First Issue 2/12/15—“ZTA supports Madeline)

- Vitality Party Appeal of Supervisor Decision
- Campaigning

Decision of the Election Commission (by vote) to have the Supervisor of election (represented by her deputy) make case for appeal.

- Discussion on the ZTA wall for Madeline. (Violation 715.7D by Vitality Party 2/9)-
  Time-Violation filed on 6th
  - Email was sent from Vitality party to ZTA to remove the sign on 2/9
    - Wall has been removed- Within a day of request to remove.
    - If a third party org does something, is the political party liable?
      - If you are part of a party you are, as far as violations go.

- James Stage (Vitality Party Representative)
  - Madeline’s relation to ZTA
    - She is a sister.
  - (EC-Q) Why was it (painting on wall) kept up so long?
    - (A) Confusion and lack of communication
  - (EC-Q) Is Madeline a part of Vitality?
    - (A) Yes
  - Although she is a member, and she had no knowledge, was immediate action taken?
    - No knowledge, immediate action taken once they got knowledge

- Tavares (vice chair of Vitality)
  - (Tavares Statement) Vitality party cannot paint over walls without either getting permission, or getting in trouble.
  - (EC-Q) Does ZTA know about election code?
    - (A) Don’t know
  - (EC-Comment) As a member of PanHellenic, they probably know the rules
  - (POINT OF INFO) The problem isn’t that the wall says “vitality” the problem is that it says “support vitality”
  - (EC-Q) What’s your interpretation of 714.1?
    - (T-A) Disagreement with Advisory Opinion
    - (T-A) Dispute over “of” and “or”
    - Tavares agrees that it is a violation, but it was not his party that should be held liable
  - (EC-Q) Who should be culpable? Madeline or the party?
  - (POINT OF INFO) Wall was removed within 24 hours- on the 10th.

- All Parties agree to forgo closing.
- Chairperson
  - Two things to vote on
    - Violation?
      - 5/5-unanimous yes
    - Whether or not the alleged violation should be sustained?
      - Yes 5/5
Schedule 2 violation of 715.7D
716.3(a)(1) penalties
- Assignment of Violation
  - Unanimous vote to fine individual
    - Assignment $100.00 schedule II violation penalty

The Appeal

Will we hear the appeal?

- We’re going to do the process of the appeal and render our decision from there.

Supervisor of Election (through representative)

- All violations filed on the first possible date to receive those violations
  - Forwarded to Elections Commission
  - Informed the next day that they needed to render an opinion before proceeding
    - Various social media postings are calls to action
  - Is the Advisory Opinion Binding?
    - Difference of opinion
  - Why isn’t this a call to action?
  - Statement that candidate is running v. campaigning
    - Key words such as “support” “vote for”
      - There is no ask(for vote/action)
    - Does this apply to the public at large?

James Stage (Vitality Party)

- Statute discusses whether or not candidates have made clear their intent to run
  - Every picture that has been submitted is over a week old.
  - Random people saying that they are going to run for office and they had ignite party logo on pictures
  - Social Media is the best platform for student government elections
- (EC-Q) So you’re saying it is usual procedure to announce candidates after getting it cleared?
  - That’s the interpretation that we’re operating under.
- A lot of this hinges on the interpretation the language of statute-714.1 is what’s under contention
- (EC-Q) So you’re saying that the Supreme Court opinion is saying something that the statute is not saying?
  - (TAVARES STEPS IN) Right.
- About the Sup Election not forwarding
  - If she wanted to use 703x, she would have to use it on first submission review
  - What he is saying is we have to either overturn her, or sustain her.
    - What are your arguments that we have to do that?
      - Because it’s an appeal we have to overturn it
- Once you get slated by your party, there is a difference from an individual saying that they are going to run (without eliciting support)
- Whether the decision of the supervisor of elections is sustained or overturned
  - Call to vote to hear the cases
    - 3/2-we will hear the violations

**The Big One** - Proceedings on the 33 violations begins

- Time management
  - How are we going to time each of the myriad violations?

Tavares is presenting a proposed list of violation orders.
- Election Commission decides to hear the violations under 715.7D.
- How to divvy up the time?
  - 2 minutes
    - Both parties agree 90 seconds and rebut 30 (if wanted)

**715.7D** - Facebook picture with candidates and balloons that spell out “2015” 1/12

*Tavares (Stage)* - Vitality

- Picture is a clear indication that the candidates are running
  - Year balloons
  - Party connection to candidates
    - Ownership of candidates
  - Clearly lay out candidates and their offices
  - First aware of the post on February 4th

*Michael Berrios - Ignite Party*

- WE do not believe that these are violations
  - Just to have balloons with them is not an indication that they are new candidates for the year
    - Maybe a new year post
- Do not believe that this is campaign material
  - No specific call to action
- **Rebuttal**
  - 12 days after new year

**Rebut (from ignite)**

- This is still a new year message
  - And this is a candidate for this position (715.7)

**Deliberation**

- Does this constitute a violation of 715.7D-prior to allotted date
  - 4-1-yes, violation
- Whether or not the violation should be sustained
  - 4-1-yes, violation
**1/13-Executive Ticket Album** (7 individual pictures)

- **James Stage** (Vitality Party)
  - Across all 7 picture ID every person, what they’re running for, what party they are affiliated with.
- **Rebut** (Berrios-Ignite)
  - This does not call to action the right to vote
- **Rebut (Stage)**
  - There is an element of good faith because the pictures were still up when this meeting started

Motion to Vote
- 1-4-Not a violation

**715.7D 1/14- Facebook Video (synchronized dance)**

*Barrios-Ignite*

- This is not a call to action

**Rebut (Stage-Vitality)**

- They are attaching #getIgnited to a candidate

**Vote-715.D**

- 4-1: Yes, this is a violation
- 4-1-yes sustained

**715.7D-HBD Tweet 1/15**

- There is a mistake on the violation submitted to the
- Unanimous vote to throw out violation

**1/16 Connor Boss-Ignite In Vegas 715.7D**

- **Berrios(Ignite)**
  - The candidate happened to be at a place called the Ignite Lounge
- **No Rebuttal**

**Deliberation**

- There seems to be consistency in the rulings concerning affirmative calls to action in the social media posts
- Violation of 715.7D
  o 1-4-no violation
  o 1-4-Not sustained

1/20-715.7D-Facebook post-(Picture of Girl behind podium) -I think
- Vitality party representatives withdraw violation

1/21-Ignite Status
- Stage(Vitality)-yields time
- Berrios(Ignite)
  o No candidate specificity
  o No call to action
- Rebut-Vitality
  o “Ignited” is a call to vote
- Barrios Rebuttal
  o “Ignited” is not the same as “get ignited”

Vote
- Violation?
  o 1-4-Not a violation
  o 1-4-Violation not sustained

1/25-31-Instagram
- Vitality Withdraws

7 Violations Related to the Ignite Party Website
- Stage(Vitality)
  o Candidates publish their qualifications
  o Stay #stayignited
- Barrios(Ignite) Rebut
  o Too attenuated.
  o Are you ignited? I’m ignited right now.
- Stage(vitality) Rebut
  o Pathos elicititation of support
- Barrios (Ignite) Rebut
  o Beliefs of candidates cannot be construed as a call for support

Deliberation
- Just buzzwords

Vote/Deliberation
- 1/27 @ 5:15 Facebook-go to bio
- Too attenuated. If facebook page linked to ignite candidate bios, then there may be more of a question
  - 715.7D
    - 0-5-unanimous not a violation

- Connor Boss Bio
  - Violation?
    - 0/5
    - No violation

- Luke Ryan Bio
  - Violation?
    - 0/5
    - No violation

- Kaylee Hartman
  - Violation?
    - 0/4
    - No violation

- Jada Jones
  - Violation?
    - 0/4
    - No violation

- Jennifer Lucas
  - Violation?
    - 0/4
    - No violation

- Lauren Thompson
  - Violation?
    - 0/4
    - No violation

- Andrew Wilson
  - Violation?
    - 0/4
    - No violation

1/29-Video Naming Ignite Candidates

Throwing out Golden Tribe Lecture Video
  - Thrown out by Vitality Party

Video From Former Ignite Members

- Stage-Vitality
  - Clear call for support

- Barrios-Ignite
  - Just a general informational video
  - Just stating that they are former members
Only speaking to current members
- **Rebut-(Stage-Vitality)**
  - Bring your friends
    - Attempt to pull people in
  - Available for all to see
- **Rebut Barrios(ignite)**
  - Four individuals stating that they support certain candidates

**Deliberation**

- Violation?
  - 5-0-unanimous yes
- Sustained?
  - 5-0-unanimous yes

1/31-Ignite AASU Lunar Ball SGA Logo
- Withdrawn by Vitality

**General Body Meeting Slate Announcement -APPEAL**

- Supervisor
  - We requested an advisory opinion from SSC, and we are acting in conformance with that advisory opinion.
- Vitality
  - Advisory opinion adds a word into the statute, thus operating under the decision is wrongful.
  - Also, this is active campaigning
- **Rebut Supervisor**
  - Nebulous call to action definition, going to cause trouble down the line
    - Ha! Not for us. Maybe for us. I’m graduating next year. Who knows?
- **Vitality Close**
  - The onus is actually on us.

**Deliberation/Vote**

- Sustain or Overturn the appeal?
  - 0-5-Sustained