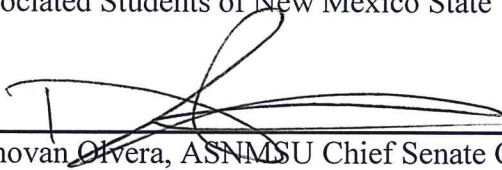


The Associated Students
Of
New Mexico State University

BILL #154


The attached legislation has been properly approved by the members of the Sixtieth Senate of the Associated Students of New Mexico State University in accordance with ASNMSU Law.



Donovan Olvera, ASNMSU Chief Senate Clerk

4/5/17

Date

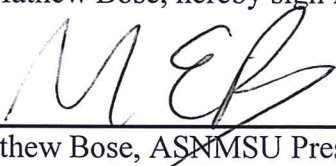


Kevin Prieto, ASNMSU Vice President

4/5/17

Date

I, Mathew Bose, hereby sign into law this attached piece of legislation.



Mathew Bose, ASNMSU President

4/5/17

Date

SENATE OF THE ASSOCIATED STUDENTS
OF NEW MEXICO STATE UNIVERSITY

BILL #154

SIXTIETH SENATE

2016-2017

Introduced by: Forbes, Munoz, Cairns, Heins, McCarty, Jones Date: 03/07/2017

Referred to: Rules, Community Affairs, Finance Date: 03/09/2017

Senate Action: PASSED Date: 03/30/2017

Date Signed: _____

LX-16-17

AN ACT

1 AMENDING SECTION 4-3-1 OF THE 2016-2017 ASNMSU LAW BOOK. BE IT ENACTED BY THE SENATE OF THE
2 ASSOCIATED STUDENTS OF NEW MEXICO STATE UNIVERSITY.

3

4 Section 1: Purpose of Act.

5 To amend the impeachment procedure outlined in Section 4-3-1 in order to make it consistent with Sections 8-9-K-3
6 and 8-9-K-4 of the Rules of the Senate. The Law Book is amended with deleted material [in brackets] and inserted
7 material underlined:

8

9 Section 2: Main Provisions.

10

11 **4-3. ASNMSU SENATE REMOVAL AND IMPEACHMENT ACT**

12

13 **4-3-1. MAIN PROVISION**

14 Any ASNMSU Senator [may] shall be removed from office if the Senator is referred to the Supreme Court by a
15 three-quarters (3/4) vote of the membership of the ASNMSU Senate present and voting or if the Senator is
16 [automatically] referred to the Supreme Court by their college council upon the accumulation of six (6) points or by
17 the Senate body upon the accumulation of seven (7) or more points, as set out in Sections 8-9-K-3 and 8-9-K-4 of
18 the [rules] Rules of the Senate, and the Senator is found guilty of the charges made against the Senator by the
19 ASNMSU Supreme Court.

20

21 Section 3: Rationale.

22 During the 60th Senate, the ASNMSU Attorney General highlighted the fact that the two sections of the Law Book
23 that concern the impeachment procedure for Senators, Section 4-3-1 and Section 8-9-K, were inconsistent. Section
24 8-9-K-3 stated that Senators are to be referred to their college council upon the accumulation of six (6) penalty
25 points, with the council having the discretion to determine whether or not to impeach a senator and refer them to the
26 Supreme Court of the ASNSMU. According to 8-9-K-4, should senator accumulate a seventh point, the Senate body
27 shall have discretion to determine whether or not to refer the senator to the Court. However, Section 4-3-1 contrarily
28 stated that Senators are automatically referred to the Supreme Court upon the accumulation of six points, with the
29 section incorrectly citing the Rules of Senate. Legislative bodies within the United States typically exercise the
30 power to expel a member, and while the point system is definitely suitable for the purposes of the ASNMSU Senate,
31 the Law Book should recognize senatorial prerogative concerning expulsions and impeachment. Section 4-3-1 ought
32 to be amended to coincide with the Rules of the Senate and not vice-versa.