



Council Bill

STUDENT GOVERNMENT COUNCIL · MODESTO A. MAIDIQUE CAMPUS

Summary of Bill

- Executive Board is renamed to Executive Council as the Constitution refers to it as
- Executive Council Membership is updated with *ex-officio* members (Chief of Staff and Attorney General)
- Student Assistants become Clerk of Councils
- Being able to hold people accountable for missing the Retreat
- Eliminated time restriction on Senate meetings
- Added Office Hours Requirement for President (20 Hours)
- Added Office Hours Requirement for Vice President (15 hours)
- Added Office Hours Requirement for Comptroller (12 Hours)
- Added Office Hours Requirement for Chief of Staff (12 Hours)
- Added Office Hours Requirement for Secretary of Governmental Relations, Attorney General, and Secretary of External Relations (8 Hours)
- Added Secretary of Governmental Relations, Attorney General, and Secretary of External Relations to Statutes to specify duties, be able to receive fair pay, and create long-term sustainability for SGA
- Clarified Departments, eliminated Student Life Department
- Added classification of Director positions to the Executive Branch



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Agenda Item: SB1815—A BILL TO UPDATE SGC-MMC PROCESSES, EXECUTIVE BRANCH, AND EXECUTIVE COUNCIL

Date: July 2, 2018

Committee: None

Sponsors: Senator Antonia Passalacqua, College of Arts, Science, and Education; Senator Matt Beck, Housing; Senator Brandon Aquino, College of Arts, Science, and Education

Authors: Jose Sirven, President; Senator Victoria Larson, Housing Senator

A BILL TO UPDATE SGC-MMC PROCESSES AND STRUCTURE

Sections I Policy:

The proposal outlined in this Council Bill are in compliance with the authority granted in Article III, Section 5.A. of the Student Government Association Constitution;

Section II: Terms

The following terms are defined as to ensure the legality of this bill.

A. "SGC-MMC" refers to the Student Government Council of the Modesto A. Maidique Campus

B. "Executive Council" refers to the "The leaders of the SGC-MMC: the President, Vice President, Speaker of the Senate, Speaker Pro Tempore, Comptroller, and the Chief Justice. The Chief of Staff and Attorney General shall serve as an ex-officio, non-voting, member of the Executive Council."

C. "SGA" refers to the Student Government Association at Florida International University .

Section III: Bill

THEREFORE, LET IT BE ENACTED that

A. ARTICLE II. GENERAL STATUTES be amended as follows:

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Section 2.01 Definitions



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(viii) Executive ~~Board~~Council

(1) The leaders of the SGC-MMC: the President, Vice President, Speaker of the Senate, Speaker Pro Tempore, Comptroller, and the Chief Justice. The Chief of Staff and Attorney General shall serve as an ex-officio member of the Executive Council.

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Section 2.03 Executive ~~Board~~Council

(a) The Executive ~~Board~~Council shall meet on a regularly regular basis to discuss matters of SGC-MMC leadership and assure inter-branch cooperation.

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Section 2.06 Clerk(s) of Council

(a) The Clerk(s) of Council shall be the official record keeper of the SGC-MMC.

(b) The Clerk(s) of Council shall not be considered a member of any constitutional branch, but shall be subject to the same requirements and oversight as any SGC-MMC Official.

~~(i) The Clerk shall be appointed by the President and confirmed by the Senate.~~

~~(ii) The Clerk(s) can be removed from office by the Senate through the impeachment and removal process and by the Judicial Branch.~~

(c) The Clerk(s) of Council shall attend all Senate meetings, weekly Executive Branch meetings, and University Wide Council Meetings when hosted by the SGC-MMC.

~~(d) The Clerk(s) of Council shall be able to designate an individual to represent him/herself at these functions.~~

(e) The Student Assistants and/or front desk staff shall be the Clerk(s) of Council.

(f) The Clerk of Council shall be the official record of SGA and shall be responsible for maintaining and collecting all Committee, Senate, Executive Branch, Executive Council, other official meeting minutes, and making these records public.

(g) The Clerk of Council shall also be responsible for keeping record of bills passed by the Senate, delivering approved bills to the President, maintaining a record of approved and vetoed legislation, and making these records public.



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(h) The Clerk of Council shall maintain all records of the Judicial Branch including court proceedings, minutes, opinions, and recordings and making these public.

(i) The Clerk of Council shall maintain all records of the University -Wide Council including its minutes, University-Wide bills, and delivering University-Wide bills from the Senate to the University-Wide Council.

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Section 2.08 SGA Retreat

(a) The SGA or SGC-MMC Retreat is required for all SGC-MMC officials to attend, except for interns, or in the case that an SGC-MMC official has a valid excuse.

(b) Validity of excuses shall be at the discretion of either the SGC-MMC President, the Senate Speaker, or the Chief Justice. If the excuse is not approved, then the absence from the retreat shall be considered nonfeasance and that official shall no longer be able to hold that office.

(c) The date(s) and location of the SGA Retreat shall be determined by the Executive Council.

(d) The Executive Council may determine that multiple retreats shall occur, up to 2 required retreats per year, and thus those it shall be required for SGA Officials to attend those retreats approved by the Executive Council.

B. ARTICLE III. LEGISLATIVE BRANCH be amended as follows:

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Section 3.02 Structure and Leadership
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(b) Leadership

(i) Speaker

(1) The Speaker of the Senate, hereinafter referred to as the “Speaker”, shall chair all Senate meetings, and be the chief administrative office of the Senate.



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- (2) The Speaker shall be a Senator, and shall be elected as Speaker by a simple majority of the Senate.
- (3) The SGC-MMC Vice President shall be ineligible to serve as the Speaker.
- (4) The Speaker shall report on the Senate's business to the SGC-MMC Executive ~~Board~~ Council.
- (5) The Speaker shall be the voice of the Senate and shall represent the Senate in all Official matters, including, but not limited to, University functions and the Florida Student Association (FSA).
- (6) The Speaker shall serve as one of the two (2) SGC-MMC Senators on the University Wide Council, University Wide Budget Committee, and MMC Campus Budget Committee.
- (7) The Speaker of the Senate shall have the power to call additional meetings as necessary with forty-eight (48) hours notice. Attendance in these cases is mandatory.
- (8) The Speaker shall have all rights of Committee members, except voting power, but shall be exempt from Committee requirements.
- (9) The Speaker shall complete an additional 7 regularly-scheduled office hours per week on top of the three (3) office hours required of Senators. Their office hours shall be publicly available.

(ii) Speaker Pro Tempore

- (1) The Speaker Pro Tempore shall assist the Speaker in his/her duties and shall assume the role of the Speaker in the event of the Speaker's absence or dismissal.
- (2) The Speaker Pro-Tempore shall be a Senator, and shall be elected as Speaker Pro Tempore by a simple majority of the Senate.
- (3) The SGC-MMC Vice President shall be ineligible to serve as the Speaker Pro Tempore.
- (4) In the absence of the Speaker, the Speaker Pro Tempore shall chair all Senate meetings and shall report all Senate business to the Executive ~~Board~~ Council.



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(5) The Pro Tempore shall complete an additional 7 regularly-scheduled office hours per week on top of the three (3) office hours required of Senators. Their office hours shall be publicly available.

(iii) Committee Chairpersons

(1) All Committee Chairpersons shall serve as the chief administrative officers of their respective Committees.

(2) All Committee Chairpersons shall complete an additional three (3) regularly-scheduled office hours per week on top of the three (3) office hours required of Senators. Their office hours shall be publicly available.

(3) A Chairperson may be removed from their chairmanship by a majority vote of the Senate, or by Judicial order.

(4) Committee Chairpersons shall be expected to present a report to the Senate following each meeting. In their absence a Vice Chairperson or any other member should present the report.

(5) No Senator shall chair more than one (1) Committee.

(6) The SGC-MMC Vice President, Speaker, Speaker Pro Tempore shall be ineligible to serve as the Chairperson of any Committee.

(7) Finance Committee Chairperson

a) The Finance Committee Chairperson shall be the third in line in Senate Leadership.

(8) Rules, Legislation, and Judiciary Committee Chairperson

a) The Rules, Legislation and Judiciary Committee Chairperson shall be the fourth in line in Senate Leadership.

(9) Operational Review Committee Chairperson



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a) The Operational Review Committee Chairperson shall be the fifth in line in Senate Leadership.

(10) Internal Affairs Committee Chairperson

a) ~~The Operational Review~~ Internal Affairs Committee Chairperson shall be the sixth in line in Senate Leadership.

(11) Student Advocacy Committee Chairperson

a) The Student Advocacy Committee Chairperson shall be the seventh in line in Senate Leadership.

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Section 3.05 Senate Procedures

(c) Meetings

(i) The Senate meetings shall be designated in accordance with the following Specifications:

(1) For the purpose of regular meetings, the Senate shall meet on Mondays at 4:00 PM in the SGC-MMC Chambers (GC 150) every Fall and Spring semester. Each Senator shall work their schedules around this time.

Meetings shall not have a time limit and shall be adjourned at the discretion of the Senate body. ~~Meetings shall last a maximum of two (2) hours.~~

C. ARTICLE IV. EXECUTIVE BRANCH shall be amended as follows:

Section 4.01 Purpose

(a) ~~Purpose~~

~~(i)~~ The purpose of the Executive Branch of the Student Government Council –Modesto A. Maidique Campus is to execute and carry out all duties as prescribed by these Statutes and the SGA Constitution, representing the interests of the student body before the FIU Administration. The Executive Branch shall



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ensure that all laws of the Legislative Branch and decisions of the Supreme Court are enforced and observed.

Section 4.02 Structure and Leadership

(a) President

(i) The President of the Student Government Council is the head of the Executive Branch of Government, the student representative to the Board of Trustees, and the representative of FIU to the Florida Student Association.

(ii) The President shall abide by the SGA Constitution and these Statutes.

(iii) The President shall be able, pursuant to Florida Statutes, to appoint students to serve on university committees on specific areas such as the Health Fee Committee and Technology Fee Committee.

(1) Appointments to these committees shall be made publicly available through the SGC-MMC website. The appointment shall also be announced at the next Senate and Executive Branch meeting.

(iv) The President shall complete 20 regularly-scheduled office hours per week that classes are in session. Their office hours shall be publicly available.

(b) Vice President

(i) The Vice President of the Student Government Council is the second in command of the Executive Branch of Government and the *ex officio* President of the Senate.

(ii) The Vice President shall abide by the SGA Constitution and these Statutes.



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(iii) The Vice President shall complete 15 regularly-scheduled office hours per week that classes are in session. Their office hours shall be publicly available.

(c) Cabinet

(i) Comptroller

(1) The Comptroller shall be in charge of enforcing the Finance Code, carrying out the distribution of the budget, and of auditing and advising the SGC-MMC and other A&S Funded Entities.

(2) The Comptroller shall attend all Executive Branch meetings and provide a monthly financial report to the Senate at the last meeting of every month.

(3) Following the approval of a funding request by the Finance Committee and the SGC-MMC Senate, and the disbursement of these approved funds, the Comptroller shall provide detailed reports of budgetary requests to the Finance Committee.

a) The Comptroller shall work with the Finance Committee Chairperson to adequately process budgetary requests in compliance with finance policy.

(4) The Comptroller and/or the SGC-MMC President must monitor, facilitate, and approve all expenditures of SGA accounts, including a contingency, as stated in the Finance Code.

(5) The Comptroller shall complete 12 regularly-scheduled office hours per week that classes are in session. Their office hours shall be publicly available.

(ii) Chief of Staff

(1) The Chief of Staff shall be the chief advisor to the President.



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(2) Responsibilities shall include, ~~but are not limited to,~~ overseeing executive branch personnel, supervising the execution of office policies, being informed of the SGC-MMC calendar, facilitating the administration's goals and objectives, and helping to preside over the weekly Executive Branch meetings, ~~and proofreading all of the SGC-MMC literature.~~

(3) The Chief of Staff shall complete 12 regularly-scheduled office hours per week that classes are in session. Their office hours shall be publicly available.

(4) The Chief of Staff shall take minutes at Executive Council meetings and submit those minutes to the Clerk of Council.

(iii) Attorney General

(1) The Attorney General shall serve as General Counsel and Ombuds to SGC-MMC.

(2) Responsibilities include providing legal advice to the SGC-MMC President and other SGC-MMC Officials as described below, being familiar with the SGA Governing Documents, University policies, state and local law, and ensuring that the SGC-MMC and its members are in compliance with the aforementioned. The Attorney General shall have access to all relevant information necessary to carry out their duties such as office hours, and all SGC-MMC officials' reports.

(3) The Attorney General shall prosecute any SGA official who commits nonfeasance, misfeasance, and malfeasance before the SGC-MMC Supreme Court.

(4) The Attorney General shall receive anonymous reports and/or complaints regarding possible instances of misfeasance.



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nonfeasance, and malfeasance from students and/or hold confidential meetings with students regarding possible instances of misfeasance, nonfeasance, and malfeasance. The Attorney General shall not be able to act without the consent of the anonymous reporter and all information that is shared by that student must remain confidential at all times. Any violation of this clause shall be considered malfeasance and would warrant impeachment and/or removal from office.

(5) The Attorney General shall provide the Rules, Legislation, and Judiciary Committee and Executive Council with a monthly report on an analysis of another University's Student Government governing documents, structure, and procedures that could be adopted at FIU.

(6) The Attorney General shall provide the Executive Branch and the Executive Council with monthly report regarding changes in the Board of Trustee Policy, relevant laws that affect the Student Body, new legislation that was passed by the SGC-MMC Senate and its effects, any updates regarding implementation of SGA laws, and updates from the Office of the General Counsel, the Audit and Compliance Office, and the Office of Student Conduct.

(7) The Attorney General shall be responsible for advising the President on implementing all SGC-MMC laws passed by the Senate and Supreme Court rulings. The Attorney General shall be responsible for the implementation of the SGC-MMC's adherence to Florida Sunshine State Laws and all legal processes including the Budget process.



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- (8) The Attorney General shall create and maintain an updated list of the requirements set forth on every SGC-MMC official that will be publicly available.
- (9) The Attorney General shall be responsible for informing each Agency and Council Executive Boards of their duties and responsibilities at the beginning of their terms.
- (10) The Attorney General shall serve as the liaison to the FIU Office of the General Counsel, the Audit and Compliance Office, and Student Code of Conduct.
- (11) The Attorney General shall complete 5 regularly-scheduled office hours per week that classes are in session. Their office hours shall be publicly available.
- (12) The President shall not be able to remove the Attorney General from office, instead they shall be removed from office by the Senate through impeachment and removal proceedings or by the Judicial Branch.
- (iv) Secretary of Governmental Relations
- (1) The Secretary of Governmental Relations shall oversee the SGA Department of Governmental Relations and all of its personnel which is the official liaison between the Student Body and the local, state, and federal governments.
- (2) The Secretary of Governmental Relations' responsibilities include setting legislative priorities, assisting the SGC-MMC President represent FIU at the Florida Student Association, and coordinating all lobbying efforts
- (3) Legislative Agenda



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a) The Secretary of Governmental Relations shall draft a Legislative Agenda that will consist of the legislative priorities of the Student Body with approval from the SGC-MMC President.

b) The Legislative Agenda must be approved by the concurrence of the majority of the Senate by the beginning of the new Florida Legislative Session.

(3) The Secretary of Governmental Relations shall complete 8 regularly-scheduled office hours per week that classes are in session. Their office hours shall be publicly available.

(v) Secretary of External Relations

(1) The Secretary of External Relations shall oversee the SGA Department of External Relations which is responsible for all public relations matters and serves as the liaison to the Student Body, student organizations, the University administration, the press, and the community.

(2) The Secretary of External Relations' responsibilities include managing social media, maintaining the SGA website, issuing press releases, developing branding and messaging, managing outreach to the Student Body and University administration, and creating and distributing marketing materials.

(3) The Secretary of External Relations shall complete 8 regularly-scheduled office hours per week that classes are in session. Their office hours shall be publicly available.

(vi) Composition of the Executive Cabinet



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(1) The members of the Executive Cabinet shall be nominated by the President and Vice President and approved by a simple majority of the Senate.

(2) The composition of the Executive Cabinet is determined by the President and Vice President. There shall be a permanent Chief of Staff, Secretary of Governmental Relations, Secretary of External Relations, Attorney General, and Comptroller within the Cabinet.

a) New Cabinet positions shall be created by the President through a New Cabinet Position Executive Order, to be announced at the next Executive branch meeting and Senate meeting following the establishment of the position.

b) The New Cabinet Position Executive Order creating the position shall provide an overview of the general functions and duties of the position, as well as the formal title for the position.

c) Nominees appointed by the President and being presented for approval by the Senate must be in attendance in the Senate meeting during which they will be considered. If there is a case in which a nominee cannot be in attendance, the President may speak on their behalf, by discretion of the Senate Speaker.

i) A copy of the New Cabinet Position Executive Order must be provided to the Senate when a nominee is presented to be confirmed.

ii) Each nominee must be presented and confirmed individually.

(3) Requirements



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a) All officials of the Executive Cabinet shall be required to attend ~~bi-weekly~~ Cabinet meetings and a Senate meeting once per month to deliver a report.

i) Executive Cabinet officials shall not be allowed to have more than two (2) excused absences from Cabinet and/or required Senate meetings.

ii) For an absence to be considered excused, documentation excusing oneself from a meeting must be provided to the ~~Clerk of Council~~ Internal Affairs Committee and Chief of Staff.

iii) During the Summer semester, Cabinet officials shall be allowed to miss meetings, as long as they are excused for every meeting.

1. To be counted as present, Cabinet officials must be present for the majority of a meeting.

b) Cabinet members, unless otherwise mentioned in these statutes, shall be required to complete 3 office hours per week.

~~b) c)~~ c) All Executive Cabinet members shall be individually required to submit one (1) report ~~every Fall and every Spring semester~~ month by the last day of that month during the Fall and Spring semesters. ~~The report shall be submitted no later than ten (10) weeks after the beginning of every semester.~~

i) These reports shall include updates on goals, current and planned projects, current and planned



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events as well as a discretionary budget expenditure summary.

ii) These reports shall be submitted to the Chief of Staff and be ~~readily accessible to the Senate upon request presented to the Senate once per month.~~

e) d) All cabinet members shall fulfill the duties prescribed in the New Cabinet Position Executive Order that creates each respective position so long as they do not conflict with those requirements outlined in these Statutes.

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Section 4.03 Committees, Departments, Directors, Agencies, and Councils
.....

(b) Departments

(i) The Executive Branch shall have divisions called departments charged with specific duties as outlined in these Statutes and composed of Directors. Departments shall be headed by a member of the Executive Cabinet as designated by the President, unless otherwise specified in these statutes. Cabinet positions with specific functions may be created outside of these departments at the President's discretion.

(ii) Department of External Relations

(1) Purpose and Responsibilities

a) The Department of External Relations shall serve as the liaison between SGC-MMC and the University, the press, and the community as a whole.

(2) Structure



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a) The SGC-MMC President shall determine the composition, operational structure, and ~~leadership~~ membership of this department.

b) The Secretary of External Relations shall oversee the SGA Department of Governmental Relations.

(iii) Department of Governmental ~~Affairs~~ Relations

(1) Purpose and Responsibilities

a) The Department of Governmental Relations shall be charged with representing SGC-MMC to members of the State Legislature, the U.S. Congress, federal and state government agencies, and other national and international public organizations.

b) The Department of Governmental Relations shall be the lobbying arm of SGC-MMC and shall assist the Executive Branch and Legislative Branch with lobbying efforts and legislative outreach.

c) The Department of Governmental Relations shall be responsible for coordinating all civic and voter engagement of the SGC-MMC.

(2) Structure

a) The SGC-MMC President shall determine the composition, operational structure, and ~~leadership~~ membership of this department.

(iv) ~~Department of Student Involvement~~

~~(1) Purpose and Responsibilities~~

~~(a) The Department of Student Involvement shall serve as the liaison between SGC-MMC and the FIU Division of~~



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~~Campus Life, serving as SGA's main method of communication between the student organizations, clubs, Governing Councils, Greek life, and Panther Rage.~~

~~(2) Structure~~

~~(a) The SGC-MMC President shall determine the composition, operational structure, and leadership of this department.~~

(c) Directors

(i) The Executive Branch shall have members that do not belong to the Cabinet known as Directors who shall assist and advise the Secretaries and/or Executive Branch Leadership on specific initiatives and topics. Directors belonging to Departments shall carry out the purpose of the Departments, but not all Directors must belong to a Department.

(ii) Directors shall either be appointed by a Cabinet Member and approved by the President or appointed by the President. Directors shall be removed either by the SGC-MMC President, by the the SGC-MMC Senate, or the SGC-MMC Judicial Branch.

(iii) Directors shall be considered SGA officials and shall be held to the same professional and ethical standards but shall not receive compensation as the position is a volunteer position.

D. ARTICLE V. JUDICIAL BRANCH shall be amended as follows:

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Section 5.02 Structure and Leadership

(a) The SGC-MMC Supreme Court shall be composed of one (1) Chief Justice, four (4) associate justices and two (2) Court Clerks.

(i) The SGC-MMC Chief Justice shall be the chief administrator of the Supreme Court and a member of the Executive ~~Board~~ Council.



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(b) Requirements

(i) All Associate Justices shall be required to hold and maintain at least three (3) office hours a week in which they are accessible to anyone within the Student Body.

(ii) All Associate Justices shall be required to attend and prove proof of attending at least three (3) of Student Government Association (MMC) sponsored events during each semester of their term,

(1) Associate Justices must provide proof of attendance at each event, preferably in the form of a picture or video, which may be used to promote student government activities.

(2) Associate Justices must submit proof of attendance to the Chief Justice three (3) weeks before the end of each semester.

(iii) The Chief Justice shall complete ten (10) regularly-scheduled office hours per week that classes are in session. Their office hours shall be publicly available.

Section V: Enforcement

This Bill shall be presented to the Student Body and all relevant committees on behalf of the Student Body by the SGA;

Section VI: Enactment

This Bill and all its contents shall be the official law of the SGC-MMC upon passage by the concurrence of the majority of the SGC-MMC Senate and approval of the FIU-MMC Student Body President.

Section VII: Implementation

Upon the enactment of this Bill, this shall be the official law of the SGC-MMC and shall make any prior legislation that conflicts with this legislation hereby null and void; upon the passage



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and approval of this bill the contents of it shall be incorporated into the SGC-MMC Statutes and those provisions of the SGC-MMC Statutes which contradict this special act shall be made null and void.

SB1815		
FIU-MMC STUDENT GOVERNMENT COUNCIL		
IN FAVOR OF _____	AGAINST _____	ABSTENTIONS _____
AMENDMENTS:		
DATE _____	PASS	<u>FAIL</u>
Antonia Passalacqua, Speaker of the Senate		
Victoria Larson, Author		Peter Hernandez, RLJC Chair
PRESIDENTIAL RULING	ENACT	VETO
Jose Luis Sirven, President		



SB1815 – A BILL TO UPDATE SGC-MMC PROCESSES, EXECUTIVE BRANCH, AND
EXECUTIVE COUNCIL

LEGISLATION STATUS: **DIED IN RULES, LEGISLATION, AND JUDICIARY
COMMITTEE**