A RESOLUTION TO AMEND THE ELECTION CODE

WHEREAS, A functioning election code is essential in order for the University of Michigan Central Student Government to host elections for the Presidency and the Assembly; AND

WHEREAS, It is necessary to make periodic updates and revisions to the election code to further encourage fair campaigns and elections; AND

WHEREAS, the University Elections Commission (UEC) received a concerning number of campaign violation cases during the election season of 2015\(^1\) that prevented a succinct conclusion to the election; AND

WHEREAS, since the UEC election director is prohibited from voting and the back-up direct is only permitted to for ties, there is the opportunity for UEC decisions to be made with only one voting member; AND

WHEREAS, adherence to the rules and provisions as outlined in the election code presume the good faith practices of the candidates and the campaign operatives, it is not explicitly stated in the code; AND

WHEREAS, the election code does not define harvesting of email address AND

WHEREAS, there is a need for rules regarding electronic election communications to ensure the University Michigan’s email system is not abused, though the current rules are neither as fair or as effective as many members of this Assembly have called for them to be; AND

WHEREAS, since candidates and parties maybe be unsure of how rules will be interpreted in a certain situation or the UEC might want to clarify certain procedures regarding campaigning and the elections, the UEC should have the ability to issue advisory opinions; AND

WHEREAS, a threshold of votes for write-in candidates would increase the likelihood of candidates wanting to participate in CSG, and expedite the process of finding replacement representatives for the one vote write-ins who never show up to meetings; \textbf{THEREFORE BE IT}

RESOLVED, Article VI § B(7) e(iv) be struck and the following article be added as Article VI § B(7)d and the numbering of the remaining articles be shifted accordingly:

\footnote{1 Becker, Page. Election debrief for the 2015 election season. Presented April 19,2015}
Proper Use of Email Privileges: No candidate or campaign organization may send campaign related emails to any person who is not a registered student at the University of Michigan. No demerits shall be issued if an owner sends an email to a group or email list that contains less than 10% non-students. Furthermore, a candidate or a party can only send emails to email groups that are owned by the candidate or party as defined by “mcommunity.umich.edu.” and are created expressly for campaign purposes, during the current election cycle. The email group name must clearly indicate that it is a campaign related email group. Candidates and campaign volunteers are prohibited from harvesting student email addresses for campaign purposes. Violations shall be based on the number of email recipients and expressed in the Minor, Major, and Egregious Infraction sections; AND BE IT FURTHER RESOLVED, the following 3 sections be added to the infraction sections

Under Minor Infractions, Article VI § B(7) e(vi) shall state: “vi. Violations of the Proper Use of Email Privileges clause (Article VI § B(7)d) that involve an email group of under 100 recipients.”

Under Major Infractions, Article VI § B(7) f(iv) shall state: “iv. Violations of the Proper Use of Email Privileges clause (Article VI § B(7)d) that involve an email group of 100-399 recipients.”

Under Egregious Infractions, Article VI § B(7) g(v) shall state: “v. Violations of the Proper Use of Email Privileges clause (Article VI § B(7)d) that involve an email group of 400 or more recipients.”; AND BE IT FURTHER

RESOLVED, the following text be added to Article VI § A:

7. “Harvesting” shall mean the gathering of emails for campaign purposes that were not gathering during the campaign period, or were repurposed from other email group lists

; AND BE IT FURTHER

RESOLVED, Article VI § B(1) be amended to state:

1. General information.
  a. The election code includes a separate Candidates and Parties Section for convenience. These rules in this section are not inclusive.
b. It is at the discretion of the commission to assess a violation or infringement made on the good faith reliance of the rules as presented and can weigh the intent of that reliance on its findings.

; AND BE IT FURTHER

RESOLVED, Article VI § C(1)(a) be amended to state:

a. Any University of Michigan student, faculty member, staff member, or alum may file a complaint with the Election Director alleging a violation of the campaign rules within two calendar days of the discovery of said violation but no later than 24 hours after the polls close per Article VI § E(2)g. Upon receipt of the complaint, the Election Director shall immediately deliver copies of the complaint to all of the named respondents, to the members of the UEC, to the Student General Counsel, and to the Chief Justice of the CSJ.

; AND BE IT FURTHER

RESOLVED, the follow be added under Article VI § F(2)e:

iii. The UEC may issue advisory opinions to pertaining (clarifying) to election or campaigning activities and rules. The nature and scope of these opinions shall let to the discretion of the UEC. The opinions shall be made public to all candidates and parties.

RESOLVED, Article VI § G(1) be amended to state:

1. Write-in Votes.
   a. Immediately following the completion of the election, the Election Director shall review the results and eliminate any write-in responses they deem to be inappropriate and/or offensive.
   b. Only write-in candidates who receive at least 3 votes will be deemed eligible for their elected seat.

; AND BE IT FURTHER

RESOLVED, Article VI § F(3)(b)(iii) be amended to state:

i. The Backup Election Director shall serve as a voting member of the UEC.

; AND BE IT FINALLY
RESOLVED, Article VI § F(3)(d)(xi) be amended to state:

xi. The Election Director shall preside over meetings of the UEC as an *ex-officio* member, and is allowed to vote only to break a tie.

Authors

Jared Ferguson, Rackham
Ramon Martinez, Rackham

Sarah Brenner, Law
Thomas Hislop, LSA

Alexandra George, Public Policy

Attest

Noah Betman, LSA
Catherine Bergin, LSA

Speaker of the Assembly
Vice Speaker of the Assembly

President’s Approval

Cooper Charlton

Presented to the Assembly for *First Reads* on ___________________________
Presented to the Assembly for *Second Reads* on _________________________

Yes: _____  No: _____  Abs: _____  Date: ___________________________