

ARTICLE II. GENERAL STATUTES

Section 2.01 Definitions

- (a) The most recent edition of Black's Law Dictionary shall be used in understanding the terms contained within the Student Body Statutes not otherwise defined in this section.
 - (i) Agency
 - (1) An administrative division of the Executive Branch created to provide goods and/or services to the entire Student Body. The service shall be student oriented and shall be available for use by all students. The agency will be held responsible for the administration of their budgets and adherence to their purpose as outlined in these statutes. It shall be able to establish separate identities from the SGC-MMC upon approval of the SGC-MMC President.
 - (ii) Activity and Service Fee funded entity
 - (1) Any person, group, department, organization, or office that receives any funding from the Activity and Service Fee.
 - (iii) Activities and Services Fees
 - (1) The State of Florida has established a separate Activity and Service Fee. This fee shall be collected as part of the student tuition as a dollar amount per credit hour and shall be retained by the University and paid into a separate A&S fund.
 - (iv) Committee
 - (1) The entities within the SGC-MMC Senate with a specific purpose as outlined in these Statutes or through a council bill.
 - (v) Conflict of interest
 - (1) A conflict of interest as identified by Sunshine Law, shall include, but shall not be limited to, having an immediate blood, by marriage, or through adoption relationship, business relationship, romantic relationship, being a member of the organization directly affected, and/or being a member of a board, commission or committee that is currently voting on or will be voting on dissolving or instating the subject matter at hand. In situations where it is too difficult to determine if there is a reasonable conflict of interest, the Senate Speaker, Chief Justice, or Elections

Commissioner in each of their corresponding divisions shall make the final determination by distinguishing whether there are personal interests that might benefit from a member's vote.

(viii) Council

- (1) An administrative division of the Executive Branch created to provide representation and programming to a particular and established interest group of the Florida International University. The Council will be held responsible for the administration of their budgets and adherence to their purpose as outlined in these statutes. It shall be able to establish separate identities from the SGC-MMC upon approval of the SGA-MMC President.

(viii) Executive Board

- (1) The leaders of the SGC-MMC: the President, Vice President, Speaker of the Senate, Speaker Pro Tempore, Comptroller, and the Chief Justice.

(ix) Malfeasance

- (1) The performance by a public official of an act that is legally unjustified, harmful, or contrary to law.

(x) Misfeasance

- (1) The wrongful performance of a normally lawful act.

(xi) Nonfeasance

- (1) The omission of some act that ought to have been performed.

(xii) Senate Leadership

- (1) Senate Leadership shall be comprised of the Speaker, the Speaker Pro Tempore, and each of the Committee Chairs.

(xiii) Student Government Official

- (1) Any official member of the Legislative, Executive, or Judicial Branch, or those other individuals as identified in these Statutes.

Section 2.02 Logo

- (a) The logo of the Student Government Council - Modesto A. Maidique Campus shall be the official graphic representation of the SGC.

- (i) The logo and any subsequent changes to it must be approved by a simple majority of the Senate.

Section 2.03 Executive Board

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

Section 2.04 Florida State Statutes Compliance

- (a) Activities and Service Fee Fund Allocation
 - (i) The SGC-MMC shall comply with Section 1009.24 State University Student Fees of the Florida Statutes when fulfilling its duties and allocating the Activity and Service Fee funds.
- (b) Florida Sunshine Law
 - (i) The Student Government Council and SGC-MMC funded entities are bound by Florida Sunshine Laws as defined by Title XIX Chapter 286 - Public Business of the Florida Statutes.

Section 2.05 Transparency and Accountability

- (a) SGC-MMC Public Meetings and Records
 - (i) All Senate, Cabinet, and full council meetings of the Student Government Council at Modesto A. Maidique Campus shall be video and/or audio recorded, with all recordings posted online on the SGC-MMC website.
 - (ii) All signed legislation must be scanned, stored electronically, and be accessible online.
 - (1) Legislation must be scanned with the President's signature or veto.

Section 2.06 Clerk of Council

- (a) The Clerk of Council shall be the official record keeper of the SGC-MMC.
- (b) The Clerk 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 can be removed from office by the Senate through the impeachment and removal process and by the Judicial Branch.

- (c) The Clerk of Council shall attend all Senate meetings, weekly Executive Branch meetings, and University Wide Council Meetings when hosted by the SGC-MMC.
 - (i) The Clerk of Council shall be able to designate an individual to represent him/her self at these functions.

Section 2.07 Council Emoluments

- (a) At the inception of the University Wide Budget Committee process, the President shall submit an Emoluments Proposal, at which time the Senate shall review the proposed emolument amounts for all branches and positions of the Student Government Association (Legislative, Judiciary, and Executive).
 - (i) The Emoluments Proposal must be approved by a two-thirds (2/3) vote of the Senate.
- (b) Executive Cabinet emoluments shall not surpass the emoluments amounts of the Senators with the exception of the SGC-MMC Comptroller and the SGC-MMC Chief of Staff.
 - (i) Exceptions may be made by Presidential request with the approval of a simple majority of the Senate.
- (c) Emoluments shall be made public to the student body on the SGA website as an individual document at the commencement of each fiscal year.
 - (i) The document shall break down the pay per position per each SGC - MMC Official under fully staffed conditions.
 - (ii) Should any positions be modified, added, or removed, the document shall be updated.