11</sup>
- 405.3** The Senate shall not meet during the first week of Summer Semester A or last week of each summer semester.<sup>12</sup>
- 405.4** All Senators who wish to be excused for the entire Summer Session must submit their reason to the Senate Executive Committee for approval. Acceptable reasons for excusal from the entire Summer Session shall be outlined in the Senate Rules of Procedure.
- 405.5** Senators who are excused for the entire Summer Session shall regain their seats when Senate reconvenes in the fall.
- 405.6** The seats of excused Senators may be filled by a representative in accordance with statutes governing the placement of Alternate Senators.
- 405.7** Senators who do not submit an excuse to the Senate Executive Committee are expected to attend the Senate meetings.

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<sup>11</sup> SB 48-006, To clarify the timeframe that Senate meetings are held during the summer semester.

<sup>12</sup> SB 47-095, Inserts 407.2-407.3

## Chapter

### 406

#### Confirmations

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**406.1** The following individuals shall come before the Senate for Confirmation:

**406.1.1** All new directors for Agencies and Departments who are nominated by the Student Body President

**406.1.2** All Executive Appointees chosen by the Student Body President

**406.1.3** All Judicial nominees who are approved by the Senate Committee on Judiciary and Ethics.<sup>13</sup>

**406.2** All Senators shall be provided with a copy of the application and resume of all individuals appearing before the Senate for Confirmation by a designated member of the Executive Branch.<sup>14</sup>

**406.2.1** All paperwork provided to Senators about candidates shall have all sensitive information removed prior to submission to Senators.

**406.3** All Senators shall be provided with a description of the position for which the candidate is being confirmed for.

**406.4** Any candidate may be excused from appearing before the Senate for the purpose of confirmation by a supermajority vote of the Senate. Should the candidate be excused, the Senate may proceed with the Confirmation in the candidate's absence.

**406.5** The vote for Confirmations shall take the form of a Roll Call Vote.

**406.6** Any non-compliance with aforementioned statutes will nullify any vote pertaining to the Confirmation until the above criteria are met.

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<sup>13</sup> SB [P] 49-005, Changes duties from Rules to Judiciary and Ethics

<sup>14</sup> SB 50-029, Modifies this clause.

## Chapter

### 407

#### Alternate Senators

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- 407.1** Alternate Senators shall serve during all semesters<sup>15</sup> in place of Senators who are not serving during any of their respective semesters<sup>16</sup>.
- 407.1.1** Alternate Senators may be appointed in place of Senators who are not serving during a summer semester if the Senator's absence has been approved by SenEx.<sup>17</sup>
- 407.1.2** Alternate Senators may be appointed in place of Senators who are not serving during a Fall or Spring semester if the Senator is absent due to the pursuit of academic programs or academic opportunities including, but not limited to, student exchange, Study Abroad, and out-of-state study, or any other reason approved by SenEx.<sup>18</sup>
- 407.2** Alternate Senators must be in compliance with all minimum standards required for any student to run for Student Government.
- 407.2.1** All undergraduate members of Student Government shall be enrolled for a minimum of six credit hours as degree seeking students and all graduate members shall be enrolled for a minimum of four credit hours as post-baccalaureate students.
- 407.2.2** The members of Student Government must be students in good academic standing, according to the University Code of Conduct, and may not be under disciplinary probation, suspension or expulsion.<sup>19</sup>
- 407.3** Alternate Senators appointed for Summer Semesters<sup>20</sup> must be students enrolled at the University of South Florida for the Fall Semester following the semester in which they are to serve. The only students exempt from this are those graduating during the respective summer.<sup>21</sup>
- 407.4** Alternate Senators shall be governed by the Student Government Constitution, Statutes, and Rules of Procedure. Alternate Senators are held accountable in the same fashion as all regularly elected Senators.
- 407.5** Alternate Senators must be from the same college as the elected Senator they are serving for.
- 407.6** Alternate Senators may be appointed in following fashion:

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<sup>15</sup> SB 50-012, modifies to state "all semesters"

<sup>16</sup> SB 50-012, modifies to state "their respective semester"

<sup>17</sup> SB 50-112, adds this sub clause

<sup>18</sup> SB 50-012, adds this sub clause

<sup>19</sup> SB 53-005, adds these sub clauses

<sup>20</sup> SB 50-012, adds "Summer Semesters"

<sup>21</sup> SB 50-012, adds this sentence

- 407.6.1** Any Senator absent during a semester<sup>22</sup> and whose absence has been approved by SenEx may appoint any person who has met the standards set forth in this chapter.
- 407.6.1.1** Senators wishing to appoint an Alternate Senator must submit the request in writing or via e-mail to the Senate President Pro Tempore.
- 407.6.1.2** Senators wishing to appoint Alternate Senators must do so one week before the third general Senate meeting in the semester in which the Senator will not be serving.<sup>23</sup>
- 407.7** If any Senator not serving in a semester chooses<sup>24</sup> not to exercise their right to appoint an Alternate Senator, the Alternate Senator may be appointed by SenEx.
- 407.8** The appointment of Alternate Senators by SenEx shall be as follows:
- 407.8.1** SenEx shall decide before the third meeting of the relevant semester whether or not to appoint Alternate Senators for those Senators who did not exercise their option to appoint an Alternate Senator. A majority vote of SenEx will make this decision.<sup>25</sup>
- 407.8.2** SenEx shall review the election results from the most recent election.<sup>26</sup>
- 407.8.3** SenEx shall rank all candidates who were not elected according to their highest individual vote count per college.
- 407.8.4** SenEx shall offer those candidates with the highest vote count the opportunity to serve as an Alternate Senator in place of a Senator in the same college who is not serving and who has not exercised their right in section 409.6.
- 407.8.5** Those students appointed to be Alternate Senators must have a Senator Application on file before SenEx will review their candidacy.<sup>27</sup>
- 407.8.5.1** Should that candidate decline, SenEx shall offer the next highest ranking candidate the opportunity to serve as Alternate Senator.
- 407.8.5.2** Should a tie occur between two candidates for Alternate Senator, then SenEx shall hold an election process governed by the Senate Rules of Procedure.<sup>28</sup>
- 407.8.6** SenEx shall continue this process until all Alternate seats are filled or until the pool of potential Alternate Candidates has been exhausted.
- 407.9** All Alternate Senators shall be appointed before the third general Senate meeting of the relevant semester.<sup>29</sup>
- 407.10** No appointments shall occur after the start of the third general Senate meeting of the relevant semester.<sup>30</sup>

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<sup>22</sup> SB 50-012, modifies to state “absent during a semester”

<sup>23</sup> SB 50-012, modifies this clause

<sup>24</sup> SB 50-012, modifies this clause

<sup>25</sup> SB 50-012, modifies this clause

<sup>26</sup> SB 50-012, modifies this clause

<sup>27</sup> SB 53-005, adds this clause

<sup>28</sup> SB 50-012, adds this clause

<sup>29</sup> SB 50-012, modifies this clause

<sup>30</sup> SB 50-012, modifies this clause

## Chapter

### 408

#### Senate Ad-Hoc Committees Act<sup>31</sup>

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- 408.1** The Senate shall have the power and authority to create and conduct fact-finding committees on entities both internal and external to Student Government.
- 408.2** The Senate can establish ad-hoc committees to conduct fact-finding operations for certain issues or concerns as necessary. Any USF student, faculty, or staff member may serve on an ad-hoc committee. Senate ad-hoc committees may only be initiated by either:
- 408.2.1** A majority vote by the Senate in favor of the creation of the committee, which is to be written in the form of a resolution, or
  - 408.2.2** The Senate President, who must inform the Senate of the formation of the committee upon the next regular Senate meeting.
- 408.3** Senate ad-hoc committees formed by a majority vote of Senate shall have the power to elect a chair for the committee. Committee membership shall be elected by the Senate upon the formation of the ad-hoc committee. Only ad-hoc committee members may vote in the election of a chair. The resolution creating the committee shall set deadlines for the committee.
- 408.4** In Senate ad-hoc committees formed by the Senate President, he or she shall appoint both the chair and the committee members. The committee members shall set the business and deadlines of the committee.
- 408.5** Senate ad-hoc committee meetings shall be open to the public.
- 408.6** The duties of the chair of an ad-hoc committee shall be outlined in the Senate Rules of Procedure.
- 408.7** Ad-hoc committees created by the Senate President shall be disbanded upon either:
- 408.7.1** A supermajority vote in the affirmative by the ad-hoc committee, or
  - 408.7.2** At the end of the current Senate term,
- 408.8** Ad-hoc committees created by a majority vote in the Senate shall be disbanded upon either:
- 408.8.1** A supermajority vote in the affirmative by the ad-hoc committee, or
  - 408.8.2** Upon the deadline set by the Senate upon the adoption of the committee.

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<sup>31</sup> SB 47-099, Adds Chapter 409: Senate Ad-Hoc Committees Act