



The Associated Students of New Mexico State University

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Office of the Attorney General

Official Opinion

TO: Jay Choate, *GSC Vice President.*

FROM: Devon Harrison, *ASNMSU Attorney General*

DATE: April 4th, 2025

TITLE: “Clarification on the Procedure for Amending the College Council Bylaws”

Subject:

This opinion addresses the following questions:

- 1). What is the procedure for amending the College Council Bylaws?
- 2). If the College Council Bylaw amendments are presented to 4 Councils, can they be presented to the Senate, or must they be presented in all Councils before being presented before the Senate?

Applicable Bylaw:

ASNMSU College Council Bylaws:

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1-10. AMENDMENTS TO THESE BYLAWS

The undergraduate councils shall have the power to amend these bylaws, with the advice and consent of the ASNMSU Senate.



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A. In order to be enacted, amendments to these bylaws shall first pass at least four (4) of the councils, receiving at least a two-thirds (2/3) vote in each council, and be consented to by the ASNMSU Senate while also receiving at least a 2/3 vote.

B. Amendment proposals shall be introduced into one of the councils in the form of a council resolution. Upon passage through this initial council, the resolution shall be sent to the remaining councils, who shall have the power to amend, approve or reject the resolution. Amendments must be set out in full, and the same version of the amendment must pass in at least four of the councils before it may be acted upon by the Senate.

C. After at least of 4 of the councils have approved the amendment, it shall be submitted to the ASNMSU Senate for consideration in the form of a procedural resolution which shall be sponsored by an ASNMSU Senator. If no senator wishes to sponsor the resolution, then the senior most senator of whichever college whose council initiated the amendment proposal shall be the default sponsoring senator, though they shall not be compelled to vote in favor of the resolution.

D. The proposed amendments shall go through either the three standing committees or Committee of the Whole. A representative from whichever council initially proposed the amendment shall act as a guest for the resolution and shall present the proposal to the Senate and be available for questions.

E. The Senate shall not have the power to amend the proposed amendments for reasons other than grammar and structure but shall simply vote whether to approve or reject the proposal.

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Opinion Rendered:

To address the above questions, I will outline the responses in numbered sections corresponding to each query. Key points are highlighted in **bold** for clarity.

I. Summary of Amending Process

As outlined in **Section 1-10-C** of the College Council Bylaws, amendments to the bylaws must pass through at least four (4) college councils before being presented to the ASNMSU Senate for consideration. The Senate's ability to amend proposals is limited to grammatical or structural changes, as specified in **Section 1-10-E**.



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II. Procedural Steps for Presentation to the Senate

Once the amendments have been approved by the required four (4) councils, a procedural resolution will be crafted and presented to the Senate for consideration. Senate leadership will be CC'ed in the email that distributes this official opinion, ensuring they are informed of the next steps in the process. The resolution will be presented on April 10th if done through Committee of the Whole or on April 24th (the last Senate meeting) if it waits to go through Committees in Committee week.

Best,

Devon L. Harrison - he / him / his

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