SENATE BILL #2080

Title: ASUW Elections Review Panel

Date: April 5, 2004

Authors: Constitution Committee

Sponsors: Senators Chollak, Hughes, R. Hernandez, Kice, Owens, Rising; Student-at-Large Sean Markovik

1. WHEREAS, the ASUW By-Laws, Article IV, Section 6, state that violations
2. occurring in an ASUW election must be filed in writing with the Elections
3. Committee within one (1) hour of the closing of the polls; and
4. WHEREAS, the language of the By-Laws gives no direction as to what
5. should occur after the filing of such reports; and
6. WHEREAS, a permanent solution for the resolution of such disputes is
7. needed within the ASUW By-Laws.
8. THEREFORE, be it enacted that an ASUW Elections Review Panel
9. consisting of three (3) students-at-large who do not currently hold any
10. elected, executive or judicial position within ASUW, be established for the
11. sole purpose of conducting investigations of officially submitted election
12. violation complaints and deciding whether violations of any current
13. election code have occurred; and
14. THEREFORE, be it further enacted that the ASUW President shall appoint
15. the members of the ASUW Elections Review Panel with the advice and
16. consent of two-thirds (2/3) of the voting Senate; and
17. THEREFORE, be it further enacted that the members of the ASUW Elections
18. Review Panel must be nominated and confirmed prior to the last regular
meeting of the ASUW Senate of the Fall Semester of any term; and

THEREFORE, be it further enacted that the ASUW Elections Review Panel
shall be the committee of initial review of all complaints that arise in regard
to an ASUW Election; and

THEREFORE, be it further enacted that the ASUW Elections Review Panel
must meet within ten (10) days of the election in which the complaint has
been filed to determine whether a violation of the election code has
occurred; and

THEREFORE, be it further enacted that after the initial review and
investigation of an election complaint, the student who filed the complaint
may forward his complaint to the ASUW Judicial Council who shall be
empowered to issue sanctions against the violator if it is determined that a
violation of the election code has taken place; and

THEREFORE, be it further enacted that the procedures for such hearings
where sanctions are issued shall be designed by the ASUW Judicial Council;
and

THEREFORE, be it further enacted that this legislation shall be reviewed after
one year to determine the effectiveness of the ASUW Elections Review Panel
and to decide if its role should be expanded to other types of disputes; and

THEREFORE, be it further enacted that the language of the ASUW By-Laws
be changed in accordance to Addendum A.

Referred to: Elections Committee

Date of Passage: ____________________ Signed: ____________________

(ASUW Chairperson)
“Being enacted on____________________, I do hereby sign my name hereto and approve this Senate action.”

ASUW President

[Signature]

[Notes: Tabled indefinitely 4/20/04]
Addendum A

ASUW By-Laws, Article IV – Elections, Section 7

All complaints shall be forwarded to the ASUW Election Review Panel, which shall be composed of three (3) students-at-large, none of whom hold any legislative, executive or judicial position within ASUW government. The ASUW Elections Review Panel shall be nominated by the ASUW President and confirmed by two-thirds (2/3) of the voting Senate, and shall be confirmed prior to the last ASUW Senate meeting of the fall semester of any term. This panel shall provide an initial review and investigation of the complaint within ten (10) days of the election in which the complaint has been filed and decide if a violation of the election code has occurred. After a decision has been reached by the Elections Review Panel, the person(s) filing the complaint may choose to forward their complaint and the decision of the Elections Review Panel to the ASUW Judicial Council for possible sanctioning of the offending candidate(s).