



Student Government
Office of the Senate President

Monday, July 10, 2023

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Dear Senate colleagues:

On Sunday, I received veto messages for 4 bills that were passed under second readings by the Student Senate. These vetoed pieces of legislation will be heard on Tuesday night under third readings. Legislation under third readings requires a two-thirds vote to override the veto. If an override vote fails, the veto is sustained, and the bill does not go into effect.

As the Senate President Pro-Tempore, Nathan McGinnis, has already sent out the bills for all to review, I will be sending the veto messages verbatim to you through this means.

“SSB 2023-1064: Graduate and Professional Student Summer Vacancy Requirements-300 Codes

SSB 2023-1064 seeks to alleviate the Summer enrollment requirement for all Graduate and Professional Students as long as they are enrolled for the following fall semester. While I agree that this is a beneficial addition for some professional schools such as the Levin College of Law, this bill appears to violate Article II, Section 3 of the UF Constitution. When you are not currently enrolled in courses, regardless of your Fall enrollment, you are not considered a current student at the University of Florida. Incoming first year students are not able to hold positions the summer before they start classes, students who are not enrolled during the summer do not have access to the Student Recreation Center, and individuals who are not enrolled are not currently able to hold Student Government positions. Additionally, the University of Florida specifically states under Rule 6.2.1, in order to be an officer of a Student Organization you have to “Be an enrolled, degree-seeking University student as defined by the Registrar during their term”. I believe holding a Student Organization Officer position aligns with holding a Student Government position and therefore to adhere to the rules outlined under the Constitution I am vetoing this bill. I will add that hopefully the Executive Branch will eventually have a Solicitor General confirmed by the Senate and once someone is in that role, I will ask them to research and engage the Court for further clarity on this issue.

SSB 2023-1062: The Indigenous Land Acknowledgement Act- 100 Codes

[SSB] 2023-1062 seeks to require the reading of an Indigenous Land Acknowledgement before a variety of Executive and Judicial Branch events. While I am evaluating how my administration may incorporate land acknowledgement into areas of our work, I believe this bill as written is an inappropriate overreach by the Legislative Branch. As a general rule, one branch mandating speech from another branch strikes me as a violation of the separation of powers. If the Senate would like to add a land acknowledgement to their own Rules & Procedures for their meetings, I support them in considering that. I would also welcome a conversation with members of the Legislative Branch in the future if they would like to discuss particular topics before writing legislative mandates that impact the Executive Branch. For these reasons, I am vetoing this bill.

SSB 2023-1061: Accountability Law For Regulating Election Disruption and Oppression (ALFREDO) Act

SSB 2023-1061 seeks to remove the possibility of threats, coercion, or intimidation throughout the election period. This bill aims to do so by punishment of disqualification. I believe there is merit in seeking to limit the probability of verbal attacks and threats and I unfortunately experienced both throughout the most recent campaign; however, it is my belief that as written, this bill has the potential to infringe on the First

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Amendment rights of our student body. I believe the author's intent was valid, but simply put it is too high a risk for litigation for this to be enacted as written. Therefore, I am forced to veto this bill.

SSB 2023-1067: Budget Online Resources Accessibility Act (BORAA)

[SSB] 2023-1067 seeks to require the Budget and Appropriations Committee to routinely update the 800 Codes summary document for student organizations to utilize. I wholeheartedly agree with the contents of this bill and look forward to this bill being resubmitted, passed, and approved. However, I am unable to approve SSB 2023-1067 at this time due to a grammatical error within the bill. In section 826.3 the segment *“for the purposes of provide a quick and succinct resource for student organizations to utilize”* the tense of provide is incorrect, as it should be “providing”. Other than that, I support Student Senate Bill 2023-1067 and look forward to signing it once reintroduced. For that reason, I am vetoing this bill.”

Thank you for taking the time to read these, and I will see you all on Tuesday night in the Senate Chambers.

Sincerely,
Oscar Santiago Perez

University of Florida Senate President

STUDENT SENATE BILL 2023-1061

TITLE: Accountability Law For Regulating Election Disruption and Oppression (ALFREDO) Act

AUTHOR(S): Judiciary Chair Jonathan C. Stephens

SPONSOR(S): Judiciary Vice Chair Joaquin Marcelino

CHAPTER 740 – THE POLITICAL PARTIES ACT (2000-141, 2001-112, 2001-141, 2002-144, 2004-116, 2005-137, 2006-113, 2006-129, 2007-120, 2008-142, 2009-105, Board of Trustees ruling, 2010-100, 2010-102, 2011-100, 2011-107, 2012-101, 2014-121, 2020-1024, 2020-1043, 2021-109)

747.1 No candidate, party, or party affiliate may directly or indirectly use threats or any tactic of coercion or intimidation to interfere or attempt to interfere with an election. Failure to comply with this section may result in disqualification.

747.11 For the purpose of this subsection:

a) “Interfere” means to abridge or solicit to abridge a student’s ability to participate in an election or freely exercise their right to vote.

b) “Threats” are any implied or direct communication made with the intent to compel the person so threatened, or any other person, to do any act or refrain from doing any act against their will.

c) “Intimidation” is any behavior, communication, or implied communication which may reasonably cause someone to fear injury, harm, or social ostracization.

d) “Coercion” is any undue influence or an unlawful action that intends to force or prevent a person from exercising their rights freely.

e) A “Party Affiliate” is an individual who is serving on the executive board, staff, ambassador team or serves in any capacity to directly affect the logistics, programming, or tangible activities of the political campaign that they are representing.

747.2 No candidate, party, or party affiliate may intentionally and wrongfully harm or attempt to wrongfully harm any candidate by the performance or omission of any act. Failure to comply with this section may result in disqualification.

747.21 For the purpose of this subsection and 747.11(c), “Harm” means:

a) Unlawful interference with the person and/or property of another person,

b) Any verbal, written, or printed communication which directly, or by inference:

1) Is defamatory to another person's reputation; or,

2) Could reasonably cause the denial or termination of membership in any campus organization.

747.3 Prior to the validation of election results, and in the event of referral for disqualification under 747.1, 747.2, or 747.3, the Supreme Court may disqualify the offending candidate or political party. The standard of review of the Supreme Court shall comply with 728.52.

748.1 All registered political parties must provide the Supervisor of Elections an accurate record of “party affiliates” in order to ensure transparency on each political party’s activities, to be submitted each Monday by 5:00 P.M. starting after the mandatory meeting referenced in Section 713.5 S.B.S. until the Monday following the election.

748.11 Failure of a political party to provide the accurate record of “party affiliates” to the Supervisor of Election by the due date and time shall be subject to penalty pursuant to Section 728.2, S.B.S.

748.12 Failure of a political party to add all related members considered “party affiliates” under 747.11 (e), S.B.S. to the accurate record of “party affiliates” shall be subject to penalty of \$5.00 USD fine to be referred to the political party or independent candidate, as applicable.