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SB36-07/08: Amending Election By-Laws

Dustin Leftridge

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The Associated Students of The University of Montana
Resolution Amending Election By-Laws
Senate Bill Number 36-07/08
Authored by: President Dustin Leftridge
Co-Sponsored by:

1 WHEREAS, the election by-laws are outdated and excessively lengthy.

2

3 THEREFORE, Let It Be Resolved that the Associated Students of The University of Montana endorse
4 the following changes:

5 *Gertell* 
Section 2. Campaigning:

6 A. Campaigning, with the exception of primary petition signing, is defined as any activity which
7 promotes the candidacy of one or more individuals for an office. This includes, but is not necessarily
8 limited to: *scheduling appearances; lobbying a voter; posting, publication or distribution of*
9 *advertisements, correspondence or literature.* ~~scheduling appearances, the buying of votes with money,~~
10 ~~gifts, or alcohol, posting or publishing advertisements, holding a charity event such as a concert, rally or~~
11 ~~other social gathering, distributing literature, or lobbying a voter.~~

12 B. ~~No campaign materials may be displayed before the start of the campaigning period. Posting signs for~~
13 ~~place-holding before the start of campaigning is not permitted.~~

14 C. ~~Campaigning through speech or signs within the immediate polling sites on the days of primary and~~
15 ~~general elections is not permitted. Posters must be removed on the floor level of the designated polling~~
16 ~~sites, including the atriums of the University Center. Failure to remove campaign materials from non-~~
17 ~~polling sites is not considered a violation.~~

18 ~~DC.~~ The Elections Committee shall sponsor at least two forums: one for the Senate candidates, and one
19 for the officer candidates, plus one Presidential-Vice Presidential debate following the primary, if there
20 is one.

21 ~~ED.~~ The Elections Committee shall sponsor at least two forums at the COT: one for Senate candidates
22 and one for Officer candidates.

23 ~~FE.~~ No door-to-door campaigning is permitted in the residence halls, University Villages, or the Lewis
24 and Clark Village. Campaigning is permitted elsewhere on campus, including the Lommasson Center
25 and classrooms with permission of the professor.

26 ~~GF.~~ Posters may be placed on campus according to these rules:

27 1. General Buildings: Only on appropriate poster areas.

28 2. Residence Halls: Only on appropriate bulletin boards or dorm doors and windows with the approval
29 of the dorm resident. All posters must be approved by the residence hall office.

30 3. University Center: Must be approved by the University Center office. Posters may be placed only on
bulletin boards and interior glass surfaces. Banners will be allowed only inside the University Center.

32 4. Outdoors: Only on kiosks.

33 5. No posters may be put on exterior doors of any building on campus.

34 HG. Campaign expenditures, including donations, by each candidate or write-in candidate shall be
35 limited to these amounts:

36 1. President-Vice president team: The maximum expenditure allowed is \$150, with or without a primary
37 election.

38 2. Business Manager: The maximum expenditure allowed is ~~\$75~~, \$100, with or without a primary
39 election.

40 3. Senators: The maximum expenditure allowed is \$75, with or without a primary election.

41 4. Candidates may choose to be reimbursed for campaigning expenditures to the amount of \$10,
42 dependent upon receipts following the General Elections. Expenditures exceeding \$10 will be matched
43 50% by ASUM. Total ASUM contributions shall not exceed \$37.50 for ~~Senate and Business Manager~~
44 ~~candidates and \$50~~ Senate candidates, \$50 for Business Manager candidates and \$75 for President/Vice
45 President candidates. All claimed expenditures for reimbursement must have receipts. Expenditures
46 without receipts will not be matched by ASUM.

47 5. All contributions to ASUM candidates must be from *individuals* students. Money from corporations
48 and Political Action Committees is strictly prohibited.

49 IH. Each candidate, write-in candidate, candidate team, or party must document expenditures for the
50 Elections Committee and made public by filing an expenditure form, complete with receipts, by 3 p.m.
51 two days prior to the general election. Expenditure forms must be filed even if there are no expenditures.

52 JI. No ASUM sponsored organization shall be allowed to finance the campaign of any candidate for
53 ASUM office, nor may any individual finance the campaign of a candidate in the name of an ASUM-
54 sponsored organization.

55 J. All campaign materials must be accounted for on expenditure form, including but not limited to :
56 posting and publishing materials, advertisements, holding charity events such as concerts, rallies or other
57 social gatherings, distributing literature, or buying votes with gifts, money or alcohol.

58 K. *The buying of votes with money, gifts, or alcohol is prohibited.*

59 **Section 3.** Elections:

60 A. The Elections Committee shall adhere to the following procedures: ~~have the discretion of using either~~
61 ~~paper ballots or online ballots., but not both.~~

62 ~~1. If the elections committee chooses to utilize paper ballots, the following procedures must be followed:~~

63 ~~a. More than one voting area may be established, the amount of which and locations to be decided at the~~
64 ~~discretion of the Elections Committee, of which one location shall be the University Center, and shall be~~
65 ~~shielded from traffic. The polls for the general election shall be open for at least two consecutive days~~
66 ~~and shall be open for at least seven hours each day. The polls for the primary election shall be open for~~
67 ~~at least one day, on a Wednesday, and shall be open for at least seven hours. The amount of hours and~~
68 ~~days of additional polling sites are to be established at the discretion of the Elections Committee. The~~
69 ~~polls for the general election shall be staffed by a non-University organization or person, with a member~~
70 ~~of the Elections Committee or a current ASUM Senator, not running for ASUM office, in attendance at~~
71 ~~all times. A designee may staff a polling site, conditional upon the pre-approval of the Elections~~
72 ~~Committee.~~

73 ~~b. The University of Montana College of Technology East and West campuses shall have one voting~~
74 ~~area set up at each campus; the specific area will be at the discretion of an Elections Committee~~
75 ~~member. The polls shall be staffed by a non University organization, with a member of the Elections~~
76 ~~Committee in attendance at all times.~~

77 ~~e. To vote at the East or West campus of the College of Technology, a member must present any form of~~
78 ~~photo identification and must sign his/her name on a roster of students provided by the Registrar's office.~~
79 ~~To vote on the main campus, a member must present a Griz Card.~~

80 ~~d. No groups shall be allowed to share the polling facilities set up by the Elections Committee. The~~
81 ~~polling facilities are defined as whatever locations the Elections Committee has decided upon, one of~~
82 ~~which shall be the main floor of the UC.~~

83 ~~e. Absentee ballots shall be available from the Elections Committee five days before the election date~~
84 ~~and must be immediately completed and sealed in an envelope signed by the voter across the seal.~~

85 ~~1.2. If the elections committee chooses to utilize online ballots, the adhere to the following procedures:~~
86 ~~must be followed:~~

87 ~~A. The online polls for the general election shall be open for at least two consecutive days for twenty-~~
88 ~~four hours. Polls for a primary election shall be open for at least one day, a Wednesday, for twenty-four~~
89 ~~hours each day. Online balloting mechanisms used shall provide for the integrity of the student's ballot~~
90 ~~through effective measures ensuring that no student casts a vote in the name of another student and that~~
91 ~~no student's right to a secret ballot is compromised. The election committee shall designate one ASUM~~
92 ~~non-student employee who may have access to all elections results in order to provide for human~~
93 ~~oversight to prevent election fraud. In the case that grievances are filed concerning the election process,~~
94 ~~the Elections Committee is authorized to review all election-related documents while in executive~~
95 ~~session.~~

96 ~~B. A primary election shall be held for each officer position having more than two candidates. If a~~
97 ~~primary election is held, the two candidates for each position with the highest number of primary votes~~
98 ~~will enter the general election.~~

99 ~~C. The ballots for a primary election will consist of the names of the candidates for the two officer races~~
100 ~~consisting of more than two candidates or teams of candidates. The names of the candidates shall be~~
101 ~~rotated on the ballots, within each candidate section, and an equal number of each version of the ballot~~
102 ~~shall be printed if feasible.~~

103 ~~D. A primary election shall be held for Senate candidates if there are over 40 individuals seeking office.~~

104 ~~E. The ballots for a general election shall consist of three: one for the President Vice President~~
105 ~~candidates, one for the Business Manager candidates, and one for the Senate candidates. The names of~~
106 ~~the candidates shall be rotated on the ballots, within each candidate section, and equal numbers of each~~
107 ~~version of the ballot shall be printed.~~

108 ~~E. The ballots for the general elections shall consist of no more than 2 officers or officer teams for each~~
109 ~~executive position and no more than 40 senate candidates with positions for write in candidates (with the~~
110 ~~exception of a tie vote in the primary as per section 4E of Elections bylaws).~~

111 ~~F. All students who are registered for one credit or more and pay the ASUM activity fee are allowed to~~
112 ~~vote in any ASUM election. In a primary election, each student may vote for as many candidates as may~~
113 ~~advance to the general election. In a general election, each student may vote for one candidate for each~~
114 ~~executive position and for as many as twenty senate candidates.~~

115 **Section 4.** Counting:

116 A. ~~After each day of an election, ballots shall be locked in a safe and may not be examined in any~~
117 ~~manner until the close of the polls on the final day of voting.~~ Upon closure of the polls, the Elections
118 Committee shall count the ballots, to be done in the presence of the faculty advisor(s). No candidate is
119 allowed to assist or view the counting of the ballots.

120 B. Write-in votes do not need to be spelled correctly if the intent of the voter is clear.

121 C. Any improperly completed ballot, as decided upon by the Elections Committee, shall not be accepted.

122 D. If the number of votes received by a winning candidate is within three percent of that received by a
123 losing candidate, a recount of the race shall be made.

124 E. A tie vote in a primary election shall result in the names of those candidates involved to be included
125 on the general election ballot, provided that the number of votes cast would qualify each candidate in the
126 absence of a tie.

127 F. A tie vote in a general election shall result in the Election Committee providing for a special election
128 to determine a winner, provided that the tie results in the position not being filled.

129 G. A plurality of the total ballots properly cast for all eligible officer candidates for a given position
130 shall be required to elect any candidate.

131 H. Official results of primary, general, and special elections require the signature of the Elections
132 Committee chair, the President, and the faculty advisor, or their designees.

133 I. Elections results shall be ~~published in~~ submitted to the Montana Kaimin on the Friday immediately
134 following the election.

135 ~~J. Ballots shall be kept at the ASUM offices for a period of two weeks, after which time they shall be~~
136 ~~destroyed.~~

137 **Section 5.** Suspension of Candidacy:

138 Any candidate who violates any of these rules may be barred from candidacy and/or denied from taking
139 office, as recommended by the Elections Committee, and approved by a two-thirds (2/3) majority vote
140 of the Senate. This rule is not suspendable.

141 **Section 6.** Grievances:

142 A. Any member who wishes to file a complaint concerning any action involved with campaigning or the
143 election, including, but not limited to, rules violated by other candidates, voting discrepancies, and other
144 procedures may submit a signed complaint to the Elections Committee no later than 9 a.m. of the second
145 business day following the election.

146 B. The Elections Committee shall examine the complaint and decide what action, if any, is warranted.
147 All rulings made by the Elections Committee shall be subject to Senate approval by a majority vote. The
148 recommended rulings can only be amended by a 2/3 vote of the Senate.

149 C. The Elections Committee may invalidate the results of any election and demand a new election, but
150 the committee must do so before the first Senate meeting following the election, and such a motion to
151 invalidate must be approved by a two-thirds (2/3) majority vote of the Senate.

152 D. Sanctions include, but are not limited to, censure, the withholding of ASUM campaign funding , and
153 disqualification.

154 **Section 7.** Calendar:

155 Deadlines and dates shall follow the below schedule, which the Elections Committee may alter as
156 necessary:

157 Petitions Available: Monday, 6 weeks prior to the General Election, but no later than nine weeks before
158 the week of final exams.

159 Petitions Due: Friday by 5 p.m., 5 weeks prior to General Election

160 Informational Meeting: Tuesday, 4 weeks prior to General Election

161 Campaigning Begins: Monday, 3 weeks prior to General Election

162 Senate Primary Forum: Wednesday, 3 weeks prior to General Election

163 Officer Primary Forum: Thursday, 3 weeks prior to General Elections

164 Primary Election (if needed): Wednesday, 2 weeks prior to General Election

165 2nd Senate Forum: Wednesday, 1 week prior to General Election

166 Executive Debate: Thursday, 1 week prior to General Election

167 **Section 8.** Special Elections:

168 A. For a special election, ~~more than one voting area may be established~~ polls will be opened online as
169 per section 3A of elections bylaws, the amount of which and locations to be decided at the discretion of
170 the Elections Committee. One location shall be the University Center and shall be shielded from traffic.
171 The polls shall be open a minimum of four hours at sometime between 8:00 a.m. and 5:00 p.m. and for
172 at least two days, a Wednesday and a Thursday. Any other days or hours shall be in addition to those
173 already mentioned. The polls shall be staffed by any member of the Elections Committee or a current
174 ASUM Senator or Executive.

175 ~~1. The University of Montana College of Technology East and West campuses shall have one voting~~
176 ~~area set up at each campus; the specific area will be at the discretion of an Elections Committee~~
177 ~~member. The polls for the special election at the Colleges of Technology are as established in the~~
178 ~~ASUM Bylaws, Article II, Section 8.~~

179 B. All students who are registered for one credit or more are allowed to vote in any ASUM election.

180 ~~C. No groups shall be allowed to share the polling facilities set up by the Elections Committee. The~~
181 ~~polling facilities are defined as whatever locations the Elections Committee has decided upon, one of~~
182 ~~which shall be the main floor of the UC.~~

1 ~~DC~~ After each day of an election, ballots shall be locked in a safe and may not be examined in any
184 manner until the close of the polls on the final day of voting. Upon closure of the polls, the Elections
185 Committee shall count the ballots, to be done in the presence of the faculty advisor(s).

186 ED. Write-in votes do not need to be spelled correctly if the intent of the voter is clear.

187 FE. Election results shall be submitted to the Montana Kaimin for publication immediately following the
188 election.

189 ~~G. All ballots shall be kept at the ASUM offices for a period of two weeks, after which time they shall~~
190 ~~be destroyed.~~

191 HF. Any member of the Association who disagrees with any ruling of the Elections Committee may file
192 a complaint concerning any action involved with the election. This member may appear with a signed
193 complaint to the Elections Committee no later than 9:00 a.m. of the second business day following the
194 special election.

195 IG. The Elections Committee shall examine the complaint and decide what action, if any, is warranted.

196 JH. The Elections Committee may invalidate the results of any election and demand a new election, but
197 the committee must do so before the first Senate meeting following the election, and such a motion to
198 invalidate must be approved by a two-thirds (2/3) majority vote of the Senate.

199 KI. The necessity for a special election shall be determined by the ASUM Senate.

Passed by Committee: _____, 2008

Passed by Senate: _____, 2008

Elections Chair
Rikki Henderson

Chair of the Senate
Tara Ness

200

*Approved with
unanimous
consent
3/19/08*