

**ASSOCIATED STUDENTS OF COLORADO STATE UNIVERSITY
FORTY-FOURTH SENATE
TWENTY FIRST SESSION
March 4, 2015**

**BILL #4417
CONSTITUTIONAL AMENDMENT: Adjudicated Elections**

SPONSORED BY: Sam Laffey, Senator College of Liberal Arts; Alyssa Reinhart, Senator College of Agricultural Sciences; Jacob Stein, Associate Justice; Yunus Ozekin, CVMBS; External Affairs Committee; Internal Affairs Committee

WRITTEN BY: Andrei Gurau, Elections Manager; Rioux Jordan, Chief Justice

ENDORSED BY:

WHEREAS:

The Elections Committee interprets, upholds, and enforces the ASCSU Referenda and Elections Code as well as other documents such as the ASCSU Constitution and Ethics Code; and,

WHEREAS:

Article IV, Section 400 of the ASCSU Constitution says that the Judicial power “shall include, but not be limited to, interpreting, upholding, and enforcing the ASCSU Constitution, the acts of the Senate and of all ASCSU administrative boards, and actions of students by virtue of all offices held under this Constitution”; and,

WHEREAS:

The Elections Manager is currently an executive position while the Elections Committee falls under the oversight of the Judicial branch; and,

WHEREAS:

The size of the Elections Committee has traditionally varied from year to year, and could use additional assistance; and,

WHEREAS:

The Supreme Court Justices are assisted by additional Officials, such as the Sergeant-at-Arms and the Court Liaison, and amending the Constitution every time such an Official is created or removed would unnecessarily burden the Senate; and,

THEREFORE BE IT HEREBY ENACTED:

That Article VII, Section 700 of the Constitution of the Associated Students of Colorado State University be amend to read as follows:

“Section 700: ASCSU shall conduct the general election of its President, Vice President, and Senators during the first three days of the third week after Spring Break. All elections shall be administered by the **Judicial** Branch of ASCSU.”;and,

THEREFORE BE IT HEREBY FURTHER ENACTED:

That Article VII, Section 704 of the Constitution of the Associated Students of Colorado State University be amended to read as follows:

“Section 704: All ASCSU elections shall be organized and executed by the Elections Manager. The President shall select an impartial and unbiased member of ASCSU to serve as the Elections Manager. The Elections Manager shall not be eligible to hold a position in the Executive or Judicial branches the following school year, with the exception of the Elections Manager position. The President shall present this nominee to the Senate for ratification no later than the week immediately prior to Fall Break, and the candidate shall be ratified by a majority vote of the present voting membership, excluding abstentions, of the ASCSU Senate. If the President cannot find a willing Elections Manager by Fall Break, he or she must go before Senate to ask permission to extend the time period to winter break and/ or extend eligibility requirements. In doing so, the President must demonstrate by written record a thorough attempt to find a willing and eligible Elections Manager. Should the President not wish to nominate the Elections Manager, the task shall be handed down to the Chief Justice. Whoever nominates the Elections Manager is ineligible to be an elected official the following school year, with the exception of the Elections Manager position. Should neither individual wish to select an Elections Manager, the Senate shall elect a member of Senate to be the nominating official of the Elections Manager. The Elections Manager, once ratified, shall be a member of the Judicial Branch and shall serve as an ex-officio member of Senate and the Cabinet. The Elections Manager shall not be eligible to run for any elected office.”; and,

THEREFORE BE IT HEREBY FURTHER ENACTED:

That Article VII, Section 705 of the Constitution of the Associated Students of Colorado State University be amended to read as follows:

“Section 705: All ASCSU elections shall be overseen by the Elections Manager and the Elections Committee. The Elections Committee shall consist of at least eight (8) members and no more than twelve (12) members-The Elections Manager shall select these-impartial and unbiased members of ASCSU to serve on the Elections Committee. The Elections Manager shall present these nominees to the Senate for ratification prior to Spring Break the candidates shall be ratified by a majority vote of the present voting membership, excluding abstentions, of the ASCSU Senate. Members of the Elections Committee shall not be eligible to run for any elected office. The Elections Committee may be assisted by additional non-voting officers (Judicial Officials as defined in Article IV, section 403) as ratified by the ASCSU Senate.”; and,

THEREFORE BE IT HEREBY FURTHER ENACTED:

That Article VII, Section 708 of the Constitution of the Associated Students of Colorado State University be amended to read as follows:

“Section 708: ASCSU shall conduct all elections and referenda in accordance with the ASCSU Referenda and Elections Code. The ASCSU Referenda and Elections Code shall govern all aspects of elections and referenda not explicitly covered by this Constitution, including the execution of an election, the operation of the Elections Committee, and the responsibilities of the Elections Manager and Elections Committee members. The ASCSU Referenda and Elections Code shall remain in effect at all times, and shall not require yearly re-adoption. The ASCSU Referenda and Elections Code may only be amended by a Senate bill specifically delineating all proposed amendments. The Senate may pass such a bill with a majority vote of the present voting membership, excluding abstentions, of the ASCSU Senate until six weeks prior to Spring Break. A two-thirds vote of the present voting membership, excluding abstentions, of the ASCSU Senate shall be required to pass such a bill beginning six weeks prior to Spring Break. A

three-quarters vote of the present voting membership, excluding abstentions, of the ASCSU Senate shall be required to pass such a bill during the second week prior to Spring Break. No legislation amending the ASCSU Referenda and Elections code shall be voted upon or brought to the Senate the week prior to Spring Break or during the election period. At the conclusion of the elections period such a bill may be passed by a majority vote of the present voting membership, excluding abstentions, of the ASCSU Senate. A bill to amend the ASCSU Referenda and Elections Code shall take effect upon signature of the President.”; and,

THEREFORE BE IT HEREBY FURTHER ENACTED:

That Article IV, Section 403 of the Constitution of the Associated Students of Colorado State University be amended to read as follows:

Section 403: The ASCSU Supreme Court shall be comprised of seven (7) members of ASCSU, which include one (1) Chief Justice, one (1) Deputy Chief Justice, and five (5) Associate Justices. The ASCSU Supreme Court shall also be assisted by additional Judicial Officers as defined in this Constitution, or as defined in its bylaws and approved by the ASCSU Senate. Upon ASCSU Presidential nomination the Associate Justice(s) shall be approved with a majority vote of the present voting membership, excluding abstentions, of the ASCSU Senate. Associate Justices shall serve a two-year term in the form of four semesters (Fall or Spring) beginning on the day of their approval until the end of the fourth semester serving. Other Judicial Officers shall serve a one-year term beginning on the day of their approval until the end of the spring semester of the academic year they are appointed. Upon vacancy, an applicant for a Justice position shall be nominated by the ASCSU President, applicants for a Judicial Officer position shall be nominated by the Chief Justice, and all applicants must be approved with a majority vote of the present voting membership, excluding abstentions, of the ASCSU Senate to fill the position; and,

THEREFORE BE IT HEREBY FURTHER ENACTED:

That the attached document be adopted as the Job Description for the ASCSU Elections Manager and ASCSU Chief Justice as well as added to the Bylaws of the ASCSU Judicial Branch; and,

THEREFORE BE IT HEREBY FURTHER ENACTED:

That a copy of this legislation and these job descriptions be forwarded to Sam Guinn, ASCSU President; Lance Li Puma, ASCSU Vice President; Andrei Gurau, Elections Manager; Rioux Jordan, Chief Justice; Jason Huitt, IT Specialist; Pam Norris, Director of SLiCE, ASCSU Advisor; Kim Grubbs, Administrative Assistant (Jack-of-all-trades)

PASSAGE

DATE

PRESIDENT SAM GUINN

DATE