**BILL #3F**  **2021 FALL SESSION**

**Legislative Action:**

Introduced by**:** Executive Director John Hawkins (A)(E), Attorney General Rafael Romero-Salas (A)(E), Senator A. Martinez (S), Senator R. Goheen (S)

1st Reading: Referred To: Steering & Rules 2nd Reading: Committee Action:

3rd Reading: Senate Action:

**Executive Action**:

 Approved  Vetoed

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ASUNM President Date

Unsigned by the President on this \_\_\_\_day of \_\_\_\_\_\_\_ 2021. Bill automatically becomes law.

**Legislative Response**:

Veto override vote taken: \_\_\_\_\_\_\_\_\_\_\_ Senate Action: \_\_\_\_\_\_\_\_\_\_\_\_\_

Be it enacted by the Associated Students of the University of New Mexico that the following be amended in ***(Elections Code)*** of the ASUNM ***(Lawbook)***:

# Article I: Elections Commission

Section 1. Membership

The Elections Commission shall comprise of:

1. Executive Director, appointed by the ASUNM President with approval of the Senate;
2. Assistant Director, appointed by the ASUNM President with approval of the Senate;
3. Three (3) to Six (6) Elections Commissioners, appointed by the Executive Director;
4. Three (3) ASUNM Senators, appointed by the ASUNM Vice President.

Section 2. Qualifications

In order for a student to be a member of the Elections Commission, they must:

1. Be a member of ASUNM;
2. Not be an official candidate for any ASUNM elected office;
3. Not be an Associate Justice, the Chief Justice, President, Vice President, Chief of Staff, Deputy Chief of Staff, or the Attorney General.

Section 3. Duties

The Elections Commission will be responsible for:

1. Maintaining uniformity in the application and operation of the Election Code;
2. Developing a uniform format for all proposed referenda, constitutional amendments, and opinion polls;
3. Conducting a combined endorsement meeting and public candidate forum to be held five (5) to seven (7) days prior to the voting period;
4. Presiding over elections by handling all violations of the Election Code, assessing fines, certifying the results, and carrying out all other duties necessary for conducting elections;
5. Retaining their powers and responsibilities until the final resolution of all contests of election;
6. Hiring ~~Poll Workers~~ **Elections Information Workers** for any polling station and any election they deem fit;
   1. ~~Poll Workers~~ **Elections Information Workers** must meet the same qualifications as Elections Commissioners;
   2. ~~Poll~~ ~~Workers~~ **Elections Information Workers** will serve for a period of time determined by the Elections Commission.
7. Conducting themselves at all times in a manner that promotes public confidence in the integrity and impartiality of the election process;
   1. At no time during their term serving on the Elections Commission will any member be permitted to publicly support or campaign for any official candidate.
8. Establishing ~~polling stations~~ **Elections Information Stations** on Tuesday from 10:00am to 4:00pm and Wednesday from 9:00am to 5:00pm of the Voting Period and any other subsequent elections;
9. Assisting Lobo Spirit in conducting the Homecoming Election as outlined by the procedures in the Lobo Spirit Code;
10. Hiring on a temporary basis and paying individuals to be Election Staff during times of Election, as necessary.
    1. This Election Staff must meet the same requirements for office as the Commissioners.
11. Conducting student outreach by:
    1. Maintaining social media accounts
    2. Working to ensure student organizations are aware of election dates, endorsement forums, and how to participate in the election process.

Section 4. Voting

1. All members of the Elections Commission shall be full voting members with the exception of the Executive Director who can only vote in the case of a tie.
2. Quorum will be met when a majority of the appointed voting members are present.

Section 5 – Terms of Payment

1. Elections Commissioners will be salaried at a rate to be determined by the Finance Committee and approved by the Senate.
2. ~~Poll Workers~~ **Elections Information Workers** will receive an hourly wage. Timesheets indicating hours worked will be turned in to the Elections Commission.
3. Senators appointed as members of the Elections Commission are forbidden from accepting any wage(s) or salary for their duties as part of the Elections Commission.

# Article II: Elections Commission Executive Director

Section 1. Responsibilities

The Elections Commission Executive Director will be responsible for:

1. Supervising all elections;
2. Maintaining uniformity in the application and operation of the Election Code;
3. Verifying that all official candidates are qualified to run for elected offices;
4. Preparing and providing instructions for the proper conduct of each election in accordance with the ASUNM Law Book and Constitution;
5. Appointing all Elections Commissioners;
   1. The Executive Director will also be responsible for instructing Poll Workers and Elections Commissioners of the proper methods of performing their duties as prescribed in the Election Code.
6. Investigating any violation(s) of the Election Code and reporting the violation(s) to the Elections Commission;
7. Preparing and furnishing each ~~polling station~~ **Election Information Station** with sufficient materials, including all necessary items for voters to cast their ballots;
8. Providing identification badges to all ~~Poll Workers~~ **Elections Information Workers** and members of the Elections Commission
   1. Identification badges must indicate the wearer’s authority in the election, the wearer’s name, and be worn at all times while performing duties.
9. Publicizing the location and hours of operation of all polling stations;
10. Voting only in the event of a tie in Elections Commission meetings;
11. Ensuring methods of voting are highly secured to protect the integrity of the elections.

# Article III: Elections Commission Assistant Director

Section 1. Responsibilities

The Elections Commission Assistant Director will be responsible for:

1. Assisting the Executive Director in fulfilling their duties;
2. Presiding over the Elections Commission in the absence of the Executive Director;
3. Assuming the duties of the Elections Commission Executive Director should the office of the Executive Director becomes vacant, until the time when the office is filled.

# Article IV: ~~Polling Stations~~ Elections Information Station

Section 1. ~~Polling Location~~ **Elections Information Station**

The following will be considered the minimum number of ~~polling stations~~ **Elections Information Station** for a fair and accurate election:

1. On the Tuesday of the voting period:
   1. There will be one (1) ~~polling station~~ **Elections Information Station** located on or near the mall level of the Student Union Building between the hours of 10:00 am to 4:00 pm.
2. On the Wednesday of the voting period:
   1. There will be one (1) ~~polling station~~ **Elections Information Station** located on or near the mall level of the Student Union Building between the hours of 9:00 am to 5:00 pm.

Section 2. Polling Operation

Each ~~poll~~ **Elections Information Station** will be operated at all times by at least two (2) members of the Elections Commission or poll workers.

# Article V: Notice of Elections

Section 1. Election Notices

1. To ensure that every undergraduate student has the opportunity to see election notifications, the Elections Commission must advertise elections:
   1. Notice of elections shall be provided by method of choice at the discretion of the Elections Commission;
   2. All notices will be written in a format to be determined by the Elections Commission based on the available advertising opportunities;
   3. All dates must be published to the Elections Commission’s own digital locations and presence, including but not limited to the Elections Commission website;
   4. The Election Commission will publish at least one (1) advertisement that publicizes the locations and hours of all polling stations during the election voting period.

Section 2. Open Offices

The Elections Commission will give written notice of all open offices, on which to be voted, a minimum of twenty–five (25) days prior to the Wednesday of the voting period.

Section 3. ~~Physical Polling~~ **Election Information** StationNotices

1. The Elections Commission will publicize when ~~polling stations~~ **Election Information Stations** are open by placing at least one (1) sign at each location on Tuesday from 10:00am to 4:00 pm and Wednesday from 9:00am to 5:00pm during the voting period.
   1. The sign(s) must clearly state “Polls Open Today” and “**Ask Us How to** Vote Here” as well as stating the type of election being held.
2. The Elections Commission will advertise the Presidential and Senatorial General Elections in the following manners from twelve (12) days prior during the voting period:
   1. Approved electronic displays in the Student Union Building.
   2. Approved outdoor displays will clearly display a banner no smaller than six (6) feet long by three (3) feet wide at the discretion of the Elections Commission.

Section 4. ~~Poll Worker~~ **Election Information Worker** Hiring Notices

Notification for hiring ~~Poll Workers~~ **Election Information Workers** will be advertised in a medium at the discretion of the Elections Commission.

# Article VI: Referenda, Constitutional Amendments and Opinion Polls

Section 1. Referenda

Proposed referenda, constitutional amendments, and opinion polls must be received by the Elections Commission no later than 5:00 PM of the twelfth (12) day prior to the Wednesday of the voting period in order to appear on the ballot.

Section 2. Referenda Format

The Elections Commission is responsible for placing all proposed referenda, constitutional amendments, and opinion polls in the proper format for the ballot.

The Elections Commission will visibly post the full text of any proposed referenda, constitutional amendments, and opinion polls at all ~~polling stations~~ **Election Information Stations**

# Article XI: Voting

Each student, as defined by the ASUNM Constitution, wishing to vote may cast their ballot via MyUNM ~~or at a polling district~~ by using their UNM Net ID and password to access an on–line ballot.

~~Section 1. Polling Stations~~

1. ~~In no case may any individual be allowed to cast a ballot at a polling station before polling stations have officially opened or after polling stations have officially closed.~~
2. ~~Once a polling station has been opened, it may not be closed prior to the regularly scheduled closing time unless an unforeseeable occurrence mandates the Elections Commission to close it.~~
   1. ~~The polling stations will close at 4:00 p.m. on the Tuesday of the voting period, and at 5:00 p.m. on Wednesday of the voting period.~~

Section 2. Voting

All students may at their own discretion:

1. Cast their ballot no more than once per election;
2. Cast up to ten (10) total votes for Senators in a Senatorial Election and up to on (1) vote for President and one (1) vote for Vice President during the Presidential/Vice Presidential Spring General Election;
   1. No candidate may receive more than one (1) vote on a single ballot.
3. The following agreement shall precede the ballot page on the Universal Online Ballot: I hereby agree that my vote is confidential and entirely my own. I understand that I may exercise my right to report misbehavior or harassment regarding the elections process to the Elections Commission at election@unm.edu or 505–277–5528.

Section 3. Election Voting Period

1. The voting period will be defined as beginning on Monday at 9:00 am and ending on Wednesday at 5:00pm.
   1. The Universal Online Ballot will remain open during the entirety of the voting period.
   2. ~~The polling station on the Tuesday of the voting period will be open in the Student Union building from 10:00 a.m. until 4:00 p.m.~~
   3. ~~The polling station on the Wednesday of the voting period will be open in the Student Union Building.~~
   4. The homecoming elections will follow the procedure outline in Article 1, Section 3, Subsection I.
2. The Election Voting Period will take place as follows:
   1. The Universal Online Ballot will open on the Monday of the voting period at 9:00 a.m. and remain open until the Wednesday of the voting period at 5:00 p.m.
   2. ~~Polling stations will open on Tuesday from 10:00 a.m. to 4:00 p.m. in the Student Union Building, and Wednesday from 9:00 a.m. to 5:00 p.m. in the Student Union Building.~~
3. The voting period will follow the above outlined procedures in Article XI Section 1 and Section 2.