

Part IV. Website Receipt Fine

The Election Commission concedes that this fine was levied in violation of their rules. Therefore the amount of \$20.00 is to be refunded.

Part V. Shipping Regulations

The election rules do not state how to deal with shipping in FMV assessment. The Court uses the reasonable person standard and has determined that based on the wording of the rules one cannot be expected to additionally charge for shipping. Therefore, the amount of \$94.27 is to be refunded.

Part VI. Disqualification Due to Budget

The rules and regulations specifically list major and minor fines and their consequences. However, the rules and regulations do not in any way explicitly state the consequences for going over budget. The Court finds that a reasonable person would not know the potential consequences of going over budget as multiple consequences can be inferred. Therefore, a candidate cannot be disqualified based on running over budget due the absence of an explicit clause concerned with budget amounts and there relation to disqualification.

Part VII. PVC Pipe

The Commission does not contest the unused two PVC pipes. Therefore, the amount of \$10.00 is to be refunded.

Part VIII. Expenditure of Food

The food in question was purchased in January prior to campaign season. As such this falls outside of the Election Commissions regulation scope based on the date. The election rules and regulations state that you cannot distribute food and beverages however this is to be interpreted as soliciting food items for votes which is not the case here. Therefore, the amount of \$238.94 is to be refunded.

Part IX. Excessive Punishment

The representative body of student government, the Student Senate, has approved all of the fines, and punishments listed in the rules and regulations. As such the Court defers the opinion of 'Excessive Punishment' to their discretion.

IMPLICATIONS

For the above reasons the Court refunds the amount of \$473.48 and based on part VI of this opinion rules the disqualification of John Claybrook to be invalid. As such, based on the uncertified results of the March 2nd run-off election, John Claybrook is ruled to be the Student Body President-Elect.

...It is so ORDERED