

Completed in triplicate

ASSOCIATED STUDENTS JUDICIARY  
California State College, Long Beach

COMPLAINT TO REQUEST A DECLARATORY JUDGMENT

To: Associated Students Judiciary

From: JIM BULLARD, A.S. ELECTIONS COMMISSIONER

Date: MARCH 16, 1971

The undersigned requests a review of the rights and duties pursuant to:

SELECTION OF CANDIDATES FOR RUN-OFF ELECTIONS.

Cause for request: CHAPTER I, ARTICLE V, SECTION 6, WHICH  
"STATES "A MAJORITY OF ALL VOTES CAST IN THE BALLOTING PROCEDURE  
SHALL BE NECESSARY TO ELECT ALL A.S. OFFICIERS"

Briefly explain the substance of your issue: IF NO CANDIDATE RECEIVES  
A MAJORITY OF ALL VOTES CAST, WHAT PROCEDURE SHOULD  
BE FOLLOWED FOR SELECTING CANDIDATES TO  
PARTICIPATE IN A RUN-OFF ELECTION. THIS REQUEST  
PERTAINING TO A.S. OFFICIERS ONLY.

The undersigned does hereby request a judgment on the preceding issue.

Signed Jim Bullard

ASSOCIATED STUDENTS JUDICIARY  
California State College, Long Beach

DECLARATORY JUDGEMENT

Jim Bullard, AS. Elections Commisioner has requested this Judiciary to make a declaratory judgment pertaining to A.S. Bylaws Chapter I, Article V, Section 6, which states" A majority of all votes cast in the balloting procedure shall be necessary to elect all A.S. Officers." Mr. Bullard asks,"If no candidate receives a majority of all votes cast, what procedure should be followed for selecting candidates to participate in a run-off election. This request pertaining to A.S. Officers only."

Any questions concerning,"What procedures should be followed for selecting candidates to participate in a run-off election" are considered by this Court to be within the jurisdiction of the A.S. Elections Commission. Therefore, this Court, after serious deliberation, refuses to make a declaratory judgment on this case, referring the case in question to the A.S. Elections Commission.

This A.S. Judiciary bases its rejection on the following statutes:

A.S. Bylaws Chapter II, Article VI, Section 1-A, which states:  
The A.S. Elections Commission shall formulate its own Election Code and supplementary regulations including regulations on campaign publicity, campaign expenditures, supervision of polling places, balloting procedures, forms of ballots, counting the ballots, and method of confirming official results of A.S. elections and supplementary regulations.

A.S. Elections Code Chapter I, Section 2, B-4, which states:  
Any regulation that is necessary and proper as long as such does not contradict, amend, or delete from this code or the bylaws of the Associated Students.

In conclusion, by rejecting Mr. Bullard's request for a declaratory judgment, this Court interprets the afore mentioned statutes as reaffirming the power and responsibility of the A.S. Elections Commission to determine , "What procedures should be followed for selecting candidates to participate in a run-off election."

Adjudicated March 18, 1971

It is so Ordered.



Gayle Alaimo, Assoc. Jus.



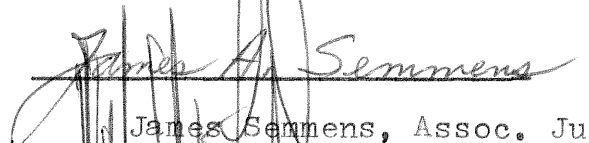
Brian Arthur, Assoc. Jus.



Gordon Park, Assoc. Jus.



David Schmidt, Assoc. Jus.



James Semmens, Assoc. Jus.



Bill Latham, Assoc. Jus.



George Salmas, Chief Jus.