

SENATE BILL #2775



TITLE: Implementation of Approval Voting for ASUW Senatorial Elections

DATE INTRODUCED: December 7, 2021

AUTHORS: President Swilling

SPONSORS: The ASUW Elections Committee; Senators Castronovo, Engel-Cartie, and Smith; Vice President Anderson; Chief of Legislative Affairs Carrier

1. WHEREAS, the purpose of the Associated Students of the University of Wyoming (ASUW)
2. Student Government is to serve our fellow students in the best manner possible; and,
3. WHEREAS, in accordance with the principles of democratic governance, ASUW
4. elects student representatives yearly to fill seats on the ASUW Senate, as well as the positions
5. of ASUW President and Vice President; and,
6. WHEREAS, currently, all of these positions are filled through the use of instant-runoff
7. voting, as dictated by Senate Bill #2530; and,
8. WHEREAS, Senate Bill #2769 and the accompanying ballot referendum, if approved, would
9. transition the ASUW Senate to an at-large representation model, in which all candidates
10. would compete against one another; and,
11. WHEREAS, this change has the potential to create an extraordinarily long list of
12. candidates, which would be cumbersome to rank; and,
13. WHEREAS, instant-runoff voting is not ideally suited to elections in which there are
14. multiple winners, as voters can ultimately only express their first-choice preference for one
15. candidate, meaning they can essentially only choose one candidate they actually want to
16. represent them; and,
17. WHEREAS, given the large number of Senate seats that will be up for election, it would be
18. ideal for students to be able to weigh in on every single candidate, so as to truly forge a

19. democratic outcome; and,

20. WHEREAS, this outcome is very possible through the use of approval voting, which is

21. defined as “a voting method that allows voters to choose any number of candidates. The

22. candidates chosen the most win.”; and,

23. WHEREAS, an example of an approval voting ballot can be seen in Addendum A; and,

24. WHEREAS, this method allows voters to vote for more than one candidate, thus ensuring

25. they have a say for every Senate seat being filled; and,

26. WHEREAS, this approval voting system would also be much easier to tabulate and

27. implement, thus saving ASUW time and resources; and,

28. WHEREAS, by ensuring candidates must appeal to broad groups of students in order to be

29. elected, approval voting would help ensure those candidates who best represent the voice of

30. all students on our campus would be more likely to be elected; and,

31. WHEREAS, despite the benefits of approval voting, ranked-choice voting is still the most

32. logical voting system for the ASUW President and Vice President election to use, since the

33. single-candidate winner system and typically much smaller number of candidates make it

34. both more effective and eminently practicable than it is in Senate elections.

35. THEREFORE, be it enacted by the Associated Students of the University of Wyoming

36. (ASUW) Student Government that the ASUW By-Laws be amended to reflect the changes

37. outlined in Addendum B; and,

38. THEREFORE, be it further enacted that, even if Senate Bill #2769 and/or the

39. accompanying ballot initiative do not pass, these changes shall take effect regardless; and,

40. THEREFORE, be it further enacted that, if Senate Bill #2769 is passed, the changes

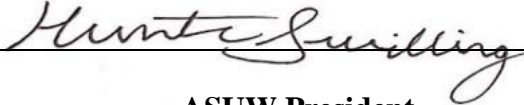
41. outlined in Addendum B shall be reconciled with the changes outlined in SB #2769, and no

42. portion of either piece of legislation shall be construed in any way so as to revert the
43. changes either makes to the ASUW By-Laws; and,
44. THEREFORE, be it further enacted that these changes shall take effect immediately upon
45. passage of this legislation.

Referred to: Ad-Hoc Restructuring; Ad-Hoc Strategic Planning; Advocacy, Diversity, and Policy; Elections; Program and Institutional Development; Steering; Student Outreach

Date of Passage: December 18th, 2022 **Signed:** _____
(ASUW Chairperson)

“Being enacted on December 18th, 2022 **, I do hereby sign my name hereto and**

approve this Senate action.” _____
ASUW President

Addendum A

CURRENT BALLOT VOTE FOR ONE NAME	
Superman	<input type="radio"/>
Batman	<input checked="" type="radio"/>
Wonder Woman	<input type="radio"/>
Green Lantern	<input type="radio"/>
Lex Luthor	<input type="radio"/>

APPROVAL BALLOT VOTE FOR ALL THE NAMES YOU APPROVE OF	
Superman	<input checked="" type="checkbox"/>
Batman	<input checked="" type="checkbox"/>
Wonder Woman	<input checked="" type="checkbox"/>
Green Lantern	<input checked="" type="checkbox"/>
Lex Luthor	<input type="checkbox"/>

Addendum B

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 candidates who were not elected in the initial student representative election. This shall include write-in candidates. ~~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 who received the next highest number of approval votes ~~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 (1) weeks from the time of initial notice.
 - b. At the close of the application period, the ASUW Adviser, 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. This system will not be used once applications for the general election open.
- g. All Senate Vacancy elections shall follow the above outlines procedures and adhere as closely as possible to the policies outlined in the ASUW Elections Policy.

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 the ASUW General Elections the Elections Code. The Elections Code must be approved by the ASUW Senate before the conclusion of the fall semester and 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.
 - 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.
- B. Applications, financial expense report forms, and the Elections Code shall be provided by the Elections Committee and be made available to all ASUW Members by 9:00 a.m. on a school day selected by the Committee before the fourth (4th) week of the spring semester.
- C. The Committee shall, host a minimum of two (2) general information sessions between the date's 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 Committee.

- D. The results of the voting in each election, including the number of votes received by each candidate, shall be released by the Committee after they have been announced by the ASUW Advisor.
 - E. The Committee along with the ASUW Advisors are authorized to determine the software needed conduct voting and to count all ballots of the elections according to the principles of Instant-Runoff Voting for the ASUW President and Vice President election and Approval Voting for the ASUW Senatorial Election.
 - F. The Committee will work in collaboration with the ASUW Advisor to ensure that all candidates adhere to all rules outlined in both this Article and the Elections Code.
 - G. The Chair of the Committee will be Responsible for communicating all official elections information through the ASUW Elections Email.
 - H. Other responsibilities and authorities of the Elections Committee are outlined throughout this Article.
2. Composition
- A. The Chair of the Elections Committee cannot run for any position in the 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 General Election.
 - 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 5.02 ASUW Advisor

1. Responsibility and Authority

- A. The ASUW Advisor can delegate any of their responsibilities within this Article to the Chair of the Elections Committee or to any members of the ASUW Business Office who are not running in the ASUW Election. If the ASUW Advisor position is vacant, the members of the ASUW Business Office will assume the responsibilities outlined for the ASUW Advisor.
- B. The ASUW Advisor along with the Elections Committee is authorized to determine the software needed to count all ballots of the elections according to the principles of Approval and Instant-Runoff Voting.

- C. The ASUW Advisor will be responsible for compiling the list of eligible voters prior to the opening of voting.
- D. The ASUW Advisor 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 or at official ASUW functions, other than those sponsored and conducted by the Elections Committee.
- E. The ASUW Advisor will work in collaboration with the Elections Committee to ensure that all candidates adhere to the Elections Code.
- F. All votes will be counted, tabulated, and announced ~~by~~ the ASUW Advisor following the procedures outlined in Section 5.03 of this Article.
- G. The ASUW Advisor will be responsible for hosting the candidate workshop to explain the elections rules on the date applications are due at a time and place to be announced by the ASUW Elections Committee.
- H. The ASUW Advisor will be responsible for enforcing any sanctions put on candidates by the Judicial Council.
- I. Other responsibilities and authorities of the ASUW Advisor are outlined throughout this Article.

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

Subsection 7.01 President and Vice President

- 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~~seventy-two (6572) and ninety (90) hours.
- C. Voting for President and Vice President 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~~President and Vice President 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.
- E. 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.
- F. Other polling stations will be clearly identified, and all candidates will be informed of what constitutes such polling areas.
- G. 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.

Subsection 7.02 Senatorial Candidates

- ~~A. Any ASUW Member will be permitted to vote at any polling place or by voting online.~~
- ~~B. Voting must be open between seventy-two (72) and ninety (90) hours.~~
- ~~C. Voting for Senatorial candidates will be conducted according to the principles of Approval Voting and thus voters will be allowed to indicate whether or not they “approve” of every single candidate running in the election.~~
- ~~D. Those who receive the highest number of approval votes shall be elected, until at such point either all candidates have been elected or all the seats are filled.~~
- ~~E. Write-in candidates may be elected, if they receive sufficient support.~~
- ~~F. 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.~~
- ~~G. Other polling stations will be clearly identified, and all candidates will be informed of what constitutes such polling areas.~~
- ~~H. 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.~~

- 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.