



SENATE BILL #2759

TITLE: Defining ASUW General Elections
DATE INTRODUCED: November 2, 2021
AUTHORS: President Swilling and Chief of Legislative Affairs Carrier
SPONSORS: Senators Ebben, Ewalt, Laverell, and Smith

1. WHEREAS, the purpose of the Associated Students of the University of Wyoming
2. (ASUW) is to serve our fellow students in the best manner possible; and,
3. WHEREAS, edits to the ASUW working documents are necessary to keep ASUW up to
4. date with current ASUW initiatives and University happenings; and,
5. WHEREAS, the University of Wyoming (UW) is undergoing significant changes to the
6. structure and composition of Colleges, with the stated intent being to better position UW
7. for the future, and due to necessary budget reductions; and,
8. WHEREAS, these changes, as currently presented by the Provost's recommendation, will
9. cause the College of Arts and Sciences to cease to exist while the College of Engineering
10. and Applied Science will become the College of Engineering and Physical Science, the
11. College of Agriculture and Natural Resources will become the College of Agriculture
12. and Life Sciences, and a College of Social Sciences, Humanities, and the Arts will be
13. created from the remaining components of the former College of Arts and Sciences; and,
14. WHEREAS, currently the ASUW General Elections elects for Senate seats for the
15. Colleges of Academic Affairs, Agriculture and Natural Resources, Arts and Sciences,
16. Business, Education, Engineering and Applied Sciences, Health Sciences, Law, Haub
17. School of Environment and Natural Resources, and School of Energy resources; and,
18. WHEREAS, in order to properly elect a Senate that can adapt to the proposed UW
19. restructuring, amendments must be made to the ASUW Constitution; and,

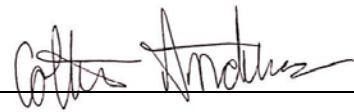
20. WHEREAS Article 5, section 7, subsection C of the ASUW By-Laws states “if a ballot
21. initiative includes an amendment to the ASUW Constitution, it cannot be considered in a
22. special election as defined by Article X of the ASUW Constitution”; and,
23. WHEREAS, Article X of the ASUW Constitution states “the proposed amendment shall
24. be scheduled for a vote in the next ASUW General Election”; and,
25. WHEREAS, a referendum vote of said amendment is necessary to update the ASUW
26. General Elections to elect Senators to better represent the UW student body; and,
27. WHEREAS, the ASUW working documents do not explicitly state the number of
28. General Elections that may be held per administration; and,
29. WHEREAS, currently no definition of an ASUW General Election exists in the ASUW
30. working documents; and,
31. WHEREAS, adding a definition allows for an ASUW General Election to be held
32. multiple times a year in times of necessity such as electing a new administration or
33. passing referendum votes that better ASUW’s ability to serve students in the best manner
34. possible; and,
35. WHEREAS, the ability to pass an amendment updating the structure of the ASUW
36. Senate in response to the UW restructuring before the election of the 110th
37. Administration Senate is absolutely critical to ensure the creation of a fully effective and
38. efficient Senate; and,
39. WHEREAS, although the UW restructuring plan has been paused, ASUW has a vested
40. interest in pursuing an ASUW specific restructuring in order to be proactive and serve
41. our fellow students in the best manner possible.
42. THEREFORE, be it enacted by the Associated Students of the University of Wyoming

43. (ASUW) Student Government that the ASUW By-Laws be amended to reflect the
44. changes outlined in Addendum A; and,
45. THEREFORE, be it further enacted that these changes take effect immediately upon
46. passage of this bill.

Referred to: Ad-Hoc Restructuring; Advocacy, Diversity, and Policy; Programs and Institutional Development; Elections

Date of Passage: November 9th, 2021

Signed:



(ASUW Chairperson)

“Being enacted on November 9th, 2021**, I do hereby sign my name hereto**

and approve this Senate action.”



ASUW President

Addendum A

Section 4.02 Senate

1. Senate Vacancy Procedure

- A. At the beginning of each ASUW Administration, a list of potential ASUW candidates, including the senatorial candidate from the college who was eliminated last according to the instant-runoff in the preceding election and write-in candidates, shall be compiled by the ASUW Executive Branch.
- B. Upon the resignation, permanent absence or incapacity of any Senator, the senatorial candidate from the college who was eliminated last according to the instant-runoff in the preceding election shall fill the vacancy.
 - a. In accordance with the ASUW Elections Policy, senators terminated from their Senate seats due to a change in college shall be placed subsequent to all other candidates from the preceding election of the college to which they change.
 - b. The ASUW Vice President will notify the person with the next highest number of votes as soon as a Senator's resignation, permanent absence or incapacity takes place. The person notified will have two business days to accept or refuse the Senate position. Upon acceptance, the person will be sworn in at the next ASUW Senate meeting. In the event of refusal, the same procedure will be followed with the next available candidate. This process will include write-in candidates, if applicable.
- C. If a vacancy occurs and the list of eligible candidates from the preceding Election has been exhausted, the ASUW Vice President will direct the ASUW Elections Committee to begin an application and election process to fill the vacant seat. The application shall require a cover letter and a résumé.
 - a. As soon as possible after the vacancy occurs, a call for applicants will be made to the affected College with the application period lasting two (2) weeks from the time of initial notice.
 - b. At the close of the application period, the ASUW Advisor, will review the applications for a candidate's eligibility as stipulated by the ASUW Election Policy.
 - c. The ASUW Elections Committee shall interview all eligible candidates. After the interview process has completed, the Committee shall select a candidate to fill the vacant seat.
 - d. Candidates shall be subject to a confirmatory vote by the ASUW Senate. Two-thirds (2/3) of present voting members shall be the threshold for confirmation.
 - e. The ASUW Vice President will notify the chosen candidate as soon as they are confirmed by the Senate. Upon acceptance, the candidate

will be sworn in immediately after being confirmed by the ASUW Senate.

- f. All Senate Vacancy elections shall follow the above outlines procedures and adhere as closely as possible to the policies outlined in the ASUW ElectionsPolicy.

Article 5. Elections Policy

Section 5.01 ASUW Elections Committee

1. Responsibilities and Authorities

- A. The Elections Committee shall annually prescribe and disseminate to all official candidates in an ASUW General Elections the Elections Code. The Elections Code will include but is not limited to:
 - a. All election and associated dates will be determined by the Committee to fit the current academic calendar following the guidelines set forth in this article. Every effort shall be made to swear in the newly elected candidates on the first Monday in May, unless this date is not a business day, or in such cases where this date falls after the end of the Academic Year, or during finals week, in which case the Elections Committee shall modify the date to conform as closely as possible to this ideal.
 - b. Campaigning and publicity rules which shall be established by the Elections Committee.
 - c. Seat allocation will be calculated by the Committee with the help of the ASUW Advisor using the methods described by the Article 2 Section 2.02 Subsection 6 of the ASUW By-Laws and in Article VI Section 1 of the ASUW Constitution. The calculations and results of the seat allocation must be included in the Elections Code.
 - d. The elections committee will be allowed to determine the amount of quantity of funds included in the candidate printing fund and they will determine the amount of money each candidate will be eligible for.
 - e. Any other information deemed relevant to elections by the Committee.

2. Composition

- A. The Chair of the Elections Committee cannot run for any position in a General Election they are overseeing.
 - a. Should the Chair of the Committee decide to run for a Senate position they can remain Chair with the approval of the ASUW Senate before the filing deadline. This approval will require a 4/5 vote of confidence by the Senate.

- B. No member of the Committee can run for President or Vice President in the ASUW Student Representative Elections.
- C. If a member of the Committee wishes to declare their candidacy for President or Vice-President, they must resign as a member of the Committee in order to officially declare their candidacy before filing closes.

Section 5.03 Criteria for General Elections

1. Definition:
 - A. An ASUW Election shall be considered a General Election if it conforms to all of the following criteria: A general election must be initiated by the ASUW Senate with a two-thirds (2/3) vote in affirmation. Matters to be considered in a general election can be brought before the ASUW Senate by any student. Whereupon a general election is initiated, the Elections Committee shall be vested with both the power to determine when the election will be held and the responsibility of coordinating the election.
 - B. All University of Wyoming students shall be able to vote.
 - C. Voting shall be open for a minimum of 72 hours, and the election shall be advertised for no less than 10 business days prior to taking place.
 - D. Pre-approval by the ASUW Advisor or, if vacant, a designee determined by the Dean of Students Office, after the Senate has initiated .
2. While there may be multiple general elections per academic year, if, for example, it is necessary to receive approval to amend the ASUW Constitution, an election in which candidates for the ASUW Senate, the ASUW President, and the ASUW Vice President shall be held only once per academic year. This shall be called the ASUW Student Representative Election. This is the only election in which these candidates may be elected.

Section 5.04 Process for ASUW Student Representative Elections

1. An ASUW Student Representative Election shall be defined as the election in which ASUW Senators, the ASUW President, and the ASUW Vice President are elected. An ASUW Student Representative Election is a type of general election, and thus ballot initiatives may also be voted on.
2. The remainder of this sections outlines the process solely for a Student Representative Election, and shall not be construed so as to be binding on other general elections that may take place.
3. Applications:
 - A. Applications will be created by the Elections Committee and monitored by the ASUW Advisor.
 - B. Applications will be made available to all ASUW Members no sooner than the start date of the spring semester as outline by the Office of Academic Affairs.

- C. The filing deadline for all applications will be no later than 4:30 p.m. on a date that is no less than three (3) weeks following the release of the applications.
 - D. All candidates who submit applications after the filing deadline will be considered write-in candidates.
 - E. All dates related to the applications will be decided by the Elections Committee and must be included in the Elections Code.
4. Candidate Workshop
- A. The candidate workshop will be scheduled planned and hosted by the ASUW Advisor and will be used to explain the elections, process, rules, and dates to all candidates.
 - B. All candidates will be required to attend the candidate workshop. Candidates who are unable to attend the workshop must inform the ASUW Advisor prior to the workshop and will be required to attend a makeup session.
 - C. The candidate workshop will be held after the filing deadline on the same day.
5. Ballots
- A. The names listed on the ballot will include all qualified President and Vice President tickets and all qualified Senate candidates. The names of write-in candidates will not be included on the ballot.
 - B. The ballot will include an appropriate photo and statement submitted by each candidate. The length of the candidate statements will be set by the Elections Committee and must be included in the Elections Code. Photos will be deemed appropriate at the discretion of the Elections Committee and the ASUW Advisor.
 - C. The order of candidates on the ballots will be determined by a random drawing conducted by the ASUW Advisor as soon as possible.
 - D. All voting will be conducted using electronic online ballots.
 - a. The use of alternative voting methods is permitted and will be development by the ASUW Advisor and the Elections Committee and use of such methods will be at the discretion of the ASUW Advisor.
 - E. Should an initiative be included on the ballot it must follow the procedures outlined in Section 5.07.
6. Elections
- A. The elections will be held no less than four (4) weeks after the filing deadline and the elections end date must allow for at least one (1) regular senate meeting to be held before the spring semester finish date as outlined by the Office of the Registrar.
 - B. The Elections Committee shall make an effort to provide a two (2) week transition period between administrations.
 - C. Thirty-two (32) total Senators will be elected. These seats will be divided among each college and degree granting program as stipulated by Article 2, Section 2.02, Subsection 6 of these By-Laws and Article VI, Section 1 of the Constitution.

7. Voting Methods

- A. Any ASUW Member will be permitted to vote at any polling place or by voting online.
- B. Voting must be open between sixty-five (65) and ninety (90) hours.
- C. Voting for candidates will be conducted according to the principles of Instant-Runoff Voting and thus voters will rank their preferences of candidates from first to last.
 - a. The procedures for Instant-Runoff Voting, also known as the Alternative Vote or Preferential Voting, is described in Robert's Rules of Order Newly Revised in Chapter XIII §45. 11th edition, 2011, p. 425-28.
- D. The candidates for ASUW elective office who are not eliminated after the instant-runoff shall be declared the winners of those positions. An instant-runoff will be run until the number of candidates matches the number of apportioned seats of a college, and the number of winning candidates shall not exceed the number of apportioned seats of any college.
 - a. In the event that there were no candidates for a given elective office, the individual with the greatest number of legitimate write-in votes shall be declared the winner. Otherwise, the vacancy procedure outlined in Article 4, Section 4.02 of these By-Laws will be used.
- E. Voters will only be allowed to vote in the senate election in their college or school, in the President/Vice-President Election, and for Ballot initiatives.
- F. Voters who are in the Exploratory Studies Program will vote for candidates in the College of Arts & Sciences.
- G. Voters with more than one major will only be allowed to vote in their primary college, as documented by the Registrar.
- H. Each voter may rank up to, but not exceeding, the number of Senate seats allotted to their college (as outlined Article 2, Section 2.02, Subsection 6 of these By-Laws and Article VI, Section 1 of the Constitution), including write-in candidates.
- I. Polling places will be considered as any computer station set up by the ASUW Elections Committee for the purpose of voting, and any other locations determined as polling areas by the Elections Committee.
 - a. Other polling stations will be clearly identified, and all candidates will be informed of what constitutes such polling areas.
 - b. Personal internet connected devices such as, phones, tablets, calculators, computers are not typically considered as a polling place unless they are being used within a predefined polling area.

8. Results

- A. Voting results shall be tabulated by the ASUW Advisor using the method they deem most efficient and effective.

- B. No voting information shall be available until the ASUW Advisor has finished tabulating all ballots. With the approval of the ASUW Advisor the Elections Committee can publish current vote tallies up to twenty-four (24) hours before voting closes.
 - C. The results of voting in each election shall be announced by the ASUW Advisor at a location chosen by the Election Committee within (24) hours of when the elections results are available.
 - D. Any write-in candidate or ticket who wins an election must fulfil the write-in candidate requirements outlined in Section 5.04 Subsection 3 and must abide by the campaign rules outline in Section 5.05.
 - E. The order of replacement seats in the case of a resignation in the Senate shall be determined by reverse order of elimination from the election.
9. Financial Expense Reports:
- A. The Financial Expense Report Form will be provided by Elections Committee on the same date applications are made available.
 - B. The Financial Expense Reports are an itemized statement of expenses incurred during a candidate's or ticket's campaign, and must include 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. Receipts for all expenditures must be attached to the expense statement. 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.
 - C. The submission deadline for Financial Expense Reports shall be determined by the Elections Committee on a date that is at least three (3) days prior to the inauguration of the incoming administration.
 - D.

Section 5.07 Ballot Initiatives and Referendum Votes

1. Student Initiatives
- A. Any ASUW member may propose a referendum vote of the student body during an ASUW Election through a student initiative.
 - a. For a student initiative to be considered it must be submitted to the ASUW Elections Committee at least forty (40) days prior to the ASUW General Election accompanied by student signatures representing at least ten percent (10%) of ASUW members.
 - b. The format for student initiatives will be published and updated by the Elections Committee every two (2) years.

- c. The student initiative shall be presented to the Senate by the author(s) of the initiative, during the next regularly scheduled meeting following submission to the Elections Committee as “New Business.”
 - d. At least fifty percent (50%) of the accompanying signatures shall be verified by the ASUW Elections Committee with the assistance of the ASUW Advisor. The verification process shall extend no more than thirty (30) days beyond the date the initiative has been presented to the Senate. At the end of the verification process or at the end of thirty (30) days, the ASUW Elections Committee shall report the results of the verification process to the Senate.
 - B. A referendum vote proposed through a student initiative will be added to the ballot of the next ASUW General Election when the Elections Committee has verified the required signatures.
- 2. Senate Initiatives
 - A. The ASUW Senate may propose a referendum vote of the student body during an ASUW Election through a senate initiative.
 - a. Any proposed senate initiative shall come to Senate in the form of legislation four (4) weeks prior to the ASUW Election.
 - b. The exact language and format of the proposed referendum vote shall be included as a part of the legislation, in the form of an addendum.
 - c. Legislation to place a senate initiative upon the ballot shall require a two-thirds (2/3) vote of the Senate.
 - B. A referendum vote proposed through a senate initiative will be added to the ballot of the next ASUW General Election when it is passed by the ASUW Senate.
- 3. Referendum Votes
 - A. All referendum votes included on any ASUW Elections Ballot will use the St. Marie Referendum Format which includes the following components, Referendum Number and Title, Description, Ballot Question and Full Text. These components are described in Clauses B through E of this Subsection.
 - B. The ASUW Senate may initiate a General Election, by a two-thirds (2/3) vote, to accompany any approved Senate initiative.
 - C. Referendum Number and Title
 - a. The format for the referendum number and title on the ballot will be “Referendum #XXX.X: Title”.
 - b. All referendum votes will be given a referendum number when the initiative is added to the ballot.
 - c. The referendum number will be the ASUW Election Number followed by a period (.) and the order the referendum was added to the ballot. For example, if the ninth (9th) referendum vote added to the ballot of the 108th ASUW Election the referendum number on the ballot would be,

“Referendum #108.9”. The ASUW Election Number is defined in Section 5.03 Subsection 4 Clause A of this Article.

- D. Initiative Description
 - a. The initiative description is a concise, two (2) sentence, explanation of the initiative and the changes that would occur upon approval of the referendum.
- E. Ballot Question
 - a. The ballot question for all referendums will be: “Do you support the proposed initiative? Yes [] No []”
- F. Full Text
 - a. A link to the full text of the proposed initiative will be supplied after the ballot question and the link must be accessible to all ASUW Members.
- 4. Elections for a Ballot Initiative
 - A. All ballot initiatives shall only be voted on in an ASUW General Election.
 - B. The ASUW Student Government shall work to enact any such measure passed by a majority of the voting student body, so long as the measure is under the direct control of the ASUW Student Government. Any measure passed that is not under the direct control of the ASUW Student Government shall be the subject of a report by the ASUW President to the University of Wyoming Board of Trustees at their next meeting. In the case that such a question relates to off campus entities, the ASUW President shall inform the appropriate body of the vote of the students.

Section 5.08 Amendments and Suspension

- 1. Amendments
 - A. No amendments or changes will be made to this Article two (2) weeks before an ASUW General Election.
 - B. If any changes are made to this Article after the applications open for an ASUW General Election, the Elections Committee will be responsible for informing all the candidates of these changes.