

The 40th Session of the Student Body Senate

Florida International University

Miami, Florida

S.B. 04 013

Affirmation of Senate Budgetary Oversight, or

The ASBO Act

IN THE SENATE

November 13th, 2023

Appropriations Vice Chair Mikele Mancuso, University Sustainability and Innovation Chair Hua Hui Vogel, Student Body President Alexander Sutton, and Senate President Kaily LaChapelle introduced the following bill, which was presented on the Senate floor:

A BILL

To increase the say that the Student Senate has in the annual SGA Budget Process.

Be it enacted by the Senate of the Student Body at Florida International University assembled,

Whereas, the Student Government Association has the power and responsibility to determine the allocation and expenditure of student Activity and Service Fees, as authorized by Florida Statutes 1009.24 (10)(b);

Whereas, the FIU Student Body Constitution authorizes the SGA Budget Committee to review budget requests and draft a full Activity and Service Fee Budget Allocation for each fiscal year;

Whereas, the Activity and Service Business Office (ASBO) organizes Budget Hearings and Budget Deliberations each year; entities requesting A&S funding present at the Hearings, and the members of the Budget Committee discuss and finalize a budget proposal at the Deliberations;

Whereas, section 4.07 of the Constitution, “Powers of the Senate,” states that the Senate must “consent to the final Activity and Service fee Fiscal Budget for each year” by simple majority;

Whereas, section 8.04 of the Constitution, “the Student Government Budget Committee,” states that “in the case the Senate or the Senior Vice President for Academic and Student Affairs does not approve the proposed budget, the budget shall be sent back to the budget committee. The budget committee shall edit and re-propose the budget until it is approved by the Senate and signed by the Senior Vice President for Academic and Student Affairs”;

Whereas, the laws of Florida clearly imply that the Senate should have the final say over the Budget: Florida Statutes 1009.24 (10)(b) specifically delineates that the “student government association legislative body” shall submit the Budget for approval by the University President;

Whereas, on March 7, 2022, the Senate unanimously voted down the Budget Allocation for Fiscal Year 2022-2023, on the grounds that insufficient funding had been allocated to the Legislative Line Item and the GPSC Line Item of the SGA Operating Accounts;

Whereas, the Budget Committee held new deliberations on March 10, 2022, and the new allocation they proposed was unanimously approved by the Senate on March 14;

Whereas, on April 29, 2022, Executive Order 02-10 amended the SGA Finance Code, and added clauses to the “Budget Process” section that make it significantly more difficult for the Senate to reject the Budget Committee’s proposed allocation;

Whereas, section 4.07.1 of the Constitution gives the Senate the power to “enact, by majority vote of the Student Body Senate, constitutional bylaws to be known as Student Body Statutes,” including the power to amend already existing Statutory provisions;

Whereas, the Senate has the right and the duty to preserve its Constitutional authority over the approval of the Activity and Service Fee Budget;

Now Therefore, the Senate of the Student Body makes the following changes to the Student Government Statutes:

1. Deletes sections §7004.1.6 through §7004.1.7 of the Student Government Statutes, which read:

~~7004.1.6 After the start of the Spring semester, the Budget Committee will finalize its budget at one of its regularly scheduled meetings and then present the budget to the Senate.~~

~~7004.1.6.1 Should the Senate reject the budget as presented by the budget committee; it shall be required to adopt a memorandum detailing the reasoning for the failure in the meeting the budget was voted on. Should the memorandum not be drafted in the meeting, or quorum be lost in the meeting signifying an end to the meeting, the budget will be considered adopted by the Senate.~~

~~7004.1.6.1.1 The Budget Committee will then be required to meet within the same week that the Senate rejected the budget to adopt a new budget proposal.~~

~~7004.1.6.1.2 The Senate will then be required to meet within twenty four (24) hours of notification of a new budget being proposed. Should the twenty-four (24) hour timeline only be available on a day that is not a University School Day, it shall extend to the next University School Day. Should the Senate not meet, or fail to meet quorum within the time period, the last failed budget shall be considered adopted by the Senate. Notification of a new budget being proposed shall be established by the transmission of the budget to the Senate President.~~

~~7004.1.6.1.2 This procedure shall repeat until the budget is passed by the Senate or a contingency clause is executed~~

~~7004.1.7 The finalized budget will be submitted to the University President via the Senior Vice President for Academic and Student Affairs for approval or veto. If no action is taken within fifteen (15) days following presentation, the budget shall be deemed approved.~~

2. Adds the following clauses to section §7004 of the Student Government Statutes:

- 7004.1.6 After the start of the Spring semester, the Budget Committee shall participate in Budget Hearings scheduled by the ASBO. These hearings shall be mandatory for all Budget Committee members and strongly recommended for all Senators to attend. Budget Hearings must be conducted in-person, but the Budget Committee may choose to make exceptions for certain entities to attend over zoom (hybrid format).
- 7004.1.6.1 At the next Senate meeting following the Budget Hearings but before the Budget Deliberations, the Senate may choose to have a discussion on its priorities for the budget.
- 7004.1.6.1.1 The Student Body President and Comptroller, or their respective designees, shall be present at this discussion, with the other members of the Budget Committee recommended to be present.
- 7004.1.6.1.2 The Comptroller or their designee shall take detailed minutes during the Senate discussion of its budgetary priorities; these minutes shall be sent to all members of the Budget Committee at the conclusion of the Senate meeting. The minutes of this discussion may be referenced by members of the Budget Committee during Budget Deliberations.
- 7004.1.7 The Budget Committee will finalize its budget proposal during Budget Deliberations scheduled by the ASBO.
- 7004.1.7.1 The budget shall be presented to the Senate by the Student Body President and the Comptroller at the next meeting of the Senate following the passage of the Budget by the Budget Committee.
- 7004.1.7.2 The Senate President shall place the consideration of the budget as an item of special importance.
- 7004.1.7.3 All Senators must be provided a physical and digital copy of the budget no less than three (3) university business days prior to the Senate meeting in which it will be presented.
- 7004.1.7.4 All minutes and records from the budget deliberation process shall be available for Senators to review.
- 7004.1.8 After presentation of the budget, the Senate shall have up to ten (10) university business days to review the proposed budget and draft any amendments to the proposed budget.



- 7004.1.8.1 The Senate President shall have the responsibility of adding amendments passed by a simple majority of the Senate to the budget.
- 7004.1.8.2 Amendments to the budget shall be clearly indicated in the budget.
- 7004.1.8.3 Provisos appended to the proposed budget shall clearly state the recipient and conditions of the proviso.
- 7004.1.8.4 No amendment shall be made to the budget which would allocate funding towards an item or entity for which there was no budget request submitted.
- 7004.1.8.5 No amendment shall be made to the budget which would cause the budget to allocate more funds than are available based on projected revenue.
- 7004.1.9 The proposed budget must be voted on by roll-call vote as whole.
- 7004.1.9.1 A two-thirds (2/3) vote of the Senate is required to approve the budget. The budget shall not be subject to veto by the Student Body President.
- 7004.1.9.2 Should the Senate vote to reject the budget, the rejected budget shall be returned to the Budget Committee for revision. The Budget Committee must meet within the same week the budget was rejected to adopt a new budget proposal. The Senate shall then vote on the revised budget proposal at the next regularly scheduled Senate meeting at which quorum is achieved. This shall adhere to the same process of drafting, amending, and voting on the budget. Should the Senate again deny the budget, process shall repeat until passage of the budget is achieved.
- 7004.1.9.2.1 Any time that the Senate votes to reject the budget, it may also choose to adopt by simple majority a memorandum detailing the reasoning for the failure of the budget. Such a memorandum shall outline the primary concerns raised by members of the Senate regarding the failed budget, and it shall be written during the Senate meeting by a designee chosen by the Senate President. The memorandum may include stipulations for the Budget Committee regarding funding levels for specific entities or line items.
- 7004.1.10 The finalized budget will be submitted to the University President via the Chief Student Affairs Officer for approval or veto. If no action is taken within fifteen (15) days following presentation, the budget shall be deemed approved.

Now Therefore, the Senate of the Student Body further amends the Student Government Statutes section §3010, which shall be amended as follows:

3010.1 Following the passage of the budget by the Budget Committee, the Student Body President and the Comptroller will present the budget to the Senate. The Senate will then have 10 university business days ~~a set time by the Senate President~~ to review the proposed budget and draft any amendments to the proposed budget. ~~debate the merits of the budget, and must vote in the meeting in which the budget was presented whether to approve or deny the budget.~~ The Senate may pass the bill by a two-thirds (2/3) vote, not subject to approval or veto of the Student Body President. Should the Senate deny the budget, it will be sent back to the Budget Committee to make alterations and the process shall repeat until passage of the budget is achieved.

Senate Bill Transmission Form

This bill is presented by the Senate of the Student Body at Florida International University. It is presented by the Senate President Pro-Tempore and affixed with the signature of the Senate President. Both the Senate President and the Senate President Pro-Tempore affirm that the information presented below is accurate and that the bill has successfully passed in the Senate of the Student Body. The bill is presented on this day and at this hour for signature or veto.

<i>SB 04 013</i>			
Date Introduced:	<i>11/13/2023</i>		
Committees Assigned:	(1) Appropriations (2) Rules and Administration		
Appropriations	3 <i>For</i>	0 <i>Against</i>	0 <i>Abstaining</i>
Rules and Administration	3 <i>For</i>	0 <i>Against</i>	0 <i>Abstaining</i>
Vote on the Senate Floor: <i>4/1/2024</i>	20 <i>For</i>	0 <i>Against</i>	0 <i>Abstaining</i>
 _____ Signature of the Senate President	 _____ Signature of the Senate President Pro Tempore		

Presidential Signature of a Senate Bill

On this day, at this time, and in this place, the Senate of the Student Body at Florida International University does hereby present this bill to the desk of the President of the Student Body for signature or veto. The Senate has passed this bill and all its accompaniments, in accordance with the Constitution and Statutes of the Student Government Association at Florida International University. It is presented in good faith, whereas the officers of the Senate have affixed their signatures to affirm that the bill has followed due procedure and is valid. The Senate will await your decision.

SB 04 013



Kaily LaChapelle, Senate President



Tiara Campbell, Senate President Pro-Tempore



Karina Hernandez, Senate Floor Leader



Alexander P. Sutton, Student Body President

