

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

19. meeting of the ASUW Senate of the Fall Semester of any term; and
20. THEREFORE, be it further enacted that the ASUW Elections Review Panel
21. shall be the committee of initial review of all complaints that arise in regard
22. to an ASUW Election; and
23. THEREFORE, be it further enacted that the ASUW Elections Review Panel
24. must meet within ten (10) days of the election in which the complaint has
25. been filed to determine whether a violation of the election code has
26. occurred; and
27. THEREFORE, be it further enacted that after the initial review and
28. investigation of an election complaint, the student who filed the complaint
29. may forward his complaint to the ASUW Judicial Council who shall be
30. empowered to issue sanctions against the violator if it is determined that a
31. violation of the election code has taken place; and
32. THEREFORE, be it further enacted that the procedures for such hearings
33. where sanctions are issued shall be designed by the ASUW Judicial Council;
34. and
35. THEREFORE, be it further enacted that this legislation shall be reviewed after
36. one year to determine the effectiveness of the ASUW Elections Review Panel
37. and to decide if its role should be expanded to other types of disputes; and
38. THEREFORE, be it further enacted that the language of the ASUW By-Laws
39. 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

1st reading 4/2/04 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).