



SENATE BILL #2433

TITLE: Election By-Laws Revisions

DATE: April 3, 2014

AUTHOR: Commissioner Hull and President Kahler

SPONSORS: Senators Messer, Powell, and True, West and SAL Ryan

1. WHEREAS, the working documents of the Associated Students of the University of
2. Wyoming (ASUW) govern the procedures of the ASUW Student Government; and,
3. WHEREAS, the By-Laws is a working document that is fluid in nature; and,
4. WHEREAS, they are always in need of updating for current policies.
5. THEREFORE, be it enacted by Student Senate of the Associated Students of the
6. University of Wyoming (ASUW) that the By-Laws be amended to reflect the language in
7. Addendum A; and,
8. THEREFORE, be it further enacted that all Sections subsequent to the amended Section 10
9. be numbered accordingly; and,
10. THEREFORE, be it further enacted that the changes to the By-Laws in Addendum A shall be
11. effective the start of the 102nd ASUW Senate.

Referred to: Constitution

Date of Passage: 4/15/2014

Signed: Kian Murdoch

Kian Murdoch
(ASUW Chairperson)

“Being enacted on 4/21/14

, I do hereby sign my name hereto and

approve this Senate action.”

Brett Kahler

ASUW President

Addendum A

ARTICLE IV Elections

Section 1.

In order to preserve an unbiased election, there shall be appointed an ASUW Elections Commissioner.

A. Selection, Compensation, and Removal of the ASUW Elections Commissioner:

- i. The ASUW President shall appoint the Elections Commissioner, to be approved by the ASUW Senate no later than the last regular ASUW Senate meeting of the fall semester.
 1. Individuals to be considered for the position of Elections Commissioner may not currently hold a position within ASUW, or be running for a position within ASUW in the next spring election.
- ii. The Elections Commissioner will begin regular work with ASUW during the first week of the spring semester.
- iii. The Elections Commissioner will report to the ASUW President, and may be removed from office, with cause, by the ASUW President.
 1. The Elections Commissioner shall function as a semi-autonomous member within the Executive Branch. The Commissioner shall report directly to the President, as well as to the Senate upon request.
- iv. The Elections Commissioner shall be provided with a stipend commensurate with the duties of his/her office, to be set annually in the budgeting cycle, and paid half of the stipend at the completion of the **P**primary **E**election, and half of the stipend following the completion of the **G**eneral **E**lections.
 - a. In the case there is no **P**primary **E**election, the **E**lection **C**ommissioner shall be paid half the stipend mid-way through the election cycle.

B. Specific duties of the Elections Commissioner include:

- i. In conjunction with the ASUW Elections Commission meet weekly to discuss issues pertaining to the ASUW Elections.
- ii. Work with the Elections Commission to prepare the annual Elections Code, to be approved by the ASUW Senate.
- iii. Work with the Elections Commission to create all marketing for the ASUW Elections, with a goal of ensuring the largest voter turnout as reasonably possible.
- iv. The Commissioner shall act as a liaison and primary point of contact between all campaigns and the Elections Commission.
- v. The Commissioner shall hold no fewer than two (2) information sessions for all candidates and possible candidates seeking office within ASUW between the date applications are available and the time applications are due, in conjunction with the Elections Commission.
- vi. The Commissioner shall be in charge of counting all ballots of the primary and general elections in conjunction with the ASUW Advisor or designee.
- vii. The Commissioner shall ensure that no speech, advertisement, or any other related activity pertaining to the current election and its respective races occurs inside the ASUW Office Suite or at official ASUW functions, other than those sponsored and conducted by the ASUW Elections Commission.
- viii. The Commissioner will ensure that all candidates adhere to the Elections Code.
- ix. The Commissioner shall preside over all hearings and inquiries regarding the violations of the ASUW Elections Code.

x. The Commissioner is authorized to spend funds appropriated for the election, with the approval of the Elections Commission.

*-xi. The Commissioner will run any elections for any ASUW Program. Request for such must be made in writing to the ASUW Elections Commission. Dates for these elections must be constructed in consultation with the Elections Commissioner.

Section 7. Candidate Requirements:

A. A candidate for Senator must meet the following requirements:

- i. He/she must be a full-time credit bearing ASUW fee paying student, and maintain this status.
- ii. He/she must have and maintain a minimum 2.0 cumulative grade point average as an undergraduate and a minimum 3.0 cumulative grade point average as a graduate or professional student or a 2.0 if the program does not require it.
- iii. He/she must have completed no less than thirty (30) hours of University credit at the beginning of the academic year of his term of office.
- iv. He/she must have completed no less than twelve (12) of those hours at the University of Wyoming.
- v. He/she must submit an application by the required deadline (as outlined in Section 1, Subsection C of this Article) provided by the Elections Commission.
- vi. He/she cannot be a currently serving member of the ASUW Judicial Council. In the event that an individual who wishes to declare his/her candidacy for Senator and is currently serving as the ASUW Chief Justice or a Justice, he/she must resign as a member of the ASUW Judicial Council in order to officially declare his/her candidacy when filing closes.
- vii. All candidates for Senator will run individually.

B. Both candidates on a ticket for ASUW President and Vice President must meet the following requirements:

- i. He/she must be a full-time ASUW fee paying student.
- ii. He/she must have and maintain a minimum 2.0 cumulative grade point average as an undergraduate and a minimum 3.0 cumulative grade point average as a graduate or professional student or a 2.0 if the program does not require it.
- iii. He/she must submit an application by the required deadline (as outlined in Section 1, Subsection C of this Article) provided by the Elections Commission.
- iv. He/she must have completed no less than sixty (60) hours of University credit by June 10 of the calendar year in which he/she was elected as an undergraduate student, or, as a graduate or professional student, he/she must have completed no less than eighteen (18) hours of University credit by June 10 of the calendar year in which he/she was elected.
- v. Candidates for President and Vice President will run jointly, on a combined ticket, through both the primary and general elections. Students will not be able to vote for a President and Vice President individually, but must instead

- vote for a ticket. All election rules will apply jointly to candidates for President and Vice President running on the same ticket.
- vi. He/she cannot be a currently serving member of the ASUW Judicial Council or the ASUW Elections Commission. In the event that an individual who wishes to declare his/her candidacy or is currently serving in one of these capacities, he/she must resign as a member of the ASUW Judicial Council or the ASUW Elections Commission in order to officially declare his/her candidacy when filing closes.
- C. Candidates for President and Vice President who wish to be eligible as candidates for Senator must submit a separate application (by the required deadline as outlined in Section 1, Subsection C of this Article) to run for Senate and must be among the winning primary candidates to reach the General Election ballot for Senate.

Section 8.

Rules for campaign materials shall be as follows:

- A. Campaign materials regulated by these rules shall not include non-broadcast spoken words, with the following exceptions: non-broadcast spoken words shall be considered campaign materials in the event they are used within an identified polling place during an election.
- B. Campaign materials may not be posted until after the ASUW Elections Commissioner has received the candidate's application and the filing deadline has passed. Posted campaign material will include: e-mails, internet websites, posters, fliers, hand-outs, and all other formal campaign materials. No candidate may send campaign e-mails to more than fifty (50) UW e-mail accounts within a 24-hour period (list serves shall count only as one account; third-party list serves are prohibited). Candidates must account for any costs incurred by the use of these campaign materials. All materials displayed must conform to the restrictions placed on them by the administrator of that area. It will be at the discretion of the Elections Commissioner to determine the definition of campaign materials, should the issue arise.
- B.C. Campaigns may use the services of Associated Students Technical Services (ASTECS); however these fees must be reported on their campaign expense reports.
- C.D. Signs hung on the outside of the Union or on the fences surrounding it must be approved by the Wyoming Union.
- D.E. Campaign materials in the residence halls must follow the rules and regulations set forth by the residence hall director. These rules will be obtained by the Elections Commissioner and included on the Elections Code for all candidates.
- i. All election materials must be given to the front desk to be stamped and hung by residence life staff.
- ii. Only one poster, not to exceed 8 1/2 inches by 11 inches in area, may be hung in the main lobby of each hall.
- iii. Candidates may put one (1) flyer in each resident mailbox for election campaigning in both the Primary and General Elections, for a total of two (2) flyers during the duration of the ASUW Elections.
- E.F. According to the ASUW-recommended addition to UNIREG 178 (4) (b) (vii):
"An internal user 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." If signs, posters, or other

writings are found in any of the prohibited areas, the candidate will be subject to University fines.

F.G. All political advertisements, campaign materials, and promotional materials, including, but not limited to, banners, posters, and Branding Iron ads, must include a disclaimer identifying the sponsor ~~or will be subject to removal~~. The disclaimer must state either "paid for by" or "sponsored by." Materials not bearing this statement, including materials ordered by candidates prior to the Candidate Orientation, may be prohibited and subject to removal at the discretion of the Elections Commissioner.

G.H. There shall be no defacing or removal of another candidate's campaign materials by a candidate or a candidate's campaign staff.

H.I. The use of the ASUW logo on campaign materials is prohibited.

H.J. All candidates are responsible for removing all election materials by 10 a.m. on the Monday following the election.

J.K. Any campaign material in violation of any of the above rules will be subject to removal by the Elections Commission. Candidates in violation will be subject to sanctions by the Elections Commissioner or the Judicial Council.

K.L. An itemized statement of expenses incurred during the election must be submitted to the ASUW Office by 4:30 p.m. the Tuesday following the Primary Election by all President and Vice President tickets and by 4:30 p.m. of the Tuesday following the General Election for all candidates (President and Vice President tickets and Senate candidates). ~~—~~ All expenditures and expense statements must conform to the following criteria:

- i. 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.
- ii. 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 estimate the cost involved.
- iii. 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.

L. Expense statements filed after the aforementioned deadline are subject to discretionary review by the Elections Commission and discretionary sanctions by the Elections Commissioner.

M. No campaign material shall be displayed or stored in the ASUW Office.

N. Use of the University radio station for campaigning shall be limited by the policy of the station.

O. Meetings of ASUW programs listed under Article II, Section 10, Subsection A, Paragraph viii, Subparagraph c, Clause a, shall have specific campaign rules that will be decided on and outlined in the Election Code.

M.

N.P. There shall be no posters hanging within 30 feet of any polling places 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.

O.Q. There shall be no disruptive campaigning in class. This will be at the discretion of the presiding instructor and the Elections Committee.

P.R. 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

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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 at least two weeks prior to the event.

Q.S. Candidates will be held responsible for making their associated supporters aware of all election rules.

Section 9. Campaign Endorsements

A. Candidates will report all financial endorsements on their campaign expense reports.

B. Should a Registered Student Organization (RSO) endorse a campaign ticket which results in the waiver of ASTEC fees, this must be noted as a donation in the campaign expense reports.

ASUW will not endorse any Candidate.

C. Members of the ASUW Executive Branch will not publicly endorse any Candidate.

i. Current ASUW Executives are allowed to be a Candidate and are allowed to campaign for themselves or their ticket. However, their campaigning must not interfere with their official duties in ASUW.

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Section 109. Complaints and Violations

A. All complaints must be submitted in writing to the ASUW Secretary. Verbal complaints will not be considered.

B. The Elections Commissioner will review and decide on all complaints within 72 hours of the submission of the complaint.

C. The Commissioner may impose sanctions for all officially written complaints and violations.

C.D. The Commissioner may also impose sanctions against the complainant should the Commissioner feel that the complainant has intentionally filed erroneous complaints.

D.E. The decision of the Elections Commissioner can be appealed by either party to the Judicial Council within 72 hours of the decision of the Commissioner.

E.F. All appeals to the Judicial Council will follow the method prescribed in the ASUW By Laws and the Rules and Procedures of the Judicial Council.