

SENATE BILL #2177

Title: Election Rules Update

Date: March 28, 2007

Authors: Senator Wilson

Sponsors: Senators Duncan, Fleming, and Read; Executive Morris

1. WHEREAS, the ASUW Elections process should encourage and aid students
2. interested in being a candidate for office; and
3. WHEREAS, the ASUW Elections process should be as fair as possible and
4. provide clear expectation to candidates; and
5. WHEREAS, it is important to clarify the code in order to create an equal playing
6. field for all candidates; and
7. WHEREAS, the code governing the Elections needs to be updated in order to
8. ensure that the rules are appropriate; and
9. WHEREAS, some terms and rules incorporated into the Elections Code are no
10. longer applicable; and
11. WHEREAS, the time between primary and general elections was previously
12. designed to meet the needs of a paper ballot system; and
13. WHEREAS, the period designated for campaigning should be adjusted to meet
14. the needs of candidates and the Election's committee; and
15. WHEREAS, this period no longer fits the needs of candidates or ASUW; and
16. WHEREAS, including an informational session in the Elections process prior
17. to the submission date of election packets would aid in assisting students who
18. are interested in being an ASUW candidate; and

19. WHEREAS, certain areas and persons must be neutral during the Elections
20. process in order to ensure fair elections in appearance and action.
21. THEREFORE, be it enacted that definitions and terms regarding campaign
22. rules be updated to reflect the changes on campus and the needs of ASUW; and
23. THEREFORE, be it further enacted that the campaign period and time between
24. elections be altered to include an informational session; and
25. THEREFORE, be it further enacted that changes to the ASUW By-Laws as
26. outlined in Addendum A provide a solution to the aforementioned issues
27. regarding the length of the election; and
28. THEREFORE, be it further enacted that changes to the campaign rules
29. outlined in Section 7 of the ASUW By-Laws in Addendum B be made in order
30. to provide clarity, designated neutral parties and places, and elaborate on
31. specific standards for campaigning; and
32. THEREFORE, be it further enacted that this bill shall take affect upon the
33. completion of the 2007 Elections.

Referred to: Constitution Committee

Date of Passage: April 17, 2007

Signed: _____

Becca Grefer

(ASUW Chairperson)

“Being enacted on _____, I do hereby sign my name hereto and
approve this Senate action.” _____

ASUW President

Addendum A

By-Laws

Article IV.

Current	New
	(Insert) Section 1. C. An informational session that is open to all students will be held the last Wednesday in January.
<p>Section 1. B. Applications, financial statements, and election rules shall be provided by the Elections Committee, and be made available in the ASUW Office by 4:00 p.m. the first Wednesday of February. If this date falls on a non school day, they shall be available the school day immediately preceding February 1.</p>	<p>Section 1. D. Applications, financial statements, and election rules in the form of an Election's Packet. Changes to this packet and the ASUW by-laws shall be provided by the Elections Committee for approval by the full Senate on the third Tuesday in January. It will be available in the ASUW Office by 4 p.m. on the second Wednesday in February.</p>
<p>Section 1. C. All candidates must submit applications to the ASUW Office by 4:00 p.m. on the first Wednesday of March to be considered. Candidates who submit applications after that date will not have their names placed on the ballot. Candidates will be required to attend a workshop to explain these rules on the first Wednesday of March at a time and place to be announced by the ASUW Elections Committee. Reasons constituting legitimate excuses for missing the workshop will be determined in advance by the Committee. Candidates with valid excuses must submit them to the Committee prior to the workshop And will be asked to attend an alternate session with members of the Committee.</p>	<p>Section 1. E. All candidates must submit applications to the ASUW Office by 4 p.m. on the fourth Wednesday in February. Candidates who submit applications after that date will not have their names placed on the ballot. Candidates will be required to attend a workshop to explain these rules on the fourth Wednesday in February at a time and place to be announced by the ASUW Elections Committee. Reasons constituting legitimate excuses for missing the workshop will be determined in advance by the Committee. Candidates with valid excuses must submit them to the Committee prior to the workshop.</p>
<p>Section 4. B. Any necessary primary elections will be held 12:00 a.m. the last Monday in March through 5:00 p.m. the following Wednesday.</p>	<p>Section 4. B. Any necessary primary elections will be held 12:00 a.m. the second Monday in March through 5:00 p.m. the following Wednesday.</p>
<p>Section 5. B. General elections will be held 12:00 a.m. the second Monday in April through 5:00 p.m. the following Wednesday.</p>	<p>Section 5. B. General elections will be held 12:00 a.m. the first Monday in April through 5:00 p.m. the following Wednesday.</p>

Addendum B

ORGANIZING

1. Rules for organizing shall be as follows:
 - a. Organizing is considered planning or preparing for the campaign process. Examples of organizing include asking individuals to be on a candidate's campaign team, strategizing the campaigning, and producing campaign materials.
 - b. Organizing shall be private.
 - c. Organizing timelines shall not have limitations.

CAMPAIGNING

1. Rules for all campaign materials shall be as follows:
 - a. Campaigning is considered any public printed, electronic, or verbal communication advocating a particular candidate. Campaigning is also considered any organized talk, speech, or informational meeting advocating a particular candidate.
 - b. Campaigning shall not begin until the second Wednesday in February at the same time that Election's Packets are available.
 - c. Non-broadcast spoken words shall be considered campaign materials in the event they are used within an identified polling place during an election.
 - d. All materials displayed must conform to the restrictions placed on them by the administrator of that area.
 - e. Candidates may not attach posters to or write on with any substance, the exterior or interior of any building or structure except at designated locations. Outside signs may be displayed on the kiosks provided at various locations on the campus for that purpose. Trees, sidewalks and signposts or lamp posts shall not be used for the display of signs, posters, or any writings to comply with UniReg 178.
 - f. No campaign materials shall be displayed on the exterior of University of Wyoming academic or student services buildings, athletics or any other public University building without the consent of the building administrator and assistance of the Physical Plant.
 - g. All political advertisements, including banners, posters, and Branding Iron ads, must include a disclaimer identifying the sponsor or may be subject to removal. The disclaimer must state either "paid for by" or "sponsored by."
 - h. There shall be no defacing or removal of another candidate's campaign materials by a candidate or a candidate's campaign staff.
 - i. The use of the ASUW logo on campaign materials is prohibited.
 - j. All candidates are responsible for removing all election materials by 4 p.m. on the day following the general election.
 - k. Use of the University radio station for campaigning shall be limited by the policy of the station.

1. Candidates wishing to sponsor parties or barbeques on campus must complete an Activities Notification Form, obtain a noise and/or a food permit if necessary, and include the cost incurred by or donations given to these events on the aforementioned itemized statement of expenses. A copy of the Activities Notification Form must be filed with the Elections Committee in the ASUW Office one week prior to the event.
- m. Any campaign material in violation of any of the above rules will be subject to removal by the Elections Committee. Candidates in violation will be subject to sanctions by the Judicial Council.
- n. Candidates will be held responsible for making their associated supporters aware of all election rules.

2. Rules for campaign materials in the Wyoming Union shall be as follows:

- a. Signs hung on the outside of the Union or on the fences surrounding it must be approved by the Wyoming Union.
- b. Posters, signs, or banners displayed in the Union shall be limited to two posters per candidate, with no poster to exceed 8½ inches by 11 inches in area. These posters must be displayed in the areas designated by the Union.
- c. Breezeway tables may not be reserved or utilized for campaigning materials. Candidates shall conform to the non-solicitation policy as outlined by the Union.

3. Rules for campaign materials in the Residence Halls shall be as follows:

- a. Campaign materials in the residence halls must follow the rules and regulations set forth by the area hall coordinator.
- b. All election materials must be given to the front desk to be stamped and hung by residence life staff.
- c. Only one poster, not to exceed 8½ inches by 11 inches in area, may be hung in the main lobby of each hall.
- d. Candidates may put one flyer in each mailbox for election campaigning.

4. An itemized statement of expenses incurred during the election must be submitted to the ASUW Office by noon the business day following the general election. All expenditures and expense statements must conform to the following criteria:

- a. Items or services that are donated to the candidate must be included in the expense statement at retail value. All copying and printing costs (including those made in University labs or on personal printers) must be included.
- b. Attached to the expense statement must be receipts for all expenditures. If, for any reason, a receipt is unavailable, the candidate must note the lack of receipt on the expense statement. If the exact amount for expenditures is not known, candidates are expected to accurately document the estimated retail cost.
- c. All candidates must submit a signed expense statement, even if no costs were incurred. Separate signed expense statements must be submitted for each campaign if a candidate is running for a senate position as well as a president/vice

president position. Expense statements must be submitted to the ASUW Secretary no later than 4:00 p.m. on the business day following the general election.

- d. Candidates for senator may not spend more than \$75⁰⁰ of personal or donated funds, goods or services throughout the senate campaign. Candidates for President and Vice-President may not spend more than \$650 each of personal or donated funds, goods or services throughout the president/vice president campaign.
 - e. In the event of any runoff election, the spending limit shall be set at \$20.
5. Campaigning will be restricted as follows:
- a. The chair and members of the ASUW Elections Committee will not be ASUW candidates for office, will remain neutral and will not support any candidates.
 - b. Unless they are seeking election or re-election, the ASUW President, Vice President, Judicial Council member and Executives will remain neutral and will not publicly support any candidates in order to serve as a resource to all candidates. Any Judicial Council member running for office will be asked to step down.
 - c. There shall be no posters hanging within 30 feet of the polling areas on the dates of the elections. There shall also be no active campaigning within 30 feet of these polling places on the dates of the elections; campaigning includes, but is not limited to possession of campaign materials such as buttons, flyers, clothing, etc.
 - d. There shall be no disruptive campaigning in class. This will be at the discretion of the presiding instructor and the Elections Committee.
 - e. There shall be no campaigning, including but not limited to buttons, t-shirts, candy, posters, in the ASUW Offices or during official ASUW meetings (Senate, Judicial, Executive, Committees or otherwise). Other groups and offices will limit campaigning at their own discretion.



INTERNAL MEMORANDUM

To: ASUW Senate

From: Travis Jordan

Date: April 24, 2007

Re: Reconsideration of Senate Bill #2177

I would like to thank the ASUW Senate, the Elections Committee, and Chairman Wilson for their hard work and efforts in making significant changes to the ASUW Elections Code. Senate Bill #2177 is the product of discussions that took place during the 2007 ASUW Election. The legislation is intended to better define how candidates should conduct themselves during political campaigns and clarify areas of identified vagueness in the ASUW Elections Code.

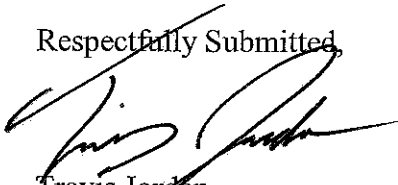
After careful and thoughtful consideration of Senate Bill #2177, I am asking that the assembly reconsider several major provisions of the legislation in question. From my current standpoint, I have both substantive and procedural concerns about Senate Bill #2177. My intention is to not reject the legislation in whole, but instead ask that more time, consideration, research, input, and thought be given to the significant changes proposed by this legislation. There are necessary changes adopted in Senate Bill #2177, unfortunately, there too are provisions that concern me greatly.

My greatest concern is with the infringements the proposed policy has on the rights of an individual to express themselves freely and to peaceably assemble. Elections do not exclusively make a democracy function; instead elections are a greater component of our rights, liberties, and actions that allow us to freely chose our leaders and provide equal protection for those seeking office. I would like to express my disagreement with Addendum B "CAMPAIGNING" Section 1(a) of the legislation that restricts the use of "verbal communication" pertaining to a particular candidacy at any time before elections packets are available. This provision violates protections for political speech, infringes on the rights personal expression, and is nearly impossible to fully enforce on a campus-wide scale. I too believe that any effort by ASUW to adopt similar policies that limit speech in the future would not stand against a formal court challenge. Subsequently, I am concerned with provisions that place restrictions on candidates from interacting with student groups, organizations, and informal groups of people. Strong elections are the result of open dialog and voters who make well informed decisions. Preventing potential candidates at any time from meeting with students severely hinders the ability for student government to reach out, inform, and engage the very electorate we are responsible for representing. This policy is not only unlawful but it is counterproductive to the very purpose of our student government. I would recommend that any future discussion on the elections code include careful consideration of potential infringements on individual liberties granted by our government under the 1st Amendment of the United States Constitution.

Procedurally, I am concerned with the timing and nature under which Senate Bill #2177 was drafted and adopted. As a governing organization, we are responsible for adopting legislation that represents our best efforts to consider policies that serve in the best interest of students on campus. Any significant changes that ASUW adopts should be based on sound reasoning, fair dialog, and be free as possible of personal or political considerations. The timing of Senate Bill #2177 was such that specific provisions were susceptible to undue personal sentiment that may have resulted from the 2007 ASUW Election. Senate Bill #2177 was also subject to pressures that made the passage of the legislation seem unnecessarily immediate and sudden. Such significant changes should be met with a great deal of consideration and committee discussion. The fall semester of the academic year would serve as a more appropriate time to address changes to the elections code so that proposed amendments be more insulated from both end-of-the-year and electoral pressures. I recommend that the ASUW Senate reconsider Senate Bill #2177 in-whole during the 2007 fall semester.

Pursuant to Article I, Section 1(D) of the ASUW By-Laws, I offer my veto of Senate Bill #2177 effective immediately and ask that the ASUW Senate reconsider this legislation in its subsequent term.

Respectfully Submitted,



Travis Jordan
ASUW President