



**Attorney General of the
Associated Students of the
University of Utah**

Interpretation Request

Redbook Section in Question:

Redbook Constitution or Bylaws? Bylaws

Article: I

Section: 2

Clause: 2.1

Requestor Information:

Name: Mitch Kirkham

Position/Affiliation: ASUU Assembly Chair

Email: mkirkham@asuu.utah.edu

Date: 01/25/2019

Question (Be as specific as possible):

If two students are both runners-up for a seat and received the same number of votes, which student should be offered the seat first? Should the legislative body's Chair interview them if they're both interested in filling the seat?

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Attorney General: Cole McCubbins

Text of Section in Question:

"Vacancies of any Assembly or Senate seats should be filled by the runners-up in the most recent College elections in descending order until the position is filled."

Interpretation:

Both students should be offered the position at the same time. If one desires to take the seat and the other does not, the student who would like the seat should fill it. If both desire to take the seat, the winner should be decided by fair and random chance (e.g. a coin toss). Should the seat become vacant again in the same academic year, the student who was offered the seat but did not fill it should be offered the position again. If neither student desires the seat, the next runners-up from the most recent College elections should be offered the seat as per standard procedure.

The legislative body's chair should not interview these students nor decide who will get the seat, just as they should not interview other runners-up in position to fill a vacant seat.