



SENATE BILL #2435

TITLE: Election Procedures Revisions
DATE: 09/12/14
AUTHOR: Senator Messer and Executive Ryan
SPONSORS: Senators Monaghan and Randolph

1. WHEREAS, it is the duty of the Student Senate of the Associated Students of the University
2. of Wyoming (ASUW) to accurately represent the needs and opinions of the student body;
3. and,
4. WHEREAS, this is accomplished through the election of the ASUW Senators; and,
5. WHEREAS, it is paramount that the election procedures are as clear, concise, and fail-safe
6. as possible.
7. THEREFORE, be it enacted by the Student Senate of the Associated Students of the
8. University of Wyoming (ASUW) that the ASUW By-laws be amended to reflect the changes
9. contained in Addenda A and B.

Referred to: Elections

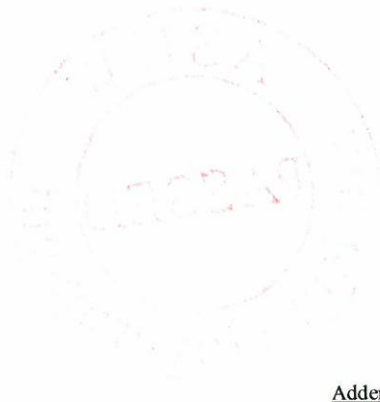
Date of Passage: 09/23/2014

Signed:

Richard F. Long
(ASUW Chairperson)

"Being enacted on 09/29/2014, I do hereby sign my name hereto and
approve this Senate action." *[Signature]*

ASUW President



Addendum A

**THE BY-LAWS
ASSOCIATED STUDENTS OF THE UNIVERSITY OF WYOMING**

**ARTICLE II
Legislative Branch**

Section 10. Senate Committees:

- A. In order to provide continuity in ASUW activities and business along with providing a mechanism for timely participation by the ASUW in University processes, the following permanent ASUW Senate committees are established:
- iii. The ASUW Senate Vacancy Committee and Elections Commission:
 - a. Purpose. The Committee shall, year round, fill senate vacancies as they arise, as outlined in Article V, Section 2, Subsection D of the By-Laws. The committee will also serve as the Elections Commission in the spring semester, and administer all ASUW election policies and superintend all elections conducted under the auspices of the ASUW.
 - b. Powers. The Senate Vacancy Committee shall conduct interviews in accordance with Article V, Section 2, Subsection D in the event that they become necessary. The Commission shall formulate and recommend ASUW election policies and procedures as well as review and provide recommendation on any proposed changes to such policies or procedures. Additionally, the Committee shall have the responsibility to provide, in accordance with established procedures, the initial hearing and recommendation to the ASUW President in any situation where the fairness of an ASUW election is contested. The Committee shall also have the authority to coordinate with the Student Outreach and Policy Committee for elections public relations and marketing. The Committee shall also direct ASUW efforts involved in encouraging the student body to participate in any pending state or national election.
 - c. Composition. The Senate Vacancy Committee shall consist of a minimum of seven (7) ASUW Senators, each representing a different College, one (1) of whom shall serve as chairperson, and a minimum of three (3) ASUW Students-at-Large, with one (1) being a Freshman Senator. The ASUW Vice President shall appoint one (1) Executive Assistant to serve as an ex-officio on the committee. The Senate Vacancy Committee shall comprise the Elections Commission, with the Elections Commissioner serving as chairperson.

Addendum B

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.
 - a. 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.
 - a. 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.
 - iiii. 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 Primary Election, and half of the stipend following the completion of the General Elections.
 - a. In the case there is no Primary Election, the Election Commissioner shall be paid half the stipend mid-way through the election cycle.
 - v. ~~iv.~~ In the event of the resignation or removal of the Elections Commissioner, a replacement shall be selected following the procedures outlined in Article IV, Section 1, subsection A, clause i of these By-laws.
- 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.

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- 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 2. Specific responsibilities and authorities of the ASUW Elections Commission throughout the duration of the election process include the following:

- A. There shall be a General Election with a Primary Election not inconsistent with the provisions of this Article.
- B. The Elections Commission will set all election and associated dates to fit the current academic calendar following the guidelines set forth in this article, with the approval of the ASUW Senate.
- C. Applications, financial statements, and election rules shall be provided by the Elections Commission, and be made available in the ASUW Office by 9:00 a.m. on a school day selected by the Commission during the second week of February.
- D. All candidates must submit applications to the ASUW Office by 4:30 p.m. on the date selected by the Elections Commission, no less than three (3) and no more than four (4) weeks following the release of the applications 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 the elections rules on the date applications are due at a time and place to be announced by the ASUW Elections Commission. Reasons constituting legitimate excuses for missing the workshop will be determined in advance by the Commission. Candidates with valid excuses must submit them to the Commission prior to the workshop and will be required to attend an alternate session with members of the Commission.
 - i. It will be the responsibility of the ASUW Elections Commissioner to host a minimum of two (2) general information sessions between the dates applications are available and the time applications are due. These sessions must be open to the campus; style and programming will be at the discretion of the ASUW Elections Commission.
- E. It will be at the discretion of the Elections Commission each year to set the maximum amount of money that may be spent by the candidates for President, Vice President, and Senator for both the Primary and General elections, with the approval of the ASUW Senate.
- F. Campaigning and publicity rules shall be established by the Elections Commission with the approval of the ASUW Senate.
- G. The results of the voting in each election, including the number of votes received by each candidate, shall be released by the Commission as soon as possible after the polls close.

- H. The Elections Commission shall annually proscribe and disseminate to all official candidates for ASUW elective office the Election Code, which shall summarize the manner in which student elections shall be administered, the consequences for the failure of candidates to abide by such rules, and all other rules and regulations seen as prudent and necessary by the Elections Commission in accordance with Article II, Section 10, Subsection A, Clause 3 and Article IV of the ASUW By-Laws and with the consent of two-thirds of the ASUW Senate.

Section 3. Voting

- A. Voting shall be conducted using the voting method outlined below:
- i. In the event of a Primary Election, students will be allowed, in any election they are allowed to vote in and for any office, to cast a number of votes up to, but not to exceed, the number of candidates or tickets advancing to the General Election.
 - a. For the ASUW Senate, the number of advancing candidates shall be double the number of senate seats allotted to each college (as outlined in Article II, Section 6 of these By-Laws and the ASUW Constitution.)
 - b. For ASUW President and Vice President, the number of advancing tickets is outlined in Section 4, Subsection C of this Article.
 - ii. In the General Election, students will be allowed to cast a number of votes up to, but not to exceed, the number of senate seats allotted to his/her college and only one (1) President and Vice President ticket.
- B. Any ASUW fee-paying student will be permitted to vote at the polling places or by voting online. The vote of the students will determine the winners of the election.
- C. Students will only be allowed to vote for candidates in their college, excluding presidential and vice presidential candidates. Undeclared students will vote for candidates in the College of Arts & Sciences. Fee-paying students with more than one major will only be allowed to vote in their primary college, as documented by the Registrar.
- D. Write-in votes will be permitted.
- E. Thirty total senators will be elected. These seats will be divided among the seven colleges as stipulated by the Article II, Section 6 of these By-Laws and the ASUW Constitution.
- F. Polling places will be considered as any university-operated computer lab, any computer station set up by the ASUW Elections Commission for the purpose of voting, and any other locations determined polling areas by the Elections Commission.
- G. Such stations will be clearly identified and all candidates will be informed of what constitutes such polling areas. Students will be able to cast votes from any computer connected to the Internet with access to the University of Wyoming website.
- H. All voting will be conducted with electronic online ballots unless technical difficulties make an online election impossible. Students with disabilities and who have been certified by University Disability Support Services (UDSS), will be afforded the opportunity to use paper ballots. These ballots will be available on the dates of the Primary Election (if needed) and/or General Election in the Union from 8:00 a.m. to 4:00 p.m.

Section 4. Ballots and Elections:

- A. Primary Election

- i. If there are more candidates running for Senator than twice the number of allotted positions in a particular college, or if there are more than two tickets running for President and Vice President, a Primary Election will be used to determine whose names will appear on the General Election ballot.
 - a. In the case of a Primary Election for President and Vice President the number of positions available to be contested in the General Election shall be in accordance with Section 4 of this Article.
 - ii. The names of all qualified president and vice president tickets and senatorial applicants will appear on the ballot.
- B. General Election
 - i. The names to be listed on the ballot will include all qualified President and Vice President tickets and all qualified senate candidates. (In the event of a tie for the last advancing position in the Primary Election, the names of those tied and qualifying senate candidates and those tied and qualifying President and Vice President tickets will appear on the General Election ballot).
- C. Paper Ballots
 - i. In the case that the use of paper ballots is necessary (because of technical difficulties or to meet the needs of disabled students) the order of candidates on the primary and general ballots will be determined by a random drawing to be conducted by the Elections Commission as soon as the previously mentioned circumstances become apparent.
- D. Senate candidates shall not be allowed to change the college for which they wish to run after the final filing date of his/her application. If senate candidates wish to change colleges after the submission of his/her application, they shall be required to run as a write-in candidate for his/her respective new college.

Section 5.

Primary Election:

- A. The names of all qualified candidates shall appear on the ballot.
- B. Any necessary primary elections will be held three (3) weeks after the filing deadline (as outlined in Section 1(D) of this Article) at the discretion of the Elections Commission. Polling options must be open for no less than 65 hours and no more than 90 hours.
- C. In the event of a Primary Election for President and Vice President half the number of filed candidate tickets shall be allowed to move on to the General Election.
 - i. If there are an odd number of candidate tickets appearing on the Primary Election ballot, the number of candidate tickets allowed to enter the General Election shall be half of the number of filed candidate tickets rounded down to the nearest whole number.
 - ii. Under no circumstances shall the number of tickets able to enter the General Election fall below two (2), unless only one ticket has filed consistent with the deadline in Section 1 of this Article.
 - iii. Under no circumstances shall the number of tickets able to enter the General Election be above three (3).
 - iv. All votes cast shall be tabulated in accordance with the method provision as proscribed in Sections 2 and 10 of this Article.
 - v. Voters shall be able to cast their vote for up to, but not to exceed the number of advancing tickets as outlined in the above clauses.
- D. In the event of a Primary Election for senators, each student shall be permitted to vote for up to, but not to exceed double the senate seats allotted to his/her college (as outlined in Sections 2 and 10 of this Article).

- E. Write-in candidates shall be permitted, but any candidate must submit an application and itemized expense statement (in the case of a write-in President and Vice President ticket) to be declared a winner. Such application and expense statement shall be due at noon the Tuesday following his/her winning in order to advance to the General Election. Write-in candidates must have abided by all election and campaigning rules to be considered eligible to advance to the General Election ballot.
- F. In accordance with the number of seats in any particular office, a tie in the primary election shall increase the number of candidates normally to be carried into the general election.

Section 6. General Election:

- A. The candidates for ASUW Office who receive a plurality of the votes for any position shall be declared the winners of those positions. The number of winning candidates shall not exceed the number of apportioned seats of any college.
 - i. In the event that there were no candidates for a given Office, the individual with the greatest number of legitimate write-in votes shall be declared the winner. Otherwise the Elections Commission will distribute applications for the specific office.
- B. General elections will be held no less than four (4) and no more than five (5) weeks after the filing deadline (as outlined in Section 1(D) of this Article). Polling options must be open for no less than 65 hours and no more than 90 hours.
 - i. The General Elections end date must allow for Senate Meetings to be held before the end of that semester, not including finals week.
- C. In the case of a tie in the General Election, a run-off election shall be called to resolve the tie and determine the winner. The run-off election shall occur no later than five (5) school days following the General Election. The candidate who holds a plurality of votes for any one (1) position in the run-off election shall be declared the winner of that position.
- D. Each student may vote for up to, but not to exceed, the number of senate seats allotted to his/her college (as outlined in Section 2 and 10 of this Article).
- E. President and Vice President tickets to be listed on the ballot will be consistent with the number of candidates allowed to enter the General Election consistent with Section 4 of this Article (except in the case of a tie).
- F. Write-in voting shall be permitted; any write-in candidate or ticket must submit an application and expense statement at noon the Tuesday following his/her notification of winning an election. Write-in candidates must have met the requirements for nomination and abided by election and campaigning rules to be considered eligible for office up to the discretion of the Elections Commission.

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/her term of office as an

- undergraduate student, or, as a graduate or professional student, eighteen (18) hours.
 - iv. He/she must have completed no less than twelve (12) of those hours as an undergraduate student, or, as a graduate or professional student, nine (9) 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.
 - iv-v. He/she must have completed no less than twenty-four (24) of those hours as an undergraduate student, or, as a graduate or professional student, eighteen (18) hours, at the University of Wyoming.
 - v-vi. 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.
 - v-vii. 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.