

March 3, 1983

**18 EXECUTIVE COUNCIL BILL #46**

**UNIVERSITY OF COLORADO  
STUDENT UNION**

Sponsored By: Arts & Sciences: John Carson  
Representatives-at-Large: Jill Hanauer  
Rich Diecidue  
Brian Amick

**A BILL**

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**BILL SUMMARY**

Amends the Election Code.

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**BILL HISTORY**

The UCSU Election Code is meant to provide for "equal opportunity and treatment to all candidates." By way of contradiction, there is a system of preferential voting which causes disparity in the candidate's prospects for election and confuses the voter. Further, the Election Code does not allow for a totally secret ballot. Currently the ballot boxes are opened after the first day of voting, half-way through the election. Currently candidates do not have their own appointed poll-watchers to act as official observers of the voting and tabulation procedures, a practice common to all elections held on local, state, and national levels. The current manner for controlling campaign spending provides the opportunity to deficit finance a campaign and places the burden of paying Administrative Services Recharge (ASR) on the candidate, an additional \$38.00 or more (if the cost of invoices and purchase orders is added). Further the Election Code prevents a candidate from finding the cheapest supplier, even if a discount is given on a preferential basis (as to a regular customer or the like). In the world of commerce this is a reality and the effort to compel compliance is in contradiction with the intent of the referendum which expressed the desire to contain the cost of elections. The Election Code disqualification procedures must be revised so that no candidate can be disqualified for any reason while voting is in progress, or UCSU risks repeating the problems of the Spring 1982 election. The Election Code allows ballot substitution, a practice which could be abused, when it should require a simple hand-count of ballots which cannot be machine tabulated, a practice both cost-effective and secure. The Election Code does not specify when a recount will be held in quantifiable terms. It should specify results as close as "X%". These suggested amendments to the UCSU Election Code will help to safeguard the fairness of UCSU elections and ensure a credible transfer of power from the voters.

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**BE IT ENACTED by the Executive Council of the University of Colorado Student Union, THAT:**

**SECTION I:** The following amendments shall be made to the UCSU Election Code:

"Article I, Section 3.10

POLL WATCHER - an individual who

will act as an observer of the election proceedings and vote tabulation. The poll watcher will not engage in any campaign practices in any form, and will not have any affiliation with a candidate or campaign team, but will report any and all violations of the UCSU Election Code. Violations so reported may be ground(s) for candidate disqualification or election invalidation only after the cessation of voting.

Article V, Section 13.4

No candidate may be disqualified without his/her knowledge, nor may he/she be disqualified without an opportunity to present an oral or written defense to the Commissioner where reasonably possible. Nor shall any candidate be disqualified for any reason during a period of time twenty-four hours before voting commences and twenty-four hours after the preliminary results are known.

Article V, Section 16.7

Ballot boxes shall never be opened during the days of voting for any reason. Ballot boxes shall remain under lock and will have a metal seal applied in addition to the lock. This seal will be of the unbreakable variety and will have to be cut to open the ballot box (the seal will be strong enough to keep the ballot box locked without a lock). The metal seal will be of a unique variety and it

will be placed on the ballot box in the presence of two Appellate Court Justices who will retain custody of any unused seals in a secure place (such as the safe in the Finance Office). The seals used will not be readily available to the general public and will be provided by either the security agents or a security firm. When ballot boxes are opened it will be done by the Election Commissioner exclusively, while in the presence of two Appellate Court Justices and any member of the general public with the exception of the candidate(s) and the campaign/team. A seal found broken, or opened in a fashion other than mentioned previously, will render the contents of the ballot box invalid.

Article V, Section 17.12

Each ballot shall provide an explanation of voting, e.g., "Mark Representative Council candidates for whom you wish to vote. You may vote for five candidates only." This explanation shall appear prominently at the top of each ballot.

Article V, Section 18.13

Voters may vote for any number of Representative Council candidates, up to and including the number of seats open. This voting is to be done on a one candidate one vote basis.

Article V, Section 19.2

If ballots are hand-tabulated, tabulation shall be performed in Election Committee view even if tabulation has been contracted to a bonded security firm.

Article V, Section 19.10

Representative Council office votes are equal to one point.  
The top five vote receivers will be determined to be the winners.

Article V, Section 19.12

Write-in candidates shall be treated as other candidates.  
Each vote will be equal to one point.

Article V, Section 19.13

For each election in which ballots are tabulated by computer, at least two members of the Commission and two members of the Court shall witness the turning over of the ballots to the Computing Center, and, after witnessing the run, receive the ballots, tally sheets, and computer print-outs. Poll-watchers may also act as witnesses.  
Candidate(s) and campaign/teams are excluded.


Article V, Section 19.16

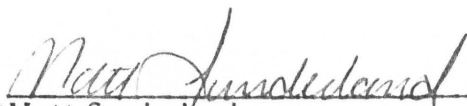
A recount shall be held when results are so close, within 2 percent of the total, that the Commissioner determines that a reasonable margin of error may make a difference.  
Retabulation of all ballots shall take place until the same results (in awardance of seats) shall occur twice in sequence."

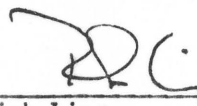
**SECTION 2:** This bill shall take effect upon passage.

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March 3, 1983 - Referred to Elections Committee - PASSED - 9-1-0  
March 10, 1983 - ONLY READING - Passed as Amended - 12-3-1

  
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Tad Miller  
UCSU Executive

  
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Matt Sunderland  
President Pro-Tempore  
UCSU Executive Council

  
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Rich Ling  
UCSU Executive