



# The Associated Students of New Mexico State University

MSC 7110, P.O. Box 30001 | Las Cruces, NM 88003

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asnmsu.nmsu.edu

## Office of the Attorney General

### Official Opinion

**TO:** Andres Uribe, *ASNMSU HEST Senator.*

**FROM:** Devon Harrison, *ASNMSU Attorney General*

**DATE:** February 27<sup>th</sup>, 2025

**TITLE:** "Official Opinion on Bill 275"

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#### **Subject:**

Could you please provide clarification on event and conference funding under ASNMSU Bylaws?

#### **Applicable Bylaw:**

#### **ASNMSU Bylaws:**

#### 7-3. ASNMSU GENERAL FUNDING RULES

An act establishing the ASNMSU Senate appropriation general regulations that applies to all funding appropriations.

#### 7-3-1. DEFINITIONS

A. "Recognized organization" means any agency, club, or student group on file as prescribed by the NMSU Office of Student Involvement & Leadership Programs; and

B. "Represented in a College Council" means an organization is a member of only one (1) College Council and abides by the rules and regulations set by the College Council; and



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C. “Community service project” means any project performed by a recognized organization that has improved the quality of life in the community. Community service projects must be of human interest in nature and non-profit. Projects performed by organizations must be verifiable; and

D. “Operating expenses” are those that recur and are required for the organization’s normal functioning over the course of the academic year. Operating expenses shall not include funding for items or activities that are intended to provide something that is available to the general membership of ASNMSU, such as speakers and other service-oriented activities; and

E. “Team” means only those individuals destined to compete in a competition; and

F. “Community Service Organization” means any group whose purpose is primarily service-oriented (service being to either NMSU or the community at large). The decision as to whether or not a group is service oriented shall be made by the NMSU Office of Student Involvement and Leadership Programs with a designation of “Service/Civic Engagement”; and

G. “Traveling Expenses” means covered expenses relating to conference, research, competition, and community service travel.

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### 7-4-3. MAIN PROVISIONS

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K. The ASNMSU Senate shall make appropriations for student organizations recognized by NMSU to fund conferences, seminars, and workshops:

1. The ASNMSU Senate may provide up to one hundred (100%) of the total funds requested to defray the cost of travel expenses, lodging, venue costs, and booking fees or six thousand dollars (\$6,000), whichever is less; and

2. All student organizations requesting funds for such an event will be required to present a petition with no less than two hundred (200) undergraduate or graduate student signatures, a student’s New Mexico State University assigned email address, and a letter from the organization advisor presented to the ASNMSU Senate Credentials and Archives Committee:



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a. Letters must include at least: who is speaking, where the event is taking place, and the duration of the event. Said letter must be on letterhead including, contact information for the organization advisor.

3. If a similar event has already received appropriations from the ASNMSU Senate in an academic year, the event cannot be funded; and

4. All events must be free to members of the ASNMSU; and

5. Organizations cannot ask for funding for conferences, renowned public speakers and presenters, seminars, and workshops events more than one (1) time in an academic year; and 6. Any organization that receives this sponsorship must list ASNMSU as a sponsor with the inclusion of the ASNMSU logo for that specific event.

### ASNMSU Senate Legislation:

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### Opinion Rendered:

Bill 275 references both "conference" and "event," leading to ambiguity regarding its classification. The Comptroller's Department recommended seeking an official opinion from the Attorney General's Office to clarify whether the bill aligns with ASNMSU's funding regulations.

Upon review, the Attorney General's Office has determined that ASNMSU funding for conferences is primarily limited to travel-related expenses, as outlined in Section 7-3-1-G. However, Section 7-4-3-K of the Financial Procedure Manual states that the Senate may fund conferences, subject to a \$6,000 cap and additional conditions.

1. Bill 275 meets the criteria for an event bill as outlined in Section 7-4-3-K and its subsections.
2. The bill satisfies the procedural requirements in 7-4-3-K-2, 7-4-3-K-2a, 7-4-3-K-3, 7-4-3-K-4, and 7-4-3-K-5.

It is the Attorney General's Office interpretation that ASNMSU Senate funding for conferences applies to travel expenses rather than hosting events and since Bill 275 aligns with event bill requirements under 7-4-3-K, it is legally classified as an event bill.

The Attorney General's Office concurs with the Comptroller's Department's recommendation and confirms that Bill 275 should be processed as an event bill. Moving



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forward, the Attorney General's Office will collaborate with the Comptroller's Department and fiscal team to enhance clarity on event bill procedures.

Should you have any further questions or require additional clarification, feel free to reach out. Thank you for your attention to this matter.

Best regards,

**Devon L. Harrison - he / him / his**

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