

6-15-2016

JR-16SA-3003: The Friendly Fixer of 2016

Student Government Association University of North Florida

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2 Whereas: The Student Government of the University of North Florida was established to represent student
3 concerns in all University wide matters, and;

4 Whereas: The Senate is the legislative body of the University of North Florida's Student Government given
5 the responsibility of carrying out such legislative acts that are necessary and proper for the Student
6 Body of the University of North Florida; and;

7 Whereas: Legislation dealing with necessary and proper statutory revisions to the System of Statutes shall
8 be considered by the Senate; and

9 Whereas: In the case of a faltering and unabashedly egregious exploitation of power and conflict with the
10 Constitution, revisions must be made, and;

11 Therefore: The following necessary and proper revisions to the Student Government System of Statutes are
12 being proposed in an effort to insure future compliance with the law and the balance of our
13 democratic system:

14 Therefore: **Let it be enacted, by the University of North Florida Student Government, that the**
15 **following friendly amendments made to the constitution be reflected throughout the**
16 **statues and be made effective immediately.**

17 **ARTICLE II: THE LEGISLATURE**

18 **Section 2: Terms and Qualifications of Senators**

19
20 A. Elected Senators: Elected Senators shall be elected for terms of one (1) year, and shall be
21 limited to a maximum of six (6) terms.

22
23 B. Appointed Senators: If a vacancy occurs, the Senate may appoint a substitute to serve for
24 the remainder of the term as prescribed by law, but subject to the restrictions enumerated in
25 Section 2C4B of this Article.

26
27 C. Qualifications: Every Senator must be an A&S Fee paying student, enrolled in at least one
28 (1) class during the Fall semester and in at least one (1) class during the Spring semester at
29 the University of North Florida, maintain a 2.5 institutional grade point average or higher,
30 unless otherwise approved by the Vice President of Student and International Affairs, and
31 not restricted from participation in Student Government by the University of North Florida's
32 Student Conduct Office. Students may seek membership to Student Government during
33 their first semester and shall be exempt from the GPA requirement. Senators may continue
34 to serve during the summer semester without being enrolled in a class as long as they are still
35 considered students by the University of North Florida.



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Section 9: Prohibited Laws

- A. Senate shall not enact a Bill or Joint Resolution that conflicts with or violates any Federal law, State law, Local law or ordinance. This shall include but not be limited to Bills of Attainder, Ex Post Facto laws. The Student Government Judicial Branch shall negate and remove, if presented for Judicial Review, existing Student Government law if it conflicts with this provision.
- B. Senate shall not enact a Bill or Joint Resolution which adds any qualification or restriction for membership in the Student Government not already outlined in Section 2C of Article II, ~~Section 4B of Article II~~, Section 2B of Article III, or Section 3B of Article IV. The ~~Judicial Council~~ Supreme Court shall negate and remove, if presented for Judicial Review, existing Student Government law if it conflicts with this provision.

Section 10: Additional Powers and Duties

The Senate shall:

- A. Enact under the procedures outlined in Section 79 of this Article, constitutional bylaws to be known as Student Government Statutes, with the exception of bylaws concerning elections, which shall require a two-thirds (2/3) vote of the Senate.
- B. Approve and allocate the fiscal budget of the Student Government, subject to the provisions of Section 9 of this Article and Chapter 1009.24 of the Florida Statutes.
- C. Establish its own meeting times, rules, procedures, and may with two-thirds (2/3) concurrence remove a member due to the excessive accumulation of absence points.

ARTICLE IV: THE JUDICIARY

Section 2: Composition of the Supreme Court

- A. The Supreme Court shall be composed of seven (7) total Justices.
- B. A Chief Justice shall be elected annually from within the ~~Council-Court~~ to serve as the presiding officer and shall serve a one (1) year term.
- C. A Deputy Chief Justice shall be appointed annually from within the ~~Judicial Council~~ Supreme Court by the Chief Justice and shall assume the duties of the Chief Justice in the event of



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his/her absence.

- D. Other officers that the ~~Council~~Court deems necessary shall be chosen according to Judicial Rules and Procedures.

Section 5: Jurisdiction and Judicial Processes

- A. Powers: The Supreme Court shall have the power of Judicial Review over all Executive and Legislative Acts. This power shall include and be limited as prescribed by law.

1. The Supreme Court must negate and remove existing Student Government Statute, Appropriation, Law, Joint Resolution, Executive Order, and/or Senatorial policy when in conflicts with any provisions of the Student Government Constitution.

- ~~2. The Supreme Court must negate and remove existing Student Government Statute, Appropriation, Law, Joint Resolution, Executive Order, and/or Senatorial policy when in conflicts with any Federal law, State law, Local law or ordinance. Prior to any judgment that negates or removes existing Student Government Statute, Appropriation, Law, Joint Resolution, Executive Order, and/or Senatorial policy that is being challenged on the grounds that it violates Federal law, State law, Local law or ordinance, or University regulation, the Supreme Court may consult with the University of North Florida's General Counsel.~~

3. The Supreme Court may issue a temporary stay against the application of a Student Government Statute, Appropriation, Law, Joint Resolution, Executive Order, and/or Senatorial policy in time sensitive matters not to exceed ten (10) business days, in order to provide ample time for a judicial hearing and decision. The Supreme Court shall not issue more than two (2) stays for any one complaint or issue.

4. The Supreme Court shall serve as the final deciding body for all disputes between Student Government student employees, members, and/or elected officials which involve Student Government law. Judicial relief in such cases shall be prescribed by law but must always be comparable to the judicial power exercised by courts in the United States Federal Court System.

- B. General Restrictions: The aforementioned power of Judicial Review outlined in Section 5 of this Article cannot be enacted unless an A & S fee paying student files a written complaint. Furthermore, the complainant cannot be a member of the ~~Judicial Council~~Supreme Court and any judgment rendered must be within the purview of the complaint.



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- 2 C. Constitutional Restriction: Supreme Court may not change, amend, negate, or remove any
3 provision of the Student Government Constitution at any time for any reason.
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5 **ARTICLE V: ELECTIONS**

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7 **Section 7: Validation**

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9 In the absence of a legitimate challenge to the validity of the entire General, or Special
10 Elections, the Senate shall validate election results no later than ten (10) business days after
11 the last day of the election if all appeals to ~~Judicial Council~~ Supreme Court have been resolved.
12

13 **Section 8: Installation**

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15 A. The installation process shall begin at the next Senate meeting following the validation
16 either the General, or Special Elections results, as in accordance with Section 6 of this
17 Article. Upon installation, elected officials shall assume all abilities and responsibilities of their
18 respective office.
19
20 B. Elected candidates shall be sworn into office by the Chief Justice or another member of the
21 ~~Judicial Council~~ Supreme Court as designated by the Chief Justice, using the following oath:
22

23 "I (name of Individual), do hereby affirm to uphold the office of (Title),
24 and to abide by the laws of the United States of America, the Constitution
25 of the Student Government of The University of North Florida, and to
26 represent the Student Body to the best of my ability, so help me God."
27

28 **ARTICLE VI: AMENDMENT PROCESS**

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30 **Section 3: Ratification**

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32 The proposed amendment shall immediately become part of this Constitution if more
33 eligible students vote "Yea" than "Nay" at the General or Special Election and upon Senate
34 validation of said election.
35

36 **Section 4: Friendly Amendments**

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38 A. Friendly Amendments shall be defined as those amendments that do not alter the intent
39 or any possible legal interpretation of our Constitution.
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41 B. Friendly amendments may be made to this Constitution in the Form of a Special Joint



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Resolution. This Joint Resolution must include all the friendly amendments that are to be made and must present them in their full context. In order for any such joint resolution to take effect the following procedure must be adhered to:

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1. Senate must pass any such resolution unanimously.

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2. The resolution must be signed by the President.

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3. The Joint Resolution shall be submitted to the ~~Judicial Council~~ Supreme Court and prior to the bill taking effect the entire ~~judicial council~~ Supreme Court must meet in an order to discuss the proposed changes and determine if there is conflict with the above definition of a friendly amendment.

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4. If the changes are approved unanimously by the ~~Judicial Council~~ Supreme Court the Joint Resolution shall take effect.

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ARTICLE VII: IMPEACHMENT

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Section 1: Method

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Procedural Requirements of the impeachment of Senatorial, Executive and/or Judicial Members shall be prescribed by law, pursuant to the following requirements.

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A. For a member of the Executive Branch to be impeached, two-thirds (2/3) of Senate and a majority of the ~~Judicial Council~~ Supreme Court must concur.

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B. For a member of Legislative Branch to be impeached, two-thirds (2/3) of Senate and a majority of the ~~Judicial Council~~ Supreme Court must concur.

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C. For an appointed member of the ~~Judicial Council~~ Supreme Court to be impeached, two-thirds (2/3) of Senate and the President must concur. If the President does not concur, the Senate may still impeach the Justice with a three-fourths (3/4) vote of concurrence.

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D. Upon receipt of a petition of 20% of the currently enrolled A & S Fee paying students of the University of North Florida requesting that an elected student government official be removed from office, within 60 days after the filing of a petition, a referendum must be held in which a majority vote of the students will remove the officer from their seat. Also, the grounds for removing a Student Government Officer must be expressly contained within the petition and are limited to the following: malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, or conviction of a felony.

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SENATE LEGISLATION

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Legislative Action

Executive Action

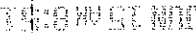
Author: Senate President Pro-Tempore Mims
Sponsor: Senate President Pro-Tempore Mims
Committee: Constitution and Statutes Committee
Committee Action: 3-1-0
Senate Action: 12-0-0
Date of Action: 06-08-2016


Let it be known that JR-16SA-3003 is hereby
APPROVED / VETOED / LINE-ITEM VETOED
on this 15 day of June, 2016.

Signed: 
Caleb Grantham, Student Body President

Signed and Delivered to the Student Body President
on this 15 day of June, 2016.

Signed and Delivered to the Senate Secretary

Place Time Stamp Here


Place Time Stamp Here


Signed: 
Dallas Burke, Student Senate President