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SB87-16/17: Resolution Regarding Elections Bylaws

Caleb Chestnut

Hannah Johnson

Anisa Ricci

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1 **The Associated Students of the University of Montana**
2 **Resolution Regarding Elections Bylaws**
3 **May 3, 2017**
4 **SB87-16/17**

5 **Authored by: Caleb Chestnut, Anisa Ricci, ASUM Senators; Hannah Johnson, ASUM**
6 **Student Resolution Officer;**

7 **Sponsored by: Julian Adler, Max Longo, ASUM Senators; Augustine Menke, ASUM**
8 **Senate Secretary; Betsy Story, Student-at-Large;**

9
10 Whereas, the Associated Students of the University of Montana (ASUM) seeks to maintain the
11 fairness and competitiveness of its elections process;

12
13 Whereas, it is not common for the ASUM Elections Committee to make sweeping changes to
14 address bylaw issues following its tenure;

15
16 Whereas, the 2017 Elections Committee, operating in a year with a new voting system,
17 encountered a variety of questions and issues that necessitate several updates in the bylaws;

18
19 Whereas, Elections Committee always seeks to approach all issues and processes with the utmost
20 neutrality and fairness;

21
22 Therefore, Let It Be Resolved, that Article IV, Section 6 of the ASUM Bylaws be amended to
23 read:

24
25 *“C. No member of the Elections Committee shall be seeking an elected position with*
26 *ASUM. No member of the Elections Committee may be an actively serving member of any*
27 *organization or student group that has put forth a referenda item on the ballot as determined by*
28 *a majority vote of the ASUM Senate.”*

29
30 Therefore, Let It Be Further Resolved, that Article V, Section 2 of the ASUM Bylaws be
31 amended to read:

32 A. *“Members may seek office within these guidelines:*

- 33 1. *Any member as defined in Article 1, Section 2 of the Constitution is eligible to run for*
34 *any office.*
35 2. *The names of all candidates shall be published in the Montana Kaimin immediately*
36 *after registration. The names of the winners of a primary election, if one is held, shall*
37 *be published immediately following the election. Notices of special elections shall be*
38 *conspicuously published in the Montana Kaimin at least four times before the*
39 *elections, including two issues, as defined in Section 1, immediately preceding the*
40 *elections, special elections, and referenda.”*

41
42 Therefore, Let It Be Further Resolved, that Article V, Section 3, Letter F of the ASUM Bylaws
43 be amended to read:

44
45 *“3. University Center: Must be approved by the University Center Administration.*
46 *Banners will be allowed only inside the University Center and must be approved by The Source*

47 *prior to being hung in the UC Atrium and must be compliant with UC policy. Passing out flyers*
48 *or laying flyers on surfaces, such as tables and chairs, is prohibited. Posters must be placed*
49 *according to the following guidelines:*

- 50
- 51 1. *only on interior windows that have been designated and clearly marked for postering;*
- 52 1. *each Senate candidate will be assigned at least one (1) and no more than two (2)*
53 *half-pane window areas in the UC, assigned by random lottery, and subject to*
54 *placement by the UC Administration and the ASUM Elections Committee. Upon*
55 *attendance of the first window lottery occurring at 11:45 PM on the night prior to*
56 *the start of campaigning, each Senate Candidate, Executive Candidate Team, and*
57 *Referenda Item will be assigned at least one (1) and no more than two (2) half-*
58 *pane window areas in the UC;*
- 59 2. *each Executive candidate and team will be assigned at least one (1) and no more*
60 *than two (2) full-pane window areas in the UC, assigned by random lottery, and*
61 *subject to placement by the UC Administration and the ASUM Elections*
62 *Committee; Any panes that remain unassigned after the first window lottery shall*
63 *be distributed on the days following at the discretion of the Elections Committee;*
64 3. *any remaining panes will be considered common, public postering areas and will*
65 *not be exclusive to one (1) candidate; All window postings shall be subject to an*
66 *assessment by the Elections Committee prior to the second window lottery. Panes*
67 *that have not been used by candidate(s) to display campaign material that*
68 *identifies their name(s) on the following Friday at 5:00 PM shall be considered*
69 *forfeited. Such panes shall be reassigned at the second window lottery.*
- 70 4. *The second window lottery will take place at 5:30PM on the Friday following the*
71 *first window lottery;*
- 72 5. *Any panes that remain unassigned after the second window lottery shall be*
73 *distributed on the days following at the discretion of the Elections Committee.*
- 74

75 Therefore, Let It Be Further Resolved, that Article V, Section 8 of the ASUM Bylaws be
76 accordingly amended to read:

77

78 *"A. Deadlines and dates shall follow the below schedule, which the Elections Committee may*
79 *alter as necessary:*

80

81 *B. Registration Forms Available: Monday, 6 weeks prior to the General Election*

82

83 *C. Informational Meeting: 5 weeks prior to General Election*

84

85 *D. First UC Window Lottery: Sunday night prior to the beginning of campaigning, 3 weeks prior*
86 *to General Election*

87

88 *E. Campaigning Begins: Monday, 3 weeks prior to General Election*

89

90 *F. Second UC Window Lottery, Friday following the beginning of campaigning, 2.5 weeks prior*
91 *to General Election*

92

93 G. Finalization of Ballots: Thursday, the week prior to ~~the~~ General Election

94
95 H. Campaign Expense Reports Due: Monday, 1.5 weeks prior to General Election

96
97 I. Senate or Executive Candidate Forums/Debates: At least 1 week prior to General Election

98
99 J. General Election: Wednesday-Thursday, 2 weeks prior to the week of final exams”

100
101 Therefore, Let It Be Further Resolved, that Article V, Section 3, Letter F of the ASUM Bylaws
102 be amended to read:

103
104 “6. Candidates are not allowed to pass out flyers inside general buildings. Candidates
105 are allowed to place small campaign items, i.e. flyers and business cards, on surfaces such as
106 tables inside general buildings unless these practices explicitly conflict with building policies.”

107
108 Therefore, Let It Be Further Resolved, that Article V, Section 3, Letter G of the ASUM Bylaws
109 be amended to read:

110
111 7. “Office space and office supplies including, but not limited to, scissors, markers,
112 pens, pencils, staplers, staples, and tape do not need to be documented for promotion of
113 candidates or ballot referenda. Items not listed above are at the discretion of the Elections
114 Committee, ~~with majority approval of ASUM Senate.~~ Paper products, printing cost, and the like
115 are not covered under this exemption. Any items which were purchased prior to candidacy or
116 items which are created from personal resources, such as printing at home, must still be
117 included in the expense report. The cost of these items will be estimated by the candidate and
118 approved by the Elections Committee. Items that do not fall into the above categories are at the
119 discretion of the Elections Committee. All campaign materials must be accounted for on the
120 expenditure form, including but not limited to: posting and publishing materials, advertisements,
121 holding charity events such as concerts, rallies or other social gatherings, distributing literature.
122 Candidates are not required to expense the creation of intangible creative work, such as films or
123 graphic designs, unless the purveyor of the service charges the candidate(s) for the service. In
124 that case, the service must be expensed for the amount paid. Candidates are not allowed to use
125 discounts for products or services that are not available to all other candidates.”

126
127 Therefore, Let It Be Further Resolved, that Article V, Section 3, Letter G of the ASUM Bylaws
128 be amended to read:

129
130 “9. Any exceptions made to income and expense reports can only be granted by a
131 majority vote of the Elections Committee. All expense report exceptions must be granted
132 in a specific dollar amount, as identified by the candidate(s), exceeding the initial amount
133 allotted for their office of candidacy (i.e. if a candidate’s posters are taken down by an
134 opponent, the candidate(s) must identify the cost of the posters taken down or effectively
135 lost and appeal that the Elections Committee allow for this amount to be added to their
136 expense report total). Expense report exceptions shall not be made in instances where
137 candidate(s) violate existing Elections Committee bylaws or University policies.

138

139 Therefore, Let It Be Further Resolved, that Article V, Section 3, Letter P of the ASUM Bylaws
140 be amended to read:

141
142 “P. ~~An individual may not campaign on election day within 20 feet of a polling station.~~
143 Candidates may not interfere with voting processes by influencing voters while they have
144 the ballot open. Candidates may not vote on behalf of another student.”

145
146 Therefore, Let It Be Further Resolved, that Article V, Section 5 of the ASUM Bylaws be
147 amended to read:

148
149 “C. Any improperly completed ballot, as decided upon by the Elections Committee, shall
150 not be accepted. On any specific ballot item where a voter overvotes (i.e., selects a candidate on
151 the ballot and also writes in their name), all vote(s) cast in the specific ballot item where the
152 overvoting occurred shall not be accepted. The Elections Committee shall identify any vote(s)
153 that is not in compliance with explicit instructions stated for the relevant ballot item. All votes
154 cast in the specific ballot item by a voter who has failed to comply with explicitly stated
155 instructions shall not be accepted. This rule must be clarified in the ballot instructions. If these
156 parameters are not explicitly stated in ballot instructions, vote(s) MAY NOT be invalidated.”

157
158 Therefore, Let It Be Further Resolved, that Article V, Section 11 of the ASUM Bylaws be
159 amended to read:

160
161 “C. If a referendum cannot be revised without substantially changing the intent of the
162 authors, but nonetheless contains language which violates this policy, the Relations and Affairs
163 Committee shall have the right to remand the referendum to its authors for revision, until the
164 language meets the standard established by this policy.

165
166 D. The Elections Committee will choose a title for each referenda item to be displayed on
167 the online ballot without consultation with the organization or student group putting forth the
168 referenda item. This title must accurately represent the intent of the referenda item and be free of
169 persuasive and misleading language. Student groups and organizations putting forth a ballot
170 referendum must be notified of this title by the Friday 12 days before the beginning of the
171 general election. Student groups and organizations have the opportunity to appeal this title in
172 writing by the following Tuesday at 5:00 PM. Elections Committee must review the appeal and
173 issue a recommendation before the following Senate meeting. The Senate must confirm Elections
174 Committee’s recommendation with a 2/3 vote.”

175
176 Therefore, Let It Be Further Resolved, that these bylaw changes be effective for the elections of
177 the 2018-2019 ASUM Senate;

178
179 Therefore, Let It Be Further Resolved, that the letters of each paragraph in Article V, Section 11
180 of the ASUM Bylaws be re-lettered accordingly to reflect this change;

181
182 Passed by Committee: May 1, 2017

183
184 Passed by ASUM Senate: _____,2017

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186
187
188
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190
191
192

Connor Fitzpatrick
Chair of the Relations and Affairs Committee

Elizabeth Engebretson
Chair of the Senate