THE BYLAWS OF THE ASSOCIATED STUDENTS OF NEW MEXICO STATE UNIVERSITY

This manual contains the procedures, rules, and structure of the Associated Students of New Mexico State University.

This document is certified by the NMSU Dean of Students:

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PREAMBLE

We, the Associated Students of New Mexico State University (ASNMSU), do hereby establish this Constitution to serve and protect the welfare of the Student Body. With a commitment to representing all students' diverse interests and rights, our sole purpose shall be to foster a fair, inclusive, and supportive community - enabling active engagement in academic, social, and civic pursuits. As student representatives, we pledge to maintain transparency, integrity, and accountability, ensuring true and just advocacy. We reaffirm our commitment to eliminating any self-centered motivations in favor of advancing the collective well-being and educational enrichment of NMSU, acknowledging all rights and responsibilities granted herein.

1. THE CONSTITUTION OF THE ASNMSU

1-1. NAME, MISSION, AND VISION

1-1-1. NAME

The name of this student association shall be "The Associated Students of New Mexico State University," hereafter referred to as the "ASNMSU."

1-1-2. MISSION STATEMENT OF THE ASNMSU

We exist to advocate and progress all interests of the students at New Mexico State University, by diligently offering captivating events, student-centric services, and all-inclusive programs for every student in the Aggie Family.

1-1-3. VISION OF THE ASNMSU

Creating an inclusive campus atmosphere and fostering an engaging college experience for every Aggie.

1-2. MEMBERSHIP, STRUCTURE, AND LIMITATION OF POWER

1-2-1. MEMBERSHIP

A. All students of Las Cruces NMSU Main Campus who have paid the ASNMSU supporting fees shall be members of the ASNMSU and shall be entitled to the benefits associated with membership.

B. Membership structure looks as follows:

a. ASNMSU Staff: A paid employee of ASNMSU – hourly pay or through scholarship.

b. ASNMSU Intern: An intern of ASNMSU receiving resume experience and/or course credit.

c. Associated Student, Constituent, or Member: All students enrolled in programs at the NMSU Las Cruces campus who pay the ASNMSU Fee.

1-2-2. GOVERNMENTAL STRUCTURE

A. The governing structure of the ASNMSU shall consist of three branches: the legislative, the executive, and the judicial.

B. The association's governing documents of ASNMSU shall consist of the ASNMSU Bylaws, an

overarching term, which includes the following documents:

a. the ASNMSU Bylaws

i. ASNMSU Constitution

ii. The ASNMSU Election Code

iii. The Executive Bylaws

iv. The Judicial Bylaws

1. Appendix A

v. The Legislative Bylaws

vi. Rules of the Senate

b. The ASNMSU Financial Procedures Manual

c. The College Council Bylaws

1-2-3. LIMITATION OF POWER

The ASNMSU shall not have the power to enact any bylaw or adopt any policy which infringes upon the rights of any policy-determining body of NMSU to perform their duties and responsibilities.

1-3. LEGISLATIVE

1-3-1. LEGISLATIVE POWER VESTED

All legislative powers granted in this Constitution shall be vested in the Senate of the ASNMSU, hereafter referred to as the "Senate."

1-3-2-1. MEMBERSHIP

A. The Senate of the ASNMSU shall be composed of Senators elected by ASNMSU members from the university's Undergraduate Academic Colleges and the Graduate Academic College, hereafter collectively referred to as the "Colleges."

B. Senators of the ASNMSU shall be elected for a term of one (1) year and shall take office at the last regularly scheduled Senate meeting of the semester of their election.

C. No person shall serve as a Senator who is not, at the time of election and throughout their term:

1. A member of the ASNMSU; and

2. Not under academic or disciplinary probation; and

3. A student is enrolled in the Academic College by which they are elected.

D. No Senator of the ASNMSU shall hold an additional elected office or appointed position within the ASNMSU except as may be provided through the Bylaws.

E. No person shall be eligible to serve as a Senator if they are enrolled in a recurring class scheduled to overlap by more than ninety (90) minutes from the start time of any regularly scheduled Senate meeting or assigned committee meetings.

1-3-2-2. APPORTIONMENT

A. The members of the ASNMSU Senate shall be apportioned among the various Academic Colleges in direct proportion to their respective enrollments, as determined by the official fall semester enrollment figures from the previous year provided by the NMSU Registrar.

B. Each Academic College shall have at least two (2) Senators of the ASNMSU.

C. Amendments to apportionment shall require the affirmative vote of three-fourths (3/4) of the Senate membership present and voting.

1-3-2-3. VACANCIES

A. When a vacancy occurs in the Senate of the ASNMSU, the College Council of the respective Academic College may elect an interim Senator to serve the remainder of the unexpired term.

B. Senators must not represent any student organization in any college council, regardless of affiliation.

1-3-2-4. OFFICERS OF THE SENATE

A. The Vice President of the ASNMSU shall serve as President of the Senate and shall have no vote unless the Senate is equally divided.

B. The Senate shall choose its other officers and a President Pro Tempore, who shall serve in the absence of the Vice President or when the Vice President is exercising the Office of the President of the ASNMSU."

1-3-3. POWERS AND DUTIES

The Senate of the ASNMSU shall have the authority to pass all legislation necessary and consequent to any provision of this Constitution. No money shall be drawn from the treasury except as a consequence of appropriations made through the bylaws. The Senate of the ASNMSU may levy such fees as may be necessary to support the ASNMSU upon the consent of the ASNMSU. The Senate of the ASNMSU shall have the sole power to initiate impeachment proceedings against any individual holding a position of trust and confidence under the ASNMSU on allegation of nonfeasance or misfeasance by a three-fourths (3/4) majority vote of those present and voting. The Senate of the ASNMSU shall have the sole power to try any member of the judiciary in matters of alleged nonfeasance, misfeasance, and, if guilt is found by a three-fourths (3/4) majority vote of those present and voting, to remove such a person from office. The times, places, and manner of holding elections for Senators and Executive Officers of the ASNMSU shall be prescribed by the Senate of the ASNMSU. The Senate of the ASNMSU shall be the judge of the elections, returns, and qualifications of all elected officials of the ASNMSU and may delegate these duties as prescribed through the bylaws.

1-3-4. ENACTMENT AND VETO OF BILLS

Every bill having passed the Senate of the ASNMSU shall be presented to the President of the ASNMSU before being enacted into bylaw. If the President of the ASNMSU approves, the bill shall be enacted by the President of the ASNMSU 's signature. If the President of the ASNMSU disapproves, the President of the ASNMSU shall return the bill with a written message of objections to the Senate of the ASNMSU. The Senate of the ASNMSU may then reconsider the bill; should two-thirds (2/3) majority of the Senators of the ASNMSU present vote in the affirmative upon the bill, it shall be enacted into a bylaw Should the President of the ASNMSU fail to return a bill to the Senate of the ASNMSU within two (2) weeks after it has been presented, the bill shall be enacted into bylaw as though the President of the ASNMSU had signed it, provided the Senate of the ASNMSU shall not have prevented its return by its adjournment. All bills shall be transmitted to the Office of the President of NMSU and the Office of the NMSU Dean of Students within forty-eight (48) hours of enactment into bylaw. The President of NMSU or designee shall have the power to nullify the annual general appropriations bill within two weeks after it has been presented to them.

1-3-5. MEETINGS AND RULES OF PROCEEDINGS

The Senate of the ASNMSU shall convene no less than once every two (2) weeks during the fall and spring semesters. A regular meeting may be omitted by a two-thirds (2/3) majority vote of the Senate of the ASNMSU. A majority of the membership shall constitute a quorum to transact business, but a smaller number may adjourn and may compel, upon peril of censure, the attendance of absent members. The Senate Clerk of the ASNMSU shall keep a journal of the proceedings of all meetings in which the affirmative and negative votes shall be entered upon any document or matter of record. The meeting proceedings shall be made available to the public. The Senate of the ASNMSU may determine the rules of its proceedings. All meetings of the Senate of the ASNMSU, whether the body is sitting in whole or in part, shall be open to the public, except as otherwise provided within the laws. All persons in attendance shall be subject to the rules of the Senate of the ASNMSU.

1-4. EXECUTIVE

1-4-1. EXECUTIVE POWER AND ELECTION

The executive power shall be vested in the President of the ASNMSU, who shall take care of and faithfully enforce the execution of all bylaws and policies of the ASNMSU not explicitly required of the other branches. The President and Vice President of the ASNMSU shall be elected by a majority vote of active ASNMSU members casting ballots in an election during the spring semester of each academic year. No person shall be a candidate for executive office who has not been a member of the ASNMSU for the spring and fall semesters of the academic year prior to candidacy. No person under academic or disciplinary probation or who is not a member of the ASNMSU shall hold an executive office. Each elected Executive Officer shall serve a term of one year, commencing on May 16th and terminating with the successor's installation.

1-4-2. ORDER OF SUCCESSION

In the event that the President of the ASNMSU resigns from their office, be removed from their office, or in some other manner is rendered unable to fulfill the duties and discharge the powers of office; all powers, authorities, responsibilities, and duties of the Office of the President of the ASNMSU shall fall upon the Vice President of the ASNMSU. If such disability be removed, all powers, authorities, responsibilities, and duties of the Office of the President of the ASNMSU shall revert to the President of the ASNMSU upon their declaration of fitness to serve. The Senate of the ASNMSU may, through the bylaws, provide for the order of succession of executive responsibility if both the President of the ASNMSU and Vice President of the ASNMSU suffer disability, or, in some

manner, become incapacitated.

1-4-3. INFORMATION TO BE PROVIDED TO THE SENATE

By the fourth (4th) Senate meeting of each spring semester, the President of the ASNMSU shall give the Senate of the ASNMSU information on the State of the ASNMSU and recommend measures they judge necessary and expedient.

1-4-4. APPOINTIVE POWERS

The President of the ASNMSU shall have the authority to nominate and/or, with the consent of the ASNMSU Senate, appoint members of the ASNMSU to fill executive offices as may be established through the bylaws. The Senate may, through the bylaws, grant the President of the ASNMSU the power to make specified appointments at their sole discretion, without requiring the approval of the ASNMSU Senate. Additionally, the ASNMSU President shall have the authority to appoint such executive assistants as deemed necessary for the effective operations of the Executive Branch.

A. Any individual nominated, hired, or appointed to an executive office or assistant position who currently holds another official position within the ASNMSU must resign from their existing position prior to accepting the new appointment.

1-5. JUDICIAL

1-5-1. SUPREME AND INFERIOR COURTS

The judicial power of the ASNMSU shall be vested in the Supreme Court and inferior Courts of the ASNMSU, ordained and established by the Senate of the ASNMSU. The Supreme Court of the ASNMSU shall comprise of one (1) Chief Justice of the ASNMSU and four (4) Associate Justices of the ASNMSU, nominated by the Chief Justice of the ASNMSU and confirmed by the Senate of the ASNMSU. All Justices of the ASNMSU shall be members of the ASNMSU, and no person shall be nominated or appointed a justice of the Supreme Court of the ASNMSU who has not been a member of the ASNMSU for the spring or fall semester prior to their appointment. The Chief Justice of the ASNMSU shall be nominated by the outgoing President of the ASNMSU and confirmed at the spring semester's last Senate meeting of the ASNMSU. The terms of the Associate Justices of the ASNMSU shall be confirmed at the first Senate of the ASNMSU meeting of the fall and spring semesters. All the Supreme Court Justices of the ASNMSU shall serve a one (1) year term. When a vacancy occurs within the Supreme Court of the ASNMSU, the Chief Justice of the ASNMSU, with the consent of the Senate of the ASNMSU, shall appoint a qualified member of the ASNMSU to fill the remainder of the unexpired term. A majority of the Justices of the ASNMSU shall constitute a quorum to render a decision.

1-5-2. JUDICIAL POWER

The judicial power shall extend to all cases, in bylaw and equity, arising under this Constitution, statutory enactments, legislative resolutions, executive orders of the ASNMSU, and to controversies to which the ASNMSU shall be a party. Both the Supreme Court and inferior Courts of the ASNMSU shall have the power to render decisions in matters of binding arbitration when both parties to such a dispute so request and submit to the jurisdiction over any case originally adjudicated by any inferior Court of the ASNMSU. The Supreme Court of the ASNMSU shall have the sole power to try impeachments of Legislative and Executive Officers. This power shall extend no further than the judgment of removal from office.

1-6. THE GOVERNING DOCUMENTS

All contents in the ASNMSU bylaws – including the financial procedure manual – shall henceforth be the governing documents of the Association, outlining how ASNMSU interacts with the student body and university institutions.

A. Internal governing documents shall include:

1. Any documents, forms, or agreements executed by individual ASNMSU members – electronically or by hand – that'll be binding only on its members and shall not impose obligations on ASNMSU as an entity; and

2. The ASNMSU Election Packet per semester – once ratified by the Senate; and

3. Internal documents may regulate procedures, operations, or member conduct, but shall not contradict or extend beyond the scope of ASNMSU's constitutional and bylaw authority; in the event conflict arises, the ASNMSU bylaws shall take precedence.

B. ASNMSU's external agreements and engagement are additional governing documents, which include:

1. All documents, forms, or agreements executed by ASNMSU or its duly authorized representatives (usually Advisors) pursuant to NMSU's internal procedures; and

2. ASNMSU's responsibility in external agreements shall depend on the nature of the agreement:

a. If ASNMSU is a direct party (e.g., in funding allocations or service contracts), its role is advisory or administrative rather than legally binding. Final contractual obligations rest with NMSU, but ASNMSU holds authority to void any agreements deemed not beneficial once the agreement term has ended; and

b. If ASNMSU facilitates a service or initiative without being a formal party, it must ensure policy compliance, budgetary commitments, and alignment with student interests while operating within university oversight; and

2. As a university-affiliated entity, ASNMSU does not possess independent authority to execute legally binding contracts with external parties. Any agreements involving financial, legal, or operational commitments must be approved and signed by authorized university officials. ASNMSU officers may propose agreements, but cannot unilaterally bind ASNMSU to external obligations.

1-6-1. CERTIFICATION

The bylaws of the ASNMSU shall be certified in accordance with NMSU Policy and Procedures by November 1st of every fiscal year by the NMSU Dean of Students.

A. Should the contents of the bylaws of the ASNMSU fail to be certified at any point, all employees of the ASNMSU shall cease all operations:

1. Exempt employees shall include:

a. The Advisors of the ASNMSU; and

b. Any full-time employees of the ASNMSU; and

c. Employees deemed essential by the Advisors of the ASNMSU and confirmed by the passing of a simple resolution:

i. For clarification, essential personnel include those whose roles are dependent on academic credit rather than direct compensation (such as interns and roadrunners), ensuring that these positions remain operational to avoid significant harm to their academic progression; and

2. The Senate of the ASNMSU shall then have the sole power to review and amend the bylaws of the ASNMSU to meet NMSU Policy and Procedure, and they will only be able to pass legislation concerning the bylaws of the ASNMSU until certification is completed:

a. The Senate, in consultation with the ASNMSU Attorney General, ASNMSU Advisors, and the NMSU Dean of Students, shall have the final authority

1-7. INVALIDITY

If any portions of Article 1: The Constitution of the ASNMSU is found invalid by the ASNMSU Supreme Court, ASNMSU Advisors, or the NMSU Dean of Students, only that portion of Chapter 1 will be considered invalid.

A. The ASNMSU Attorney General shall interpret the invalid portions using legal precedent and NMSU policy to address any vagueness in the bylaws that have had portions invalidated or removed until such bylaws are clarified by Senate or by the Supreme Court per the duties stated in 3-8-8-C.

1-8. AMENDMENTS

Amendments to this Constitution shall be passed by a two-thirds (2/3) majority vote of the Senate of the ASNMSU membership, approved by a majority of those members of the ASNMSU voting for that purpose, and approved by the President of NMSU or their designee before such amendments shall become effective.

2. THE ELECTION CODE

2-1. CONSTITUTIONAL AUTHORITY

In accordance with the ASNMSU Constitution, enacting an election code and prescribing the manner in which elections shall be conducted.

2-2. PURPOSE OF ELECTION CODE

The purpose of the ASNMSU Election Code is to secure both the secrecy of the ballot and the purity of elections. Guarding against the abuse of the elective franchise and providing efficient administration and conduct of elections.

<u>2-2-1. DEFINITIONS</u>

As used in the Election Code, the following are defined:

A. "Voter" means any student of NMSU who is a member of the ASNMSU and is eligible to vote in an ASNMSU election; and

B. “Unofficial results” are the number of votes secured by NMSU ICT prior to the filing of all necessary forms to the ASNMSU Chief Elections Officer and the resolution of any contested elections; and

C. “Official results” are the total number of votes secured by NMSU ICT for candidates in question after all necessary forms have been filed with the ASNMSU Chief Elections Officer and all contested elections resolved; and

D. “General elections” are the elections held in the spring or fall semester of each academic year to elect ASNMSU Senators and Executive Officers; and

E. “Internet voting” is the process by which members of the ASNMSU may cast their ballot online in any general election, run-off election, constitutional referendum, special referendum, and at any other time voting is necessary by the ASNMSU; and

F. “Internet voting instructions” are the written instructions informing voters of the proper manner to vote using their NMSU login; and

G. “Run-off elections” are any elections following an election, in case of a tie, to obtain the legally required votes to fill an ASNMSU elected office or to pass judgment on any referendum; and

H. “Constitutional referendum” means a vote taken by the members of the ASNMSU concerning a proposed ASNMSU constitutional amendment; and

I. "Special referendum" means any vote taken by the members of the ASNMSU concerning any question relating to the levying of ASNMSU supporting fees or any other questions; and

J. “Election official” means the individual members of the ASNMSU Election Board, ASNMSU Chief Elections Officer, ASNMSU Deputy Elections Officer, and poll workers; and

K. “Official candidate” means any member of the ASNMSU who has met the requirements for candidacy as prescribed by the ASNMSU Election Code and has been certified by the ASNMSU Election Board; and

L. “Write-in candidate” means any member of the ASNMSU who is not an official candidate yet seeks an ASNMSU elected position and receives any write-in vote, which must include that person’s full name as stated in the NMSU Phonebook, in an ASNMSU election; and

M. “Polling place” means any area designated for use in an ASNMSU election by the ASNMSU Election Board; and

N. “Contestant” means any ASNMSU member who files a written notice of the contest of an ASNMSU election, which is within the mandates of the election code; and

O. “Contestee” means one against whom a written notice of the contest of an ASNMSU election has been filed; and

P. “Wireless-capable devices” are any devices, electronic or other, that have the capability of

connecting to a network of computers or the internet, which the general student population can use for voting in the ASNMSU elections; and

Q. "Wireless-capable area" is any area where a wireless connection is available to any wireless capable device that the general student population can use for voting in the ASNMSU elections; and

R. "Campaign Team" is all listed members who re filed with the election code packet that an official candidate submits with their election packet.

S. "Error or Fraud" which includes but is not limited to: tampering with ballots, vote-buying, and providing false information to the election board.

2-3. ELECTION BOARD

An ASNMSU Election Board shall comprise of he ASNMSU Chief Elections Officer and a representative appointed by each College Council. The ASNMSU Chief Elections Officer shall serve as Chair of the Board and shall not vote except in the event of a tie:

A. The ASNMSU Attorney General and ASNMSU Deputy Elections Officer shall be ex officio nonvoting members of the ASNMSU Election Board. A minimum twenty-four (24) hours' notice will be given to the Office of the ASNMSU Attorney General prior to each meeting.

2-3-1. QUORUM REQUIRED FOR MEETINGS

A quorum shall consist of a simple majority of voting members.

2-3-2. QUALIFICATIONS OF MEMBERS

In order to serve as a voting member of the ASNMSU Election Board, someone shall:

A. Be an ASNMSU fee-paying member; and

B. Not be an official candidate for any ASNMSU elected office; and

C. Not be a Justice for any ASNMSU Court; and

D. Not be a currently serving member of the ASNMSU Executive Staff or the ASNMSU Senate; and

E. Maintain ethical conduct throughout the entire election process in accordance with the NMSU Student Social Code of Conduct (ARP 5.20 through 5.26); and

F. Complete training set forth by the ASNMSU Chief Elections Officer; and

G. Be subject to the academic and disciplinary requirements during their time as a member of the ASNMSU Election Board; and

H. If at any time a member of the election board is no longer qualified to serve on the board and that seat becomes vacant, it will be the responsibility of the College Council to fill that vacant seat as soon as possible with one (1) qualified person from that College Council; and

I. If at any time any of the Representatives of the College Councils are unable to or unwilling to

discharge their duties on the ASNMSU Election Board, the College Council shall appoint one (1) sufficient replacement from their College Council consistent with the qualifications enumerated in Qualifications of Members; and

J. If a College Council does not exist, the ASNMSU Chief Elections Officer shall appoint one (1) sufficient replacement from their College consistent with the qualifications enumerated in Qualifications of Members.

2-3-3. POWERS AND DUTIES

The ASNMSU Election Board shall:

A. Assist the ASNMSU Chief Elections Officer in the administration of the Election Code; and

B. Meet at least one (1) week prior to the general election; and

C. Obtain and maintain uniformity in the application and operation of the Election Code; and

D. Designate polling places as prescribed in the Election Code; and

E. Formally approve polling places; and

F. Act as an immediate judge for all contests; and

G. Retain its powers and responsibilities until after the final resolution of all contests; and

H. Certify official candidates for an ASNMSU office at least ten (10) business days prior to the general election; and

I. Attend all ASNMSU Election Board meetings as scheduled by the ASNMSU Chief Elections Officer, and sign up for and participate in polling shifts during election week:

1. The Chief Elections Officer has the sole discretion to decide if an Election Board Member is late or unexcused during an Election Board meeting and polling shifts

a. The corresponding penalty points system shall apply:

i. Each Election Board Member will begin with zero (0) points; and

ii. An Election Board Member will receive zero (0) points for an excused absence from a required meeting; and

iii. For the grievances listed, the following penalties are in order:

Election Board meeting (absence, unexcused).....1 point
Election Board meeting (late, unexcused)….....½ point
First Breach of Decorum..... Verbal Warning

Election Board polling points:
Polling shift (absence, unexcused) ..... ½ point
Polling shift (late, unexcused)…..... Verbal Warning

Not Signing up for a polling shift ..... 1 point

b. To be excused, the Election Board Member must:

i. Submit an excusal request with a written reasoning needing the excusal by the start of the Election Board Meeting, with any evidence available to the Chief Elections Officer or the Deputy Elections Officer; and

ii. If the excusal concerns a failure to sign up for a polling shift, the Election Board Member must provide their reasoning and supporting evidence before a deadline set by the Chief Elections Officer, which must be communicated to the Election Board in advance. Any excusal request after the deadline shall be at the sole discretion of the Chief Elections Officer.

iii. The Chief Elections Officer shall read out and present all excusal requests to the Election Board, which will vote on whether to excuse the absent or late Election Board Member. A simple majority shall determine the outcome.

c. Notification of Penalty Point Accumulation:

i. The ASNMSU Chief Elections Officer shall notify the College Council's Executive Members within three (3) business days after its Election Board representative accumulates one (1) penalty point.

d. Appeals process for emergencies:

i. If an Election Board Member accumulates one (1) penalty point for failing to submit an excusal request by the applicable deadline described under subsubsection b, they may appeal to the Chief Elections Officer within three (3) business days.

ii. The appeal must include the reason(s) contesting the penalty point, along with any supporting documentation and evidence that the Chief Elections shall present to the Election Board, excluding the appellant.

iii. The Election Board, excluding the appellant, shall evaluate the appeal and determine whether the absence(s) or late appearance(s) were a result of a legitimate emergency. If the Election Board finds the evidence and reasoning valid, it may, in its discretion, rescind the one (1) penalty point with a simple majority vote.

e. Sanctions and Fiscal Penalties:

i. Receiving one (1) penalty point will result in a fine of five percent (5%) of the current fiscal year's General Appropriations Act (GAA) Council Appropriation to be levied on the ASNMSU Election Board Member's affected College Council.

ii. This fine will increase by an additional five percent (5%) for each penalty point thereafter (e.g., one (1) penalty point is a fine of five percent (5%) of the fiscal year's GAA appropriation, the second penalty point will result in a total fine of ten percent (10%) of the fiscal year's GAA appropriation, etc.).

f. Execution of Sanctions and Fiscal Penalties:

i. The Chief Elections Officer shall notify the ASNMSU Comptroller upon confirmation of the penalty point assigned to the affected College Council.

ii. The Comptroller shall then instruct the Fiscal Advisors to transfer the corresponding fine from the affected College Council's account into the ASNMSU Principal Endowment Account.

g. Pre-Transfer Notification and College Council's Right to Redress:

i. Before the execution of the transfer, the ASNMSU Comptroller shall notify the Chief Elections Officer, who shall, in turn, notify the affected College Council within three (3) business days.

ii. The affected College Council shall have the right to seek redress for their grievances before the ASNMSU Supreme Court, which shall have jurisdiction to adjudicate any disputes arising.

J. Penalties against any candidate during an official election will be at the discretion of the ASNMSU Election Board.

K. Members of the Election Board are not permitted to endorse candidates or ballot items and must remain impartial.

L. No member of the Election Board, Office of the Attorney General, or the Supreme Court may file for candidacy for any elected office while retaining their appointed office.

a. Homecoming Court is not considered an elected office.

2-3-4. REMOVAL FROM ELECTION BOARD

A. Members of the ASNMSU Election Board shall only be removed if there is a three-fourths (3/4) majority vote of the ASNMSU Election Board present. Reasons for removal shall be concurrent with the Qualifications of Members of the ASNMSU Election Board, as set forth in the Election Code; and

B. The ASNMSU Election Board's decision regarding a member's removal is final. There is no avenue for appeal; and

C. If a member of the ASNMSU Election Board is removed, the College Council shall appoint one (1) sufficient replacement from their College consistent with the qualifications enumerated in Qualifications of Members.

2-4. NOTICE OF ELECTION

A. General elections for both spring and fall shall be held on a date as set by the ASNMSU Chief Elections Officer on the first day of each academic school year; and

B. The ASNMSU Chief Elections Officer shall prepare a packet that includes all necessary documents for candidates, which shall at least include the following:

1. Formal letter; and

2. Available positions; and

3. Important dates; and

4. Biography instructions; and

5. Freedom of Expression Policy & CCSU Campaign Regulations; and

6. NMSU Housing Policy Campaign Regulations; and

7. Poster & Flyer information; and

8. Petition of Candidacy & Binding to Election Code; and

9. Qualification Check Release; and

10. Student Banner Informed Consent; and

11. Financial Disclosure Form; and

12. Social Media & List Serve Form; and

13. Official Violation Form; and

14. ASNMSU Electoral Code of Ethics; and

15. An official campaign team list that will clearly define who is campaigning for an official candidate on their behalf and must provide written consent to the Chief Election Officer; and

16. Any other document deemed necessary at the discretion of the ASNMSU Chief Elections Officer.

C. Run-off elections shall be held one (1) week immediately after the election for which they are required:

1. If the date for the run-off election is inappropriate, the ASNMSU Election Board shall set a new date, which must be as close to the original date as possible.

D. At least four (4) calendar weeks prior to the general election, the ASNMSU Chief Elections Officer, in conjunction with the ASNMSU Election Board, shall give notice of the following:

1. The Election; and

2. Any offices to be voted for; and

3. Any constitutional or special referendum or other questions to be voted for; and

4. The requirements for any office at stake; and

5. Including the application process for selecting ASNMSU Election Board Members; and

6. Voting instructions and locations.

The same information shall be released regarding any run-off elections within twenty-four (24) hours after the run-off election is deemed necessary.

E. Elections should commence at least five (5) weeks before the last day of the semester.

2-4-1. NOTICE OF CONSTITUTIONAL OR SPECIAL REFERENDUMS AND OTHER QUESTIONS

A. The ASNMSU Election Board shall publish in the student media the full text of any proposed amendments or questions at least four (4) calendar weeks prior to the start of the general election at which they are to be considered. Copies of the amendments or questions must be made available to any ASNMSU member who requests one:

1. All questions are to be posed during a general election.

B. In order for a special referendum or other question to appear on the ballot for an election:

1. It must be passed by the ASNMSU Senate in the form of a resolution at least four (4) calendar weeks before the election and be in accordance with all other ASNMSU bylaws; or

2. A petition must be signed by at least ten percent (10%) of fee-paying members of the ASNMSU and submitted to the ASNMSU Chief Elections Officer no later than four (4) calendar weeks prior to the election.

C. In accordance with the ASNMSU Constitution, resolutions concerning constitutional referendums must be passed by a two-thirds (2/3) majority vote of the ASNMSU members; and

D. If a constitutional referendum is initiated too late for inclusion on the current administration's ballot, it shall still be advanced by the Senate through its approval in the bylaw bill and shall be processed through standard legislative channels:

1. The approved referendum shall then be rolled-over into the subsequent administration and shall be scheduled for inclusion in the administration's following general election ballot to be voted on:

a. The referendum shall not take effect until it is ratified by the student vote and certified again by the ASNMSU President in the subsequent election cycle; and

b. The Attorney General's Office, together with the Chief Elections Officer, shall ensure compliance with ASNMSU governing documents and oversee the proper inclusion of the referendum on the next election packet; and

c. For any constitutional referendums omitted from the current ballot due to timing constraints, the status and handling of such referendums – including detailed instructions for transitioning these items – shall be documented in the administration's transition manual for review and action by the incoming leadership.

2. Following the referendum's success, and its inclusion in the election ballot, the constitutional amendment shall be formally adopted and incorporated into the ASNMSU Constitution with urgency.

2-5. OFFICIAL CANDIDACY

For a candidate's name to be printed on the ballot, they shall file with the ASNMSU office an affidavit petition of candidacy acknowledging candidacy for office no later than two (2) calendar weeks prior to the general election. They must be declared an official candidate by the ASNMSU Election Board in accordance with Section 1-4-1 of the ASNMSU Constitution:

A. Each ASNMSU Senate candidate must be enrolled in the College in which they are seeking election:

    1. The College must be listed as the candidate's primary College at the time of the election. The NMSU Registrar's Office will determine this.

        a. The ASNMSU Attorney General shall publish a memo validating or recommending seat adjustments based on enrollment ratios.

B. Candidates for ASNMSU President and Vice President may be enrolled in any College; and

C. On the affidavit, each candidate shall print or type their:

    1. Full name; and

    2. Address; and

    3. NMSU email; and

    4. Telephone number; and

    5. Primary College at the time of the election, as determined by the NMSU Registrar's Office; and

    6. Position for which they are a candidate and acknowledge their candidacy by signing the following statement:

    "I, (name of candidate), acknowledge my candidacy for the Office of (title of office), and shall, if elected, accept the duties and responsibilities of the office. I am a fee-paying member of the ASNMSU, and I am not on either academic or disciplinary probation. I am qualified, as prescribed by the ASNMSU Constitution, to accept and run for the office for which I am a candidate."

D. Individuals seeking the Office of ASNMSU President or Vice President shall submit a petition of candidacy signed by at least one hundred (100) members of the ASNMSU who wish to nominate the candidate:

    1. No member of the ASNMSU shall sign more than one (1) petition of candidacy for the ASNMSU President and no more than one (1) petition of candidacy for the ASNMSU Vice President during the one (1) academic year; and

    2. Students collecting signatures must inform students signing a Petition of Candidacy that their information will be verified in the NMSU Banner System by an ASNMSU Advisor.

E. Individuals seeking the Office of ASNMSU Senator shall submit their petition of candidacy signed by at least twenty-five (25) ASNMSU members of the candidate's primary College who wish to nominate

the candidate:

1. No member of the ASNMSU shall sign more petitions of candidacy than the number of positions to be voted on for ASNMSU Senator from that College at the general election; and

2. Students collecting signatures must inform those signing a Petition of Candidacy that their information will be verified in the NMSU Banner System by an ASNMSU Advisor.

F. For a candidate's name to be placed on the official ballot, the candidate must attend at least one (1) Informational Candidate meeting as scheduled by the ASNMSU Chief Elections Officer or be officially excused from the same; and

G. Any other elected positions within the ASNMSU shall follow the same pattern as the ASNMSU President and Vice President, except that twenty-five (25) signatures shall be required for any candidate seeking such an office.

2-5-1. WRITE-IN CANDIDACY

Candidates running in ASNMSU elections as a write-in shall be subject to the following:

A. Candidates conducting a write-in campaign must submit the following to the Office of the ASNMSU Chief Elections Officer:
   1. A Petition of Candidacy & Binding to the Election Code; and

   2. An ASNMSU Qualification Check Release; and

   3. A Social Media & List Serve Form; and

   4. A Financial Disclosure Form.

B. Candidates conducting a write-in campaign shall meet with the ASNMSU Chief Elections Officer within one (1) business day of submission of the petition of candidacy:

   1. Candidates may send a representative to meet with the ASNMSU Chief Elections Officer should they not be available; and

   2. The ASNMSU Chief Elections Officer shall inform poll workers and other candidates of a write-in candidate.

C. Candidates conducting a write-in campaign shall be subject to campaign rules; and

D. Should a candidate unknowingly win, the ASNMSU Chief Elections Officer shall attempt to contact the write-in candidate within three (3) business days and request the submission of the abovementioned documentation. The write-in candidate shall have five (5) business days to turn in the required documentation after being contacted.

2-5-2. BENEFITS OF OFFICIAL CANDIDACY

Official candidates shall receive the following benefits:

A. At the expense of the ASNMSU Election Board and if the candidate so desires, a photograph and a written statement printed in a voter guide prior to the general election:

1. The ASNMSU Chief Elections Officer shall be responsible for arranging a photo session and collecting written statements; and

2. The written statement shall not exceed two hundred (200) words.

B. An official candidate may designate, with the ASNMSU Chief Elections Officer's approval, a representative to attend necessary candidate meetings.

2-5-3. CANDIDATE EXCEPTIONS

As verified by the ASNMSU Chief Elections Officer:

A. A Justice of the ASNMSU Supreme Court shall not run for any ASNMSU office or campaign for any ASNMSU candidate before resigning from the current position:

1. Participation in any general election may be allowed after submitting a resignation letter.

B. Official ASNMSU members currently in an elected or appointed position may seek a different office within the ASNMSU during an official election:

1. Upon being elected, the individual must submit a resignation letter effective upon assuming the elected office to their superior terminating the current position.

2-5-4. POSITIONS AVAILABLE AND TERM LIMITS

A. Senate Seat Apportionment Equation: seats will be allocated to colleges based on adjusted representation, calculated as follows:

1. Adjusted Representation Calculation:
Adjusted representation is determined by the total individual college enrollment divided by the total student enrollment, times 32. Rounded to whole numbers, this is the adjusted representation

$$\frac{\text{Total college enrollment}}{\text{Total student enrollment}} \times 32$$

2. Additional Representation Calculations:
When this method produces a number less than the total number of seats, the additional seat will be assigned to the college with the lowest excess/deficit representation, as calculated below.

$$\text{Adjusted representation} - \text{calculated representation}$$

A. Excess/deficit representation is the difference of the adjusted representation minus the calculated representation.

B. The seats of the ASNMSU Senate shall be numbered as follows:

1. ACES ---------- 1, 17, 23;

2. ARTS & SCIENCES ----------2, 7, 12, 15, 16, 18, 24, 28, 30;

3. BUSINESS ---------- 3, 8, 25;

4. ENGINEERING ---------- 4, 9, 20, 26;

5. GRADUATE ---------- 5, 10, 21, 27, 29;

6. HEALTH, EDUCATION & SOCIAL TRANSFORMATION ------ 6, 11, 13, 14, 19, 22;

7. HONORS ---------- 31, 32

C. All seats numbered one through fifteen (1-15), inclusively, shall be elected in the fall semester and serve a term of one (1) year; and

D. All seats numbered sixteen through thirty-two (16-32), inclusively, shall be elected in the spring semester and serve a term of one (1) year; and

E. Seat changes shall be made based on the actual fall enrollment figures from the previous semester:

1. No College shall have less than two (2) ASNMSU Senate seats at any given time and shall be determined annually by the ASNMSU Attorney General; and

2. The ASNMSU Senate Rules Committee shall be responsible for drafting and proposing legislation to make any needed changes.

F. When seat numbers change from one college to another, it shall be the highest fall seat number that shall be reassigned accordingly and so on; and

G. If a vacant seat is transitioning representation to a different college in the fall election, then an interim Senator election shall be held in both colleges to determine the representative for the remainder of the term:

1. The interim Senator candidate with the most votes will fill the seat; and
2. In the event of a tie between two (2) interim Senator candidates, a runoff election shall be held within a week of the initial election results unless deemed otherwise through the bylaws. Interim Senate runoff elections shall also follow procedures accordingly; and
3. If a tie persists after the runoff election, the ASNMSU Senate shall determine the winner by a simple majority vote during its next scheduled meeting.

H. Senators shall remain within the academic college from which they were elected for the entirety of their term.

1. A senator who changes their declared college shall be immediately considered resigned from their seat.

2-6. POLLING STATIONS

2-6-1. DESIGNATION OF POLLING PLACES

A. The following will be considered the minimum number of polling stations for a fair and accurate election:

    1. There will be one (1) polling station located at the Corbett Center Student Union; and

    2. There will be at least two (2) other physical polling stations.

B. At the discretion of the ASNMSU Election Board, more physical polling station locations may be added; and

C. Any electronic device with access to the internet that the ASNMSU Chief Elections Officer has approved shall be considered polling places and fall under the jurisdiction of the Election Code; and

D. With internet voting, temporary voting locations are considered official polling places when an internet-accessible device is set up, accessible by the general student population, and used as a public poll. It will be necessary to mark the temporary location's boundaries in order to prevent campaigning within the polling place. The exact boundaries of the polling places shall be a twenty (20) foot radius around the poll, except for designated bulletin boards; and

E. No person shall campaign or post any campaign material within twenty (20) feet of a computer lab. Any room with three (3) or more publicly accessible computers shall be considered a computer lab:

    1. Exception: campaigning in a computer lab shall be allowed at the discretion of the ASNMSU Chief Elections Officer. Candidates shall be made aware of such computer labs, where campaigning shall be allowed, at least one (1) week prior to the campaign week.

2-6-2. RULES ON TEMPORARY VOTING SITES

A. Candidates who request temporary or additional internet voting sites for an ASNMSU election shall make a request to the ASNMSU Chief Elections Officer, who will then decide if an additional site is needed or required; and

B. No candidates may set up temporary or additional internet voting sites themselves but must make the request to the ASNMSU Chief Elections Officer for handling to ensure impartial officials handle the site; and

C. No party shall set up temporary or additional voting sites without the direct consent of the ASNMSU Chief Elections Officer for voting in the ASNMSU elections; and

D. No candidates may use a wireless-capable device in a wireless-capable area to induce, abet, or procure votes for themselves; and

E. Candidates requesting the setup of wireless capable devices or the use of wireless capable devices inside a wireless capable area for the use of the general student population in voting in the ASNMSU elections may not do so themselves but must make a request of the ASNMSU Chief Elections Officer for setup; and

F. Candidates are not allowed to be involved in the use or administration of additional or temporary internet voting sites; and

G. Candidates are not allowed to personally use or administer the use of wireless capable devices in wireless capable areas for the general student population's use for voting in the ASNMSU elections; and

H. Areas with campaign materials set up can only be used as temporary or additional areas for the setup of devices used for voting in the ASNMSU elections by the general student population once all campaign materials have been cleared.

2-6-3. OPENING AND CLOSING OF POLLS

A. With internet voting, the link to the poll shall be open for voting twenty-four (24) hours per day during the duration of the election; and

B. The Corbett Union Student Center polling station must open starting at eight (8:00) am on the first day of elections and all polling stations will end at five (5:00) pm on the last day:

1. The election shall begin on a weekday and last a minimum of five (5) days; and

2. The last day of voting must end on a weekday; and

3. The ASNMSU Election Board will vote on where the other two polling stations will be and when they will open on the election weekdays.

a. In cases where there are insufficient poll workers to staff all locations, polling station times and locations can be adjusted.

2-6-4. POLL WORKERS

The ASNMSU Chief Elections Officer shall appoint poll workers to observe that the election is being conducted in accordance with the Election Code:

A. All ASNMSU Election Board members shall be poll workers; and

B. At least two (2) poll workers will be appointed for each polling station; and

C. The poll workers will be entrusted with the designated mobile devices used for internet voting; and

D. Every ASNMSU employee, elected official, and intern shall be eligible to be appointed as an official poll worker unless running for a position; and

E. If any poll worker fails to attend the appointed poll at the specified time, the ASNMSU Chief Elections Officer shall appoint a qualified person to fill the vacancy; and

F. Poll workers shall submit in writing to the ASNMSU Chief Elections Officer any violation of the Election Code using the violation forms; and

G. Poll workers shall be allowed to assist ASNMSU members who find it hard to vote independently.

2-7. CAMPAIGN RULES

In campaigning, the following campaign rules shall be observed and enforced.

2-7-1. GENERAL RULES

A. No person shall campaign, post any campaign material, or in any other way attempt to induce any voter for any person or question within the polling place:

   1. Campaign materials include, but are not limited to:

      a. Advertisements in any printed publication; and

      b. Advertisements on any radio or television station; and

      c. Handbills, flyers, posters, placards, buttons, stickers, banners, chalking, shirts, paid websites, social networking sites, or the like; and

      d. Any items or services reasonably perceived as being used to solicit soliciting votes for an ASNMSU elected office by any person or organization that aids a candidate or group of candidates.

B. No campaigning shall be allowed within the ASNMSU office:

   1. This includes the following:

      a. Any type of explicit communications, with the exception of informative conversation that does not further any campaign, within the ASNMSU office or ASNMSU official meetings during election season. With the exception of legislations pertaining to elections and the election packet itself; and

      b. Soliciting or campaigning for oneself or others within the ASNMSU office or ASNMSU official meetings; and

   2. If communication regarding campaigns is needed during the election season it may be done outside the office and/or meetings. With the exception of communication to the members of the Election department and Board only.

C. Campaigning shall begin no earlier than two (2) weeks before the start of the ASNMSU general election date in which they are running:

   1. Petitioners are allowed to inform individual students from whom they are seeking signatures as to why that student should sign their election petition. However, it is illegal for candidates to use the term “vote”, until the start of the official campaign week.

D. Placement of campaign materials on campus shall abide by all NMSU rules and regulations; and

E. Candidates for the offices of ASNMSU Senate, Vice President, and President shall be allowed to campaign by utilizing electronic sources, including:

   1. List serves; and

   2. Online forums; and

3. Public websites.

F. Candidates are responsible for being granted access to specific list serves by the appropriate individual(s) responsible for the list serve; and

G. Candidates shall be allowed to utilize online forums, including social media websites; and

H. No person shall be denied entrance into a candidates' online forum or online community; and

I. Candidates shall be responsible for any electronic material which bears their name that is enacted by the candidate's official campaign workers or by the consent of the candidate or the candidate themselves; and

J. No person shall destroy or deface posters, pamphlets, or other campaign material; and

K. No person shall disrupt or prevent the legal and orderly campaign of any person; and

L. The candidate shall be responsible for the actions of the candidate's official campaign workers as those actions relate to the conduct of the election; and

M. No candidate shall be allowed the use of any ASNMSU resources for an election campaign or petition for candidacy; and

N. Regarding the use of chalk:

1. Use of chalk shall not be allowed within ten (10) feet of the entrance of any building on the NMSU campus; and

2. Use of chalk shall not be allowed within twenty-five (25) feet of the entrances of the Corbett Center Student Union; and

3. Use of chalk shall be restricted to concrete walkways; and

4. All chalk used must be of a temporary or removable nature.

a. Permanent chalk, such as surveyor's chalk, shall not be used.

O. Candidates for the Office of ASNMSU Senator, Vice President, and President shall be permitted to campaign together, and the following shall be considered legal instances of coordination when carried out by candidates:

1. Posting of campaign materials, social media activity, or list serves that advocate for more than one candidate; and

2. Petitioners are allowed to inform individual student organizations and College Councils from whom they are seeking endorsement meetings of their candidacy and request to meet with them any time prior to election week; and

3. Any sharing of budgets or splitting of costs for resources between candidates.

P. It is unlawful for anyone to:

1. Vote or offer to vote in the name of any other person; or

2. Vote or offer to vote with the knowledge of not being a qualified voter; or

3. Vote or offer to vote more than once in the election; or

4. Induce, abet, or procure a person known not to be a qualified voter to vote; or

5. Induce, abet, or procure a person who has voted previously in an election to vote again; or

6. Fraudulently deceive or mislead any voter or election official; or

7. Pay or cause to be paid directly or indirectly, any money or other valuable consideration to any student to induce any student to vote or to refrain from voting; or

8. Pay or cause to be paid, directly or indirectly, any money or other valuable consideration to any person to induce any election official to violate the Election Code, or to mark, alter, suppress, or otherwise change any ballot that has been cast, any election returns or other election documents; or

9. Accept a bribe; or

10. Induce or attempt to induce fear in any student, election official, or voter by threats of any sort; or

11. Obtain election results prior to online polls closing, except for the ASNMSU Chief Elections Officer, appropriate advisors, and technical support; or

12. Retaliate through any adverse action threatened or taken against any student—including candidates, students who filed an election violation, witnesses, or participants in an election violation proceeding—in response to the student's protected involvement, such as reporting an election violation, aiding an investigation, testifying, or being named as a party in an election violation. Retaliation is strictly prohibited and may include threats, coercion, harassment, intimidation, shaming, or other punitive actions that would reasonably discourage a student from participating in the election violation process; or

13. Those seeking candidacy or election in the ASNMSU elections shall not engage in identity theft or the unauthorized use of personally identifying information, including but not limited to student names or identification numbers. Those seeking candidacy or election must comply with New Mexico State University Administrative Rules and Procedures (ARP) Section 15.91x

14. Intimidate voters, examples include:

    a. Threats or Coercion: engaging in any form of verbal or physical intimidation, including but

not limited to, making threats, taking a student's voting device and voting on their behalf, actively watching voters submit their ballot, or exerting any undue pressure on voters to influence their choices; and

b. Dissemination of False Information: spreading misleading or false information about the election process, candidates, or candidate/voter eligibility with the intention of confusing or dissuading voters from participating; and

c. Obstruction of Access: deliberately impeding or obstructing voters' access to polling places, such as blocking entrances, disrupting the voting process, or engaging in any activities that hinder voters from exercising their right to vote; and

d. Discrimination or Harassment: engaging in discriminatory practices or harassment based on race, ethnicity, gender, religion, disability, or any other protected characteristic, which creates a hostile environment and inhibits voters from freely expressing their choices; and

e. Coercive Influence: attempting to unduly influence voters through bribery, promises of personal gain, or any form of exchange that compromises the integrity of the voting process.

Q. All candidates shall submit the following:

1. The List Serve Form by five (5:00) p.m. on the final day of voting; and

2. Financial Disclosure Forms by five (5:00) p.m. on the final day of voting; and

3. Voter Intimidation Prohibition Acknowledgment by five (5:00) p.m. on the final day of voting; and

4. The Violation Form to the ASNMSU Chief Elections Officer at their discretion.

R. All candidates shall submit the Qualification Check Release form, at the discretion of the ASNMSU Chief Elections Officer, to the Office of the ASNMSU Chief Elections Officer.

S. Candidates are responsible for removing all campaign material after the conclusion of Election week.

a. Candidates are responsible for informing voters that they must properly dispose of any campaign material after use.

T. ASNMSU Employee(s), Associated Member(s), or ASNMSU Member(s) wishing to personally endorse a candidate for any ASNMSU Office must include the following language in an endorsement: "This endorsement reflects my personal views and does not represent the opinion or endorsement of the ASNMSU Government."

U. Political activity shall be in accordance with university policy as outlined in NMSU Policy 3.63 Freedom of Expression.

2-7-2. FINANCIAL RULES

A. Total campaign expenditure limits for each candidate for the general election shall not exceed the

following:

1. Five hundred dollars ($500) for ASNMSU Senators; or

2. One thousand dollars ($1,000) for ASNMSU President and Vice President; or

3. Candidates for other elected offices shall be limited as an ASNMSU Senator with respect to campaign expenditures.

B. Any electronic campaign material purchased must be included in the total campaign expenditure; and

C. All official candidates shall submit a statement of campaign expenditures to the ASNMSU Election Board before the closing of the polls at five (5:00) pm on the last day of the election:

1. All expenses, along with the donation of goods and services, must be declared in the statement; and

2. Receipts must accompany expenses; and

3. Donations of goods and services must be accompanied by a letter from the donor showing the fair market value of the donation; and

4. In the event no expenses are incurred, an expense report shall be submitted, which will reflect no expenditure:

a. Write-in candidates shall be informed in the timeliest manner possible by the ASNMSU Chief Elections Officer that they must turn in a statement of campaign expenditures.

5. The write-in candidate shall have twenty-four (24) hours after notification to comply with these requirements.

D. Candidates who fail to submit their statement of campaign expenditures within the required time limit shall be disqualified at the discretion of the ASNMSU Election Board; and

E. Candidates declaring campaign expenditures and donations at less than a reasonable value shall be disqualified at the discretion of the ASNMSU Election Board; and

F. Candidates shall have the right to a hearing with the ASNMSU Election Board prior to disqualification and the right to appeal the disqualification to the ASNMSU Supreme Court.

2-8. CAMPAIGN VIOLATIONS

If someone, during the time of campaigning and elections, has written a violation against a candidate, the following steps will be taken.

2-8-1. VIOLATION PROCESS

A. All violations must be submitted to the ASNMSU Chief Elections Officer either in the office of ASNMSU or online, as outlined by the Official Violation Filing Form instructions:

1. The ASNMSU Election Board will consider violations on a schedule the ASNMSU Chief Elections Officer determines during campaigning and elections weeks.

B. If someone has filed a violation against a candidate, the person submitting such violation:

1. Will be allowed to speak about their reasoning for filing the alleged violation:

a. Before the meeting, they will be given at least a twenty-four (24) hour notice via email.

2. Meetings about a filed violation form can be done solely through the ASNMSU Chief Elections Officer and other ASNMSU members as deemed necessary, including the ASNMSU Attorney General, Deputy Attorney General, and Deputy Elections Officer:

a. The person filing a violation may appoint someone to speak on their behalf as approved by the ASNMSU Chief Elections Officer or may answer all necessary questions about the violation via email in case of emergency. An excusal and an appointment/introduction of a speaker must also be submitted prior to said meeting.

C. If a violation has been filed against a candidate, the candidate:

1. Will be given notice of the violation and its contents via email; and

2. A twenty-four (24) hour minimum notice of a meeting in front of the ASNMSU Election Board or Chief Elections Officer and other ASNMSU members as deemed necessary, including the ASNMSU General Attorney, Deputy Attorney General, and Deputy Elections Officer; and

3. This meeting is to speak on the candidate's behalf about the violation. The candidate may request to stay anonymous and not appear before the ASNMSU Election Board.

D. If necessary, the ASNMSU Election Board will meet both weekends of the two weeks that campaigning and elections will be conducted. The ASNMSU Election Board will hear the case from the person who submitted the violation and the person whom the violation is against. During this meeting, a decision about the consequences will be made. Both parties will be made aware of the decisions and a rationale immediately after the meeting ends, either in person or via email; and

E. Once a decision is made, and if necessary, information on how to file an appeal with the ASNMSU Supreme Court will be given. From there, the ASNMSU Supreme Court Chief Justice and Associate Justices will assist.

2-8-2. ELECTION BOARD VIOLATION HEARING PROCEDURE

The ASNMSU Election Board is exempt from the ASNMSU Open Meetings Act during deliberation voting; however, the voting record of a final decision must be released upon a case's conclusion. Writing the meeting minutes is the role of the Deputy Elections Officer and the meeting minutes are Public Record that can be sent out by the Elections Department.

A. Rights of the involved parties include:

1. The Candidate against whom a violation is filed and the ASNMSU member filing the violation

must be allowed to present their points;

2. ASNMSU members filing the violation may request to stay anonymous and appear before the ASNMSU Election Board meetings through Zoom, Microsoft Teams call, phone call, or any appropriate means of communication where the filer(s) can stay anonymous; and

3. ASNMSU members must file their violations directly to the ASNMSU Chief Elections Officer and maintain communication if necessary.

2-8-2-1. PRE-TRIAL JUDGMENTS

The ASNMSU Election Board may issue any of the following judgments or perform any of the following actions before trial:

A. The Chief Elections Officer chairs the meeting and presents the violation(s) with the corresponding evidence that had been filed alongside it to the Election Board.

   i. The Election Board will review, discuss, and vote on whether the board will hear the violation. The Election Board can request the Attorney General's office to present an official opinion on whether the violation has legal standing/ground.

      a. Violations voted to be heard will enter the post-trial phase and a case number will be assigned to the violation(s).

      b. Violations voted not to be heard will be dismissed by the Election Board.

2-8-2-2. POST-TRIAL JUDGMENTS

A. Both parties will be notified of the Election Board Meeting where their violation will be discussed one (1) calendar day before the meeting start time. The respondent(s) and the filer(s) will be informed the day the Election Board decides to hear their case that they are to bring all the evidence they are to present. They will also need to email in their evidence to the Chief Elections Officer five (5) hours before the start of their hearing.

   i. The respondent(s) will be sent over the evidence filed alongside the violation; unless it is an anonymous submission, and the Chief Elections Officer cannot clear the evidence of information that may disclose the filers' identity. This decision is at the sole discretion of the Chief Elections Officer.

B. Only the parties are to be allowed into the meeting. The proceedings of the conference are closed. They are not a legislative/policy making body and thus exempt from the ASNMSU and New Mexico State Open Meetings Act. Any ASNMSU member can request the meeting minutes for these meetings either through the Elections Department.

C. The trial will hear from the filer(s) first and then respondent(s) second. In cases of anonymous violations there will be a minimum of fifteen (15) minutes between hearing from each side, so the parties do not run into each other.

   i. Presenting the case: The party will present its evidence and argument.

      a. The Election Board Member's will write down any possible questions for the party during this phase.

ii. Questions and Discussion:

a. The Election Board will question the party once they have completed presenting their case.

b. The Election Board will dismiss the parties and go into an internal discussion where they can ask the Attorney General's Office any bylaw clarification questions before going into a vote.

c. The Chief Elections Officer will notify the public and the parties within two (2) business days of the Election Boards ruling.

D. Rulings of the Election Board will be based on the Election Board's determination of severity and frequencies of a candidate's real violations in a written rationale of the ruling.

E. Dates of the ASNMSU Election Board meetings should be posted on the appropriate ASNMSU media accounts.

F. All members of the ASNMSU shall have the right to submit a violation form against any candidate in the ASNMSU elections; and

G. The ASNMSU Election Board must write out its decision and rationale immediately after the meeting; and

H. The candidate against whom the violation is filed and the ASNMSU member filing the violation must be informed of the ASNMSU Election Board's decision and the appeal process.

2-8-3. ELECTION CODE PENALTIES

Any person or election official who has been found to have violated the election code or campaign rules may be:

A. Prohibited (if an official candidate) from having their name on the ballots; and

B. Disqualified as an official candidate; and

C. Disqualified from assuming office; and

D. Prohibited from running for election or re-election for no less than one (1) semester and no more than one (1) academic year, as determined by the severity of the violation

E. Subject to additional penalties as prescribed by the ASNMSU Supreme Court, the ASNMSU Election Board, or any other disciplinary body with jurisdiction to impose such penalties:

1. Decisions of the ASNMSU Election Board to disqualify or remove votes from a candidate will automatically trigger an appeal through the ASNMSU Supreme Court:

a. It shall be the responsibility of the Chair of the ASNMSU Election Board to inform the candidate and ASNMSU Supreme Court of such decision immediately after the ASNMSU

Election Board meeting at which the decision was made; and

b. Candidates may choose to cancel their appeal. This request must be submitted directly to the ASNMSU Supreme Court.

2-9. VIOLATION APPEAL PROCEDURES

The following procedures shall be followed in the appeal of any ASNMSU Election violation penalty:

A. All appeals shall be taken to the ASNMSU Supreme Court; and

B. The appeal procedure is to be used when a member of the ASNMSU wishes to have the ASNMSU Supreme Court review the decision of the ASNMSU Election Board, believing that the ASNMSU Election Board violated the bylaws while making the decision, or when a party has been harmed as a result of the bylaws of the ASNMSU, and not because of the actions of another person or party; and

C. All members of ASNMSU shall have the right to one (1) appeal of a lower ASNMSU Court's decision; and

D. Upon the ASNMSU Supreme Court agreeing to hear an appeal, no additional evidence or witnesses shall be heard; and

E. In its review on appeal, the ASNMSU Supreme Court may affirm, modify, reverse, or set aside the judgment or order from which the appeal is taken; and

F. All appeal proceedings will commence and be adjudicated in accordance with the Rules of Procedure for the ASNMSU Courts.

G. No candidate(s) will be allowed to assume office until all decisions and/or judgments regarding the Elected office for which they ran have been satisfied.

2-10. ELECTION PROCEDURES

The following procedures shall be followed in the conduct of any ASNMSU Election.

<u>2-10-1. VOTING PROCEDURE</u>

Using the appropriate NMSU login information, students may only vote one (1) time for any election. This will allow only registered students who are feepaying members of the ASNMSU to vote.

<u>2-10-2. COUNTING THE VOTE PROCEDURES</u>

A. With internet voting, the voting results must be collected by at least three (3) ASNMSU Election Board representatives, including either the ASNMSU Chief Elections Officer or Chief Elections Officer's appointed representative and two (2) other voting members of the ASNMSU Election Board within one (1) hour from the official close of the polls. This deadline may be extended for technological problems beyond human control or when three (3) ASNMSU Election Board members are absent. In such cases, the deadline will be extended one (1) hour, and the ASNMSU Chief Elections Officer will be responsible for finding a replacement, who is not involved in the election, for the absent ASNMSU Election Board members; and

B. The ASNMSU Chief Elections Officer shall write the total number of votes cast for each person and the total number of votes cast for and against each constitutional amendment, referendum, or

other question. For internet voting, the ASNMSU Chief Elections Officer and at least two (2) ASNMSU Election Board members, who were witnesses to the collecting of results from the voting software, shall sign a statement certifying the results of the election. The receiving of voting software results shall be in accordance with procedures prescribed by the ASNMSU Chief Elections Officer; and

C. Regarding announcing the results, the ASNMSU Chief Elections Officer shall, by proclamation, announce the results of the election as follows:

1. At the closing of polls, the ASNMSU Election Board, and any individuals they deem necessary, will have a closed session to compile and certify the results prior to announcing the results; and

2. With internet voting, the unofficial results of the elections shall be posted no later than eleven (11:00) pm on Election Day unless there is a problem that would make internet services unavailable. In the event of this happening, the unofficial results of the election will be posted within two (2) hours of receipt of the results; and

3. Official results shall be posted no later than ten (10) business days following the closing of the polls; and

4. In the event of a contested result, the results will be posted upon tabulation of votes; and

5. Election results, unofficial and official, shall be posted in the following areas:

   a. On the door of the Office of the ASNMSU; and

   b. A copy of the official election results will be sent to student media outlets by the ASNMSU Chief Elections Officer within one (1) week of any general; and

   c. The ASNMSU website within one (1) week of any general.

6. A copy of the official results will be sent to the ASNMSU President and Vice President; and

7. The ASNMSU Chief Elections Officer shall keep on file the official results and the original certification of results.

D. Regarding voting records, the ASNMSU Chief Elections Officer shall keep all documentation cast in the general election only in case of a contest and only until the contest is resolved; and

E. Regarding the elections of ASNMSU Senators, the number of official or write-in candidates equaling the number of positions to be filled from their College, who receive the most votes, shall be elected to fill those positions, provided that:

1. There is no tie between two (2) or more candidates from a College for the last seat up for contention.

F. If there is a tie, there shall be a run-off election consisting of those candidates who are tied for the last seat up for contention. The run-off election shall be for only those candidates tied for the remaining seat(s). Any seat that has already been attained by another candidate who received more

votes, no matter the number, than those who are tied, shall be retained by the candidate who received those votes; and

G. It is unlawful for anyone except the ASNMSU Chief Elections Officer to obtain the election results prior to online poll closing.

2-10-3. ELECTION CONTENTION PROCEDURES

A. Regarding the recount of votes, any official candidate or that candidate's representative may request a recount of the votes cast concerning that particular ASNMSU race by filing a written notice with the ASNMSU Chief Elections Officer by five (5:00) pm the next business day following the announcement of the election results. All recounts shall be conducted at the same time and shall be prescribed by the ASNMSU Chief Elections Officer; and

B. Regarding contention of an election, any ASNMSU member may contest the election of any official or write-in candidate when they have a clear and just ground to contest that election. Any action to contest the general election shall be commenced by filing a written notice of contest by five (5:00) pm the following business day of the announcement of the unofficial results of the general election:

1. The notice of contest shall be filed with the ASNMSU Attorney General and Chief Elections Officer. Copies of the notice of contest shall be immediately furnished to all concerned candidates and officials; and

2. The notice must contain the specific offense or offenses which allegedly took place. If the contestant claims that illegal votes have been cast or counted for the contester, the contestant must specify the poll where such illegal votes were cast or counted and the facts showing illegality.

C. Regarding investigation and judgment, all issues of bylaws and fact shall be investigated by the Office of the ASNMSU Attorney General in conjunction with the ASNMSU Election Board and Chief Elections Officer. It shall be the duty of the ASNMSU Attorney General to hear such issues without delay as speedily as possible and to report those findings and opinions to the ASNMSU Election Board. At this time, the ASNMSU Election Board shall render any necessary preliminary judgment. If, in the judgment of the ASNMSU Election Board, such an error or fraud has been committed which is of such extent to render the legal results of the election to be indeterminable, the ASNMSU Election Board may order a new election:

1. The ASNMSU Election Board shall render its written decision by five (5:00) pm on the second (2nd) business day following their meeting; and

2. The Chair of the ASNMSU Election Board shall verify that a copy of the ASNMSU Election Board's written decision is delivered by mail or hand to each party involved.

D. Regarding the appeal of a contest, any decision of the ASNMSU Election Board may be appealed by five (5:00) pm the following business day after the decision has been rendered to the ASNMSU Supreme Court. The appeal shall be filed with the ASNMSU Supreme Court:

1. Should an appeal be submitted, which may result in the penalty of being excluded from an election, the election should not commence until a decision on the appeal is rendered; and

2. A contestant or contester shall have the right to retain qualified ASNMSU members as student counsel for representation before any ASNMSU decision-making bodies.

2-11. HOMECOMING ELECTIONS

2-11-1 HOMECOMING NOMINATION PROCEDURES

Any on-campus club or campus organization shall be allowed to appoint two (2) individuals to serve as candidates for Homecoming Royalty:

A. Any candidate, regardless of gender identity, can be nominated as a candidate for the position of Homecoming Royalty.

2-11-2 HOMECOMING ELECTION PROCEDURES

Candidates for Homecoming Royalty shall be bound to the Campaign Rules as established in Campaign Rules:

A. Any violations concerning Homecoming Court Elections shall be referred to the ASNMSU Chief Elections Officer and Executive Director of Activities; and

B. The top two (2) candidates who run shall be crowned Homecoming Royalty regardless of gender identity or organization affiliation; and

C. To abide by gender-inclusive language, the ASNMSU Department of Activities must provide materials for everyone on the ballot with respect to their gender identity and royalty title, with the options of King, Queen, or Royalty to whoever is crowned Homecoming Royalty.

2-12. INVALIDITY

If any portion of Article two (2): The Election Code is found invalid by the ASNMSU Supreme Court, ASNMSU Advisors, or the NMSU Dean of Students only that portion of Chapter two (2) will be considered invalid.

A. The Attorney General shall interpret the invalid portions using legal precedent and NMSU policy to address any vagueness in bylaws that have had portions invalidated or removed until such bylaws are clarified by Senate or by the Supreme Court per the duties stated in 3-8-8-C.

2-13. AMENDMENTS

Amendments to The Election Code may be enacted by a simple majority vote of the ASNMSU Senate as a legislative bill:

A. The ASNMSU Chief Senate Clerk shall make available copies of the above amendments to the ASNMSU Chief Elections Officer within three (3) business days of being signed into bylaw; and

B. The ASNMSU Chief Elections Officer shall inform the ASNMSU Deputy Elections Officer of the ASNSMU Senate amendments to Chapter two (2) of the ASNMSU bylaws; and

C. During weekly staff meetings, the ASNMSU Chief Elections Officer shall inform the ASNMSU Executive Directors of the above amendments.

D. Any amendments to the Election Code must be signed into law before the election packet receives a favorable recommendation in order to apply to that election.

a. Any changes made after the Election Packet is passed will apply to the next election.

3. EXECUTIVE BYLAWS

3-1. OATH OF OFFICE FOR THE PRESIDENT, VICE PRESIDENT, ATTORNEY GENERAL, AND DEPUTY ATTORNEY GENERAL

A. Before taking office, the ASNMSU President, ASNMSU Vice President, and Attorney General must swear the following oath or affirmation before assuming their respective office. This oath shall be administered publicly by the ASNMSU Supreme Court Chief Justice or an Associate Justice, selected by the Chief Justice, if they are unavailable.

B. Form of Oath:

1. For the offices of President and Vice President, *"I, (State your name), do solemnly swear (or affirm) that I will faithfully execute the Office of the President (or Vice President) of the Associated Students of New Mexico State University; and will, to the best of my ability, preserve, protect, and defend the Constitutions and laws of the United States of America and the State of New Mexico and the Constitution and bylaws of the Associated Students of New Mexico State University; and I will faithfully and impartially discharge the duties of the Office of President (or Vice President) to the best of my ability."*
2. For the offices of the Attorney General and Deputy Attorney General, *"I, (state your name), do solemnly swear (or affirm) that I will faithfully execute the Office of Attorney General (or Deputy Attorney General) of the Associated Students of New Mexico State University; and will, to the best of my ability, preserve, protect, and defend the Constitutions and laws of the United States of America, the State of New Mexico, and the Constitution and bylaws of the Associated Students of New Mexico State University; and I will faithfully and impartially discharge the duties of the Office of (Attorney General (or Deputy Attorney General) to the best of my ability."*

3-2. ORDER OF SUCCESSION

A. If both the ASNMSU President and ASNMSU Vice President resign from office, or shall be removed from office, or in some manners are rendered unable to fulfill their duties and responsibilities, the Office of the ASNMSU President shall devolve upon the ASNMSU President Pro Tempore, provided that the ASNMSU President Pro Tempore is qualified under the ASNMSU Constitution to hold the Office of the ASNMSU President:

1. The ASNMSU President Pro Tempore shall, before assuming the Office of the ASNMSU President, resign from all other elected or appointed ASNMSU offices they may occupy to the ASNMSU Chief Senate Clerk and ASNMSU Advisors:

    a. In the event the ASNMSU President Pro Tempore is not qualified to hold the Office of the ASNMSU President or shall not accept the Office of the ASNMSU President, the ASNMSU Senate shall elect, from its membership, an acting ASNMSU President who shall be qualified under the ASNMSU Constitution to hold the Office of the ASNMSU President:

        i. Before assuming the Office of the ASNMSU President, the elected ASNMSU Senator shall resign from all other elected or appointed ASNMSU offices they may occupy to the ASNMSU Chief Senate Clerk and ASNMSU Advisors.

B. The ASNMSU Senate shall elect, from its membership, an acting ASNMSU Vice President who shall be

qualified under the ASNMSU Constitution to hold the Office of the ASNMSU Vice President.

1. Before assuming the Office of the ASNMSU Vice President, the elected ASNMSU Senator shall resign from all other elected or appointed ASNMSU offices they may occupy to the ASNMSU Chief Senate Clerk and ASNMSU Advisors.

3-3. INFORMATION TO BE PROVIDED TO THE SENATE

By the fourth (4th) ASNMSU Senate meeting of each Spring semester the ASNMSU President shall give the ASNMSU Senate information on the State of the ASNMSU and recommend that they consider such measures as they judge necessary and expedient.

3-4. ASNMSU ADVISORS

A. The university administration will appoint appropriate staff members to advise, guide and provide oversight for ASNMSU activities, including the designation of the NMSU staff position authorized to take appropriate administrative action necessary to comply with university policies, rules, and procedures, including:

   1. NMSU Director of Student Involvement & Leadership Programs; and

   2. NMSU Assistant Directors, Student Activities; and

   3. NMSU Business Manager I.

B. The ASNMSU Advisors shall:

   1. Offer their opinion for consideration to the officer or body that they have been appointed to advise; and

   2. Provide necessary and useful information which might aid in making the best possible decisions; and

   3. Serve as a communications link between the administration and faculty of NMSU and the ASNMSU; and

   4. Promote continuity in the administration of the affairs of the ASNMSU.

C. The ASNMSU Advisors shall not have the power or authority to:

   1. Establish ASNMSU bylaws or policy; or

   2. Vote on any matter under the consideration of an ASNMSU deliberative body; or

   3. Direct or order any officer or body of the ASNMSU in the exercise of their constitutional or statutory duties and responsibilities.

3-5. QUALIFICATIONS CHECK ACT

A. Each ASNMSU Senator, Director, Assistant Director, and Justice shall submit an information release form to the ASNMSU Advisors upon the assumption of office; and

B. The information to be released from the Office of the ASNMSU includes:

1. Membership in the ASNMSU, in which the student must be an active fee-paying student at NMSU; and

2. Academic standing, in which the student must be in good standing or on probation; and

3. Disciplinary standing, in which the student must be in good standing or on probation; and

4. College of enrollment; and

5. Cumulative Grade Point Average; and

6. Semester Grade Point Average; and

7. The ASNMSU position interviewed and hired for, which must be the same position.

C. The procedure for checking shall be as follows:

1. The ASNMSU Advisors shall prepare a list of ASNMSU Senators, Directors, Assistant Directors, and Justices, together with the qualifications for these offices; and

2. This list shall, together with the information release forms, be verified by the ASNMSU Advisors and submitted to the NMSU Office of Student Conduct and Community Standards to verify disciplinary action; and

3. The ASNMSU Advisors shall notify the student and their supervisor directly if any ASNMSU Senator, Director, Assistant Director, or Justice does not meet the qualifications for office; and

4. The ASNMSU President, Vice President, or Supreme Court Chief Justice in conjunction with the ASNMSU Advisors shall confidentially notify the person that the records indicate that said person is not qualified for office. This information will not be released to any other person. The person shall have one (1) week to correct the records; and

5. At the end of the week, the person will be given the chance to resign. If the person refuses to resign, the information will be made public, and the person will be disqualified from holding the office; and

6. The same procedure shall be followed for anyone assuming office in the middle of the semester; and

7. If any ASNMSU member suspects that a person no longer meets the qualifications for the office, they may confer with the ASNMSU Advisors who will then proceed with the procedure for the qualifications check.

3-6. ASNMSU STUDENT ADMINISTRATIVE ASSISTANT

The duties and responsibilities of the ASNMSU Student Administrative Assistant are as follows:

A. Performs typing and clerical work of some difficulty; and

B. Make appointments for superiors, including:

1. The ASNMSU President; and

2. The ASNMSU Vice President; and

3. The ASNMSU Administrative Assistant.

C. Receive and screen visitors; and

D. Answer and make phone calls; and

E. Receive, sort, and distribute mail; and

F. Post bookkeeping information; and

G. Maintain confidential records; and

H. Assemble and organize materials used by superiors in completing work assignments; and

I. Answers routine student questions in academic departments; and

J. Runs errands; and

K. Act as the primary receptionist; and

L. May operate word processing, spreadsheet, duplicating, and copying equipment; and

M. Performs related work as assigned; and

N. Hold regular office hours except for university holidays; and

O. Prepare a transition manual for their successor.

3-6-1. HIRING AND QUALIFICATIONS FOR ASNMSU STUDENT ADMINISTRATIVE ASSISTANT

A. The ASNMSU Administrative Assistant shall post an announcement of up to two (2) positions of vacancy online; and

B. The minimum qualifications necessary for the position of the ASNMSU Student Administrative Assistant are:

1. Education:

a. Applicants shall have been an ASNMSU fee-paying member for at least one (1) previous semester and will continue to be an ASNMSU fee-paying member for their term; and

b. Passed three (3) credit hours of English Composition, two hundred (200) level or above; and

c. Passed three (3) credit hours of math, one hundred (100) level or above.

2. Skills:

a. Previous experience within the ASNMSU; and

b. Any qualifications outlined in the NMSU Human Resources Services Position Classification Description.

3-7. DUTIES OF THE ASNMSU PRESIDENT

A. The ASNMSU President shall be elected by the NMSU Student Body during the spring elections and subsequently hired by the ASNMSU; and

B. It shall be the duty of the ASNMSU President to perform the following faithfully and adequately:

1. Serve as the primary liaison between students and the administration on matters impacting the student body; and

2. Have extensive knowledge of the ASNMSU Bylaws; and

3. Act as the Chief Executive Officer of the executive branch, overseeing the administration and implementation of ASNMSU policies; and

4. Serve as a student advisor to the NMSU Board of Regents, University President, Provost, and other key administrators; and

5. Chair the Student Fee Review Board; and

6. Attend the following boards and committee, representing the interests of the student body in decision-making processes, including but not limited to:

a. University System Administrative Council (USAC); and

b. Associate Deans Academic Council (ADAC); and

c. University Program Approval Council (UPAC); and

d. Library Student Advisory and Advocacy Council (LSAAC); and

e. Board of Regents (BOR); and

f. Regents Real Estate Committee/Aggie Development Inc. (RREC & ADI); and

g. Regents Student Success Committee (RSSC); and

h. Regents Financial Strategies, Performance, and Budget Committee (RFSPBC).

7. Possess the authority to sign legislation into law, ensuring that bills passed by the ASNMSU Senate

align with the organization's goals and values; and

a. The President also holds the power to veto bills deemed unconstitutional, unwise, or unjust:

1. Should the President exercise the veto power, a detailed memorandum outlining the reasons for the veto must be provided.

8. At the first ASNMSU Senate meeting following spring break, the ASNMSU President shall deliver the State of the Association Address and recommend that the Senate consider such measures as they judge necessary and expedient; and

9. Promote and advocate for student engagement and participation, encouraging student involvement in ASNMSU and other campus activities, and fostering a culture of civic responsibility; and

10. Serve as the primary spokesperson for ASNMSU, communicating key initiatives, policies, and positions to the media, university community, and the public; and

11. Monitor and address student concerns related to campus life, academic affairs, and student welfare, working with appropriate university departments to resolve issues; and

12. Represent ASNMSU at university and community events, fostering positive relationships with faculty, staff, alumni, and other stakeholders, and enhancing the visibility of ASNMSU; and

13. After reviewing student opinion data collected by the previous administration's Student Advocacy Board, the ASNMSU President shall decide the Capital Outlay Project of the year.

a. The ASNMSU President must write a memo addressed to the association acknowledging they have reviewed the student opinion data. This must be done within one day of the State deadline for submission.

3-7-1. ASNMSU CHIEF OF STAFF

The duties and responsibilities of the ASNMSU Chief of Staff are as follows:

A. Have no authority or power to enact any bylaw or adopt any policy on behalf of the ASNMSU; and

B. From time to time, address issues on behalf of the ASNMSU President; and

C. Be expected to perform the following duties upon request of the ASNMSU President:

1. Serve as coordinator of all meetings held between the ASNMSU President and any other organization; and

2. Provide support staff for any intermediate projects under consideration by the ASNMSU; and

3. Serve as official coordinator of the ASNMSU for any ASNMSU activity held on NMSU campus.

D. Aid the ASNMSU President in preparing and documenting material for presentation to the

NMSU Board of Regents; and

E. Aid the ASNMSU President in coordinating the ASNMSU Executive Staff. Perform all other tasks as assigned by the ASNMSU President; and

F. Shall work with the ASNMSU President to approve all executive transition manuals prior to the last ASNMSU Senate meeting of the year; and

G. Organize and Chair weekly staff meetings at which the ASNMSU Executive Staff will provide reports and updates concerning the completion of their duties and responsibilities:

1. During these weekly staff meetings, the ASNMSU Chief of Staff shall inform ASNMSU Executive Directors of ASNMSU Senate amendments; and

2. A copy of the amendments shall be submitted to the ASNMSU Chief of Staff by the ASNMSU Chief Senate Clerk immediately after the bill becomes a bylaw.

H. Hold regular office hours except for university holidays; and

I. Create and maintain a transition manual to be delivered to the newly hired ASNMSU Chief of Staff upon their selection.

J. In the event that the Director position is vacant, the Chief of Staff shall assume the responsibilities of Interim Director until the position is filled.

3-7-2. HIRING OF THE CHIEF OF STAFF

A. The ASNMSU President is granted the authority to hire an ASNMSU Chief of Staff; and

B. Any ASNMSU member hired to the Office of ASNMSU Chief of Staff must meet the qualifications set out in Executive Student Leader Qualifications Act; and

C. The ASNMSU Chief of Staff shall serve at the discretion of the ASNMSU President:

1. The ASNMSU President shall be the ASNMSU Chief of Staff's direct supervisor; and

2. The ASNMSU Chief of Staff shall be the direct supervisor to the Executive Cabinet.

3-7-3. REMOVAL FROM OFFICE OF THE ASNMSU CHIEF OF STAFF

The ASNMU President shall have the sole authority to remove the ASNMSU Chief of Staff from office after all policies, procedures, and methods of removal, in accordance with the policies and procedures of the NMSU professional staff, are completed:

A. The ASNMSU Senate can censure the ASNMSU Chief of Staff for disorderly behavior or unprofessional conduct through a procedural resolution. This resolution will include the specific reasons for censure.

3-7-4. ASNMSU DEPUTY CHIEF OF STAFF

The duties and responsibilities of the ASNMSU Deputy Chief of Staff are as follows:

A. In the absence of the ASNMSU Chief of Staff, address intermediate issues upon approval from the ASNMSU Chief of Staff and/or ASNMSU President; and Be expected to perform the following duties upon request of the ASNMSU Chief of Staff:

1. Assist with all meetings held by the ASNMSU Chief of Staff or held by other organizations; and

2. Provide support for staff on any intermediate projects under consideration by the ASNMSU; and

3. Assist as an official representative of the ASNMSU for any ASNMSU activity held on the campus of NMSU.

4. Or any other work-related request from the ASNMSU Chief of Staff.

B. Aid the ASNMSU Chief of Staff in preparing and documenting material for presentation to the ASNMSU President; and

C. Aid the ASNMSU Chief of Staff in coordinating the ASNMSU Executive Staff.

D. Perform all other tasks as assigned by the ASNMSU President; and

E. Assist in organizing and planning weekly staff meetings at which the ASNMSU Executive Staff will provide reports and updates concerning the completion of their duties and responsibilities:

1. During these weekly staff meetings, the ASNMSU Deputy Chief of Staff shall assist in any updates from the ASNMSU Chief of Staff; and

F. Hold regular office hours except for university holidays; and

1. Create and maintain a transition manual to be delivered to the newly hired ASNMSU Deputy Chief of Staff.

3-8. EXECUTIVE CABINET

A. The ASNMSU President and Chief of Staff, with the help of the ASNMSU Hiring Committee, will hire and fill the ASNMSU Executive Director positions, which include the following:

1. ASNMSU Attorney General; and

2. ASNMSU Comptroller; and

3. ASNMSU Director of Activities; and

4. ASNMSU Director of Community Outreach; and

5. ASNMSU Chief Elections Officer; and

6. ASNMSU Director of Governmental Affairs; and

7. ASNMSU Director of Public Relations; and

8. ASNMSU Director of Services; and

9. ASNMSU Deputy Chief of Staff.

B. The ASNMSU Executive Cabinet shall be the direct supervisor of their respective assistants; and

C. All ASNMSU Executive Directors and Assistant Directors shall meet the following criteria upon

assuming their respective positions:

1. Hold regular office hours except for university holidays; and

2. Create and maintain a transition manual to be delivered to the newly hired ASNMSU Executive Directors or Assistant Directors upon their selection; and

3. Be required to sign the ASNMSU Code of Ethics and Student Leadership Agreement.

D. All members of the ASNMSU executive branch must be in attendance or properly excused from the bi-annual ASNMSU Association Retreat.

1. Excusals must be submitted to the ASNMSU Chief of Staff two (2) weeks prior to the retreat.

3-8-1. EXECUTIVE STUDENT LEADER HIRING COMMITTEE

An ASNMSU Hiring Committee shall consider and interview applicants for all ASNMSU Executive Student Leader positions. This committee shall only include the following:

A. One (1) ASNMSU Advisor; and

B. The ASNMSU President; and

C. The ASNMSU Vice President; and

D. The ASNMSU Chief of Staff.

3-8-2. POSTING OF EXECUTIVE STUDENT LEADER OPENINGS

The ASNMSU President or Chief of Staff must inform the ASNMSU Advisors of updates to open/vacant ASNMSU Executive Student Leader position(s). The ASNMSU Administrative Assistant shall post the position descriptions and application(s) online. Qualifications listed in the ASNMSU Executive Student Official Qualifications Act must be included in the position posting.

3-8-3. EXECUTIVE STUDENT LEADER COMPENSATION LIMIT

ASNMSU Executive Staff and paid employees shall receive compensation as outlined in the most current ASNMSU General Appropriations Act. Minimum and maximum pay rates are to be determined by NMSU-approved student employment pay rates. No executive salary shall exceed this amount under any circumstance.

3-8-4. TERM OF OFFICE

A. The term of office for ASNMSU Executive Student Leader positions is one (1) academic year, or as stated in the official position offer letter; and

B. Summer employment may be included as needed.

3-8-5. EXECUTIVE STUDENT LEADER QUALIFICATIONS ACT

A. Applicants shall be ASNMSU fee-paying members, and continue to be so throughout the term of their employment; and

B. Applicants for ASNMSU Executive Director and Chief of Staff positions shall have been

ASNMSU fee-paying members for one (1) fall or spring semester prior to their official start date; and

C. Applicants shall meet the minimum qualifications set forth in the current NMSU Student Employee Handbook with regards to GPA, academic, and disciplinary probation; and

D. Waivers on academic progress or GPA shall be decided in accordance with the current NMSU Student Employee Handbook; and

E. Any other qualifications outlined in the NMSU Human Resource Services Position Classification Description.

3-8-6. TEMPORARY APPOINTMENT OF EXECUTIVES

A. Should an ASNMSU Executive Director position or the ASNMSU Comptroller position become vacant during the term, the ASNMSU President shall, with the consent of the ASNMSU Hiring Committee, hire someone to fill the position for the remainder of the term, provided that the replacement fulfills the qualifications for the position; and

B. Should an ASNMSU Assistant Director position become vacant during the term, the ASNMSU Executive Director of that office shall hire a replacement for the remainder of the term, provided that the replacement fulfills the qualifications for the position; and

C. Should the Office of the ASNMSU Chief of Staff become vacant during the term, the ASNMSU President shall hire a replacement for the remainder of the term, provided that the replacement fulfills the qualifications for the position.

3-8-7. HIRING OF ASSISTANT EXECUTIVE STUDENT LEADERS

A. The respective ASNMSU Executive Directors shall hire ASNMSU Assistant Director positions and shall set up interviews for the respective position and send the offer letter to their respective Assistant Director and the Deputy Chief of Staff as well as denial letters to rejected applicants who received an interview and were not hired.
    a. Only the respective ASNMSU Executive Director, Chief of Staff, and ASNMSU Advisor will be present for the interview and consideration of applicants.

B. The amount of ASNMSU Assistant Director positions each ASNMSU Executive Director is allowed to offer within their department must adhere to the budget allocated to it from the most current General Appropriations Act (GAA).

3-8-8. ASNMSU ATTORNEY GENERAL

The duties and responsibilities of the ASNMSU Attorney General are as follows:

A. Represent ASNMSU in cases before the ASNMSU Supreme Court in which ASNMSU is a party of interest:
    1. Should the ASNMSU Supreme Court or the ASNMSU President determine that the ASNMSU Attorney General has a personal or pecuniary interest in the case, the ASNMSU President is responsible for appointing counsel to represent ASNMSU; and Should the ASNMSU Supreme Court decide that the ASNMSU Attorney General has a personal or pecuniary interest in the case of impeachment proceedings against the ASNMSU President or the ASNMSU Vice President, the ASNMSU Supreme Court is responsible for appointing counsel to represent ASNMSU.

B. Act, if requested, as an advisor on the ASNMSU bylaws for any officer, agent, or employee of the ASNMSU in the event such person is named as a party in any action in connection with an act growing out of the performance of said member's duty; and

C. Give an opinion, in writing, on any question of the ASNMSU bylaws submitted to the Office of the ASNMSU Attorney General by any member of the ASNMSU; and

D. Keep a register of all opinions rendered by the Office of the ASNMSU Attorney General:

1. The Attorney General shall recognize that any, and all, past Attorney General interpretations hold no precedence as the bylaws are continuous and fluctuate in different contexts:

   a. If the bylaws have not been made clearer since the question was previously interpreted, it must be reinterpreted by the new administration to maintain legal value; and

   b. In the event a previous Attorney General gives an interpretation of the bylaws when they no longer have legal authority, the interpretation no longer holds the same weight.

E. Act as the official custodian and trustee for ASNMSU of the current and past versions of the ASNMSU bylaws and other related materials from other university and college student governments, all bills enacted into bylaw, all resolutions and memorials passed by the ASNMSU Senate, and all other ASNMSU public records which in the opinion of the ASNMSU Attorney General, are of legal or historical value to ASNMSU and which are transferred to the ASNMSU Attorney General from any ASNMSU office or any other source. As the official custodian the ASNMSU Attorney General shall:

1. Receive and respond to requests to inspect records; and

2. Arrange proper and reasonable inspection opportunities; and

3. Provide facilities for making copies of records or furnish copies of records to the requestor.

F. During the regular performance of their custodial and trustee duties with regards to the current ASNMSU bylaws, the ASNMSU Attorney General may identify grammatical, spelling, or minor formatting errors in the bylaws and, upon majority consent of the ASNMSU Senate Rules Committee, correct these errors in their respective sections so long as:

1. The corrections do not alter or confuse the meaning, application, or legislative intent of the section or statute in which they are contained; and

2. During the ASNMSU Senate recesses, any minor corrections proposed by the ASNMSU Attorney General must be consented upon by a majority vote of the voting members of the ASNMSU Bylaw committee, provided the corrections do not alter or confuse the legislative intent, meaning or application of the sections or statutes in which they are contained.

G. Perform all other duties required by the ASNMSU bylaws; and

H. Appoint, if desired, an ASNMSU Deputy Attorney General:

1. The ASNMSU Deputy Attorney General shall hold office at the pleasure of the ASNMSU Attorney General; and

2. The ASNMSU Deputy Attorney General shall, subject to the direction of the ASNMSU Attorney General, have equal power and authority as the ASNMSU Attorney General but shall be subordinate to the ASNMSU Attorney General.

3. The Deputy Attorney General can be hired or appointed through an internship position.

   a. For an intern Deputy Attorney General to earn New Mexico State University (NMSU) class credit if the internship is supervised by a professor in the Government or Philosophy department. Otherwise, the internship will be for professional development and resume building.

   b. The course(s) for this internship are Internship in Philosophy and Law (PHIL - 435) and Practicum in Student Government (GOV - 412).

   c. The Deputy Attorney General Internship can only be taken for two (2) semesters – whether consecutive semesters or not.

I. Attend all regular meetings of the ASNMSU Senate:

   a. With at least three (3) days' prior notice, the Attorney General may request an excusal by submitting a formal email to the ASNMSU President, ASNMSU Vice-President, and any other necessary recipients. This request must include:

      1. A suitable reason for the excusal, along with any available supporting evidence; and

      2. Notification to the Senate, which shall be provided by the ASNMSU Vice-President or their designated replacement; and

   b. During an excused absence, the Parliamentarian shall serve as the sole authority for parliamentary procedure clarification for that meeting; however, this does not grant them the power to interpret or clarify the ASNMSU bylaws; and

   c. In the absence of immediate bylaw clarification, the ASNMSU Senate shall decide whether to proceed with voting on bills as presented or tabling them until clarification can be provided; and

J. To ensure that all portions of the ASNMSU bylaws and proposed legislation fit within the scope of the ASNMSU Constitution, New Mexico State laws and appropriately correspond with ASNMSU rules and regulations; and

K. Determine each fall the number of ASNMSU Senate seats apportioned to each College as specified in the ASNMSU Election Code of the ASNMSU bylaws and make available all appropriate changes in the form of a memorandum; and

L. The Attorney General must provide an executive report to the ASNMSU Senate the first and final ASNMSU Senate meeting of each semester, at all meetings immediately following an official opinion issued from their office, and whenever requested by the President of the ASNMSU Senate:

   1. If a conflict arises the ASNMSU Attorney General must follow procedures according to 3-8-8-I, and shall provide any necessary information to present on their behalf: and

M. Serve as an ex officio non-voting member of the following:

1. ASNMSU Election Board; and

2. ASNMSU Senate Rules Committee; and

3. ASNMSU Bylaw Committee consisting of:

   a. The Summer and Winter Bylaw committees.

N. The Attorney General's Office, drawing upon its custodial and advisory functions, may initiate bylaw proposals to address legal clarifications, procedural updates, and necessary amendments in response to emerging issues or to add clarity to gaps in the bylaws – subject to regular bylaw standards. The purpose of this section is to establish a clear and standardized process for the ASNMSU Attorney General's Office to draft and submit bylaw proposals for consideration by the Senate. The Procedure for Drafting and Submitting Bylaw Proposals consists of:

1. The process for the introduction of bylaw proposals from the Attorney Generals' Office shall include the following steps:

   a. The Attorney General's Office shall determine there is a need for legal clarification and shall draft the intended proposal in consultation with relevant stakeholders (e.g., the ASNMSU Comptroller for the Financial Procedures Manual and their sections of Article 3) to ensure the proposal's legal validity and procedural compliance; and

   b. Each proposal must include a detailed justification, including relevant legal analysis and reference to specific sections of the ASNMSU bylaws and governing documents; and

   c. Once the bylaw proposal is finalized, the proposal shall be submitted via email to Senate Leadership. Then, the ASNMSU Pro Tempore will distribute/assign proposed legislation to a Senator who shall author the bill and submit it by the next Rules Committee Meeting after the proposal was assigned or author the proposal themselves. Thereafter, the proposal will be subject to the regular Senate legislative processes; and

2. The Attorney General's Office's internal email and complete proposal text shall be open to the Senate to discuss, and the Senate may request additional information/clarification from the Attorney General's Office if needed.

   a. However, any emails or documents from the Attorney General's office that contain clearly marked confidential notices shall not be read aloud or publicly shared during Senate meetings, unless express permission has been granted by the Attorney General.

O. Appoint, if desired, an ASNMSU Deputy Archivist to assist with custodial, archival, and historical responsibilities:

1. The ASNMSU Deputy Archivist shall serve under the supervision of the ASNMSU Attorney General and support the maintenance, organization, and digitization of ASNMSU governing documents, legal opinions, resolutions, and archival materials of historical value.

2. The Deputy Archivist shall be responsible for: a. Assisting in the creation, cataloging, and regular updating of the digital archive for all past and current bylaws, resolutions, and legal interpretations; b. Maintaining a searchable index of ASNMSU legal documents and ensuring records are properly formatted and accessible to ASNMSU members; c. Supporting transparency by ensuring historical records are made available to the public and campus stakeholders in accordance with custodial policies; d. Organizing past resolutions and memorials by Senate session, topic, and legislative history.

3. The Deputy Archivist may be: a. Appointed as an intern, volunteer, or staff member at the discretion of the Attorney General; b. Eligible to earn NMSU academic credit if the position is supervised by a faculty member from an NMSU-recognized department (e.g., through HIST 480/HIST 483, HNRS 421, or a department-approved directed study course); c. Permitted to serve for a maximum of two (2) semesters in the internship capacity, regardless of whether the terms are consecutive or non-consecutive.

4. All work performed by the Deputy Archivist shall be reviewed and authorized by the ASNMSU Attorney General prior to public release or legal use

3-8-9. ASNMSU COMPTROLLER

The duties and responsibilities of the ASNMSU Comptroller are as follows:

A. Maintain a financial review process monthly by meeting with the ASNMSU Executive Directors to determine how they are spending ASNMSU funds; and

B. Prepare an annual report for the ASNMSU President concerning all ASNMSU material and monies unaccounted for; and

C. Provide an analysis of the utilization of ASNMSU student activity fees by:

1. Reporting monthly on the ASNMSU Senate distribution of activity money to recognized ASNMSU/NMSU student organizations, and their uses; and

2. Advising the ASNMSU Senate as to the appropriate changes that further the welfare of the NMSU student body; and

3. Providing the ASNMSU Senate with year-to-date information concerning the financial history of the organization.

D. Prepare for the ASNMSU Executive Directors, in cooperation with the ASNMSU Assistant Comptroller, policies and procedures for expenditures of funds from ASNMSU; and

E. Serve as the Chair of the ASNMSU Appropriations Board; and

F. Serve as a voting member of the ASNMSU Finance Board and coordinate the process of preparing the annual ASNMSU General Appropriations Act; and

G. Serve as an ex officio non-voting member of the ASNMSU Senate Budget Committee; and

H. Prepare an audit of ASNMSU or any of the ASNMSU-funded organizations upon the request of the:

1. ASNMSU Senate Finance Committee; or

2. ASNMSU Senate Finance Board; or

3. ASNMSU President.

I. Attend meetings of the ASNMSU Senate Finance Committee at the request of the Chair of the ASNMSU Senate Finance Committee; and

J. Review and process the digital ASNMSU Financial Procedures Workshops; and

K. Conduct an in-person ASNMSU Financial Procedure Workshop upon request; and

L. Supply the ASNMSU Vice President and Fiscal Advisor monthly reports of the accountability of all provided funds to organizations which will then be made available to the ASNMSU Senate through the ASNMSU Vice President; and

M. Supply the ASNMSU Vice President and Fiscal Advisor monthly reports of the accountability of all provided funds to organizations which will then be made available to the ASNMSU Senate through the ASNMSU Vice President; and

N. Complete and process reimbursement vouchers for any ASNMSU-funded club or organization; and

O. Ensure that all expenditures of ASNMSU funds have been properly authorized by the ASNMSU Senate or the College Councils; and

P. Meet with the ASNMSU Senate once a month during a scheduled meeting of the ASNMSU Senate to provide reports on the financial position of the ASNMSU; and

3-8-10. ASNMSU ASSISTANT COMPTROLLER

The duties and responsibilities of the ASNMSU Assistant Comptroller are as follows:

A. Maintain records of all expenditures; and

B. Prepare for the ASNMSU Executive Directors, in cooperation with the ASNMSU Comptroller, policies and procedures for the expenditures of the ASNMSU Base Programs; and

C. Maintain an updated record of the ASNMSU organization, policies, and procedures for the acquisition of funds from the ASNMSU Senate; and

D. Serve as a member of the ASNMSU Appropriations Board; and

E. Serve as an ex officio non-voting member of the ASNMSU Senate Finance Board; and

F. Establish a file system that would include:

1. A record of all ASNMSU Senate and College Council appropriations to student organizations; and

2. Running balance ledgers for the student organizational accounts.

G. To perform any additional duties as delegated to them by the ASNMSU Comptroller.

3-8-11. SPECIFIC QUALIFICATIONS FOR THE COMPTROLLER AND ASSISTANT COMPTROLLER

A. Applicants for the position of ASNMSU Comptroller, in addition to the qualifications outlined in the ASNMSU Executive Student Leader Qualifications Act, shall have completed the following:

    1. A minimum of six (6) credit hours of accounting at the two hundred (200) level or above, with at least one of these courses being at the three hundred (300) level or above.

B. Applicants for the position of ASNMSU Assistant Comptroller, in addition to the qualifications outlined in the ASNMSU Executive Student Leader Qualifications Act, shall have completed the following:

    1. A minimum of six (6) credit hours of accounting at the two hundred (200) level or above.

3-8-12. ASNMSU EXECUTIVE DIRECTOR OF ACTIVITIES

The duties and responsibilities of the ASNMSU Executive Director of Activities are as follows:

A. Maintain good relations with organizations to sponsor events with; and

B. Responsible for the planning and execution of Homecoming – including the bonfire and parade, as well as Spring Fling and The Burning of the Lobo; and

C. Serve as the Chair of the Homecoming Committee and ensure the appointment of three (3) individuals from ASNMSU, who are not part of the Activities Department, to serve on the committee; and

D. Meet with the ASNMSU Chief of Staff weekly to provide reports on upcoming and scheduled events; and

E. Meet with the ASNMSU Senate during a scheduled Senate meeting each month to provide reports on upcoming events, scheduled events, job progress, and the current budget, at the discretion of the ASNMSU President. If the ASNMSU Executive Director of Activities cannot attend, an ASNMSU Assistant Director of Activities may be sent to provide the report; and

F. Supervise and review the functioning of homecoming, performances, and special events, and assist as necessary to ensure that the performance is in accordance with the Administrative Rules and Procedures (ARP) and the ASNMSU bylaws; and

G. To work with other departments and organizations in the planning, preparation, and delivery of events such as Spring Fling or The Burning of the Lobo; and

H. Appoint two individuals to fill the position of the ASNMSU Assistant Director of Activities for Special Events and the ASNMSU Assistant Director of Activities for Athletic Relations to work at the discretion of the ASNMSU Executive Director of Activities; and

I. Perform all other duties related to activities that the ASNMSU President may request; and

J. Act as the official liaison between the ASNMSU and the entertainment community; and

K. Plan and organize concerts and publicity events on behalf of the ASNMSU; and

L. Shall supervise these events and assist in their implementation as necessary to ensure that they operate in accordance with NMSU Policy and the ASNMSU bylaws; and

M. Shall not promise to any performer more payment than the ASNMSU Senate has appropriated for concerts and event planning in that fiscal year's ASNMSU General Appropriations Act.

3-8-13. ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES FOR SPECIAL EVENTS

The duties and responsibilities of the ASNMSU Assistant Director of Activities for Special Events are as follows:

A. Assist with the scheduling of all events; and

B. Interact with the ASNMSU Executive Director of Activities to discuss current and upcoming projects; and

C. Perform any other duties assigned by the ASNMSU Executive Director of Activities; and

D. Assist with the planning and staging of performances at NMSU and in the surrounding area; and

E. Perform other departmental duties as assigned by the ASNMSU Executive Director of Activities; and

F. Serve as the Homecoming Committee Chair in the event the ASNMSU Executive Director of Activities cannot attend the meeting; and

G. Assist with the staging and execution of Homecoming and Spring Fling events.

3-8-14. ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES FOR ATHLETIC RELATIONS

The duties and responsibilities of the ASNMSU Assistant Director of Activities for Athletic Relations are as follows:

A. Serve as an additional contact between the NMSU Athletic Department and the ASNMSU; and

B. Attend Game Management Meetings with the ASNMSU Executive Director of Activities and any other meetings as delegated to them by the ASNMSU Executive Director of Activities; and

C. Serve on the NMSU Athletic Committee if such a duty is delegated to them by the ASNMSU Executive Director of Activities; and

D. Perform other departmental duties as assigned by the ASNMSU Executive Director of Activities; and

E. Assist with staging and execution of Homecoming and Spring Fling; and

F. Serve as the principal contact between the NMSU Athletic Department and the ASNMSU; and

G. Work in conjunction with the NMSU Athletic Department to coordinate the ASNMSU tailgate activities; and

H. If necessary, appoint a member of the ASNMSU to serve as the ASNMSU Tailgate Chair.

3-8-15. ASNMSU EXECUTIVE DIRECTOR OF COMMUNITY OUTREACH

The duties and responsibilities of the ASNMSU Executive Director of Community Outreach are as follows:

A. Maintain contact with the NMSU Foundation; and

B. Provide student organizations, including all College Councils, with advice and assistance in completing community service activities, including keeping these organizations advised of service opportunities; and

C. Prepare for all student organizations and members of the ASNMSU a presentation explaining the policies and procedures for completing the community service requirements for the ASNMSU Senate. These presentations shall occur at least once a semester and may be coordinated with the ASNMSU Comptroller to coincide with the ASNMSU Comptroller's Financial Procedure Workshops; and

D. Maintain a list of organizations in the community that consistently provide opportunities for student organizations to complete their community service requirements; and

E. Coordinate the Big Event and Keep State Great community service projects; and

1. The Big Event will be an off-campus community service event to be organized in the spring semester; and

2. The ASNMSU Executive Director of Community Outreach will organize the Big Event with local, regional, or national nonprofit organizations; and

3. The Keep State Great Community Service Project will be an on-campus event intended to prepare the campus for homecoming events; and

4. The ASNMSU Executive Director of Community Outreach will organize Keep State Great to be organized prior to Homecoming in the fall semester; and

5. The event can be coordinated with the ASNMSU Executive Director of Activities and can include campus beautification projects which are Homecoming themed.

F. Serve as supervisor of the ASNMSU Roadrunner Program; this will include recruiting during the summer orientation programs; and

G. Serve as an ex officio non-voting member of the ASNMSU Senate Credentials and Archives Committee as requested by the committee Chair; and

H. Meet with the ASNMSU Senate monthly during a scheduled meeting of the ASNMSU Senate to provide reports on upcoming events, scheduled events, job progress, and the current budget at the discretion of the ASNMSU President. If the ASNMSU Executive Director of Community Outreach cannot attend, the ASNMSU Executive Director of Community Outreach can send the ASNMSU Assistant Director of Community Outreach to provide the report; and

I. Act as the liaison of the ASNMSU within the communities of New Mexico; and

J. Meet with the local community, business, and government leaders regularly to advise them of the initiatives the ASNMSU is undertaking and to foster a working relationship with these leaders; and

K. Perform any other duties as assigned by the ASNMSU President; and

L. Focus on sustainability awareness and education throughout the NMSU Campus and the communities of New Mexico:

1. Coordinate an Earth Day Event in Conjunction with the NMSU Office of Sustainability and related student organizations; and

2. Become a source of sustainability information for student organizations; and

3. Become an information base for student organizations; and

4. Focus on one (1) initiative each year which can include but is not limited to recycling, biowaste, energy, and transportation.

3-8-16. ASNMSU ASSISTANT DIRECTOR OF COMMUNITY OUTREACH

The duties and responsibilities of the ASNMSU Assistant Director of Community Outreach are as follows:

A. The ASNMSU Assistant Director of Community Outreach will serve as the liaison to the Department of Student Involvement and Leadership Programs; and

B. Plan leadership workshops throughout the semester; and

C. Travel to high schools statewide and regional with the intent of recruiting students into the ASNMSU Roadrunner program; and

D. Help with office activities set forth by the ASNMSU Director of Community Outreach; and

E. Help with the planning, coordination, and execution of projects set forth by the ASNMSU Director of Community Outreach.

3-8-17. ASNMSU ASSISTANT DIRECTOR OF COMMUNITY OUTREACH FOR PROFESSIONAL DEVELOPMENT

The duties and responsibilities of the ASNMSU Assistant Director of Community Outreach for Professional Development are as follows:

A. Serve as the liaison to the NMSU Department of Student Involvement and Leadership Programs to work on the roadrunner program; and

B. Plan leadership workshops throughout the semester and create a schedule for the roadrunners to be involved within the ASNMSU processes; and

C. Travel to high schools statewide and regional with the intent of recruiting students into the ASNMSU Roadrunner program; and

D. Help with office activities set forth by the ASNMSU Director of Community Outreach; and

E. Help with the planning, coordination, and execution of projects set forth by the ASNMSU Director of Community Outreach.

3-8-18. ASNMSU CHIEF ELECTIONS OFFICER

The duties and responsibilities of the ASNMSU Chief Elections Officer are as follows:

A. Obtain and maintain reasonable uniformity in the application, operation, and interpretation of the ASNMSU Election Code; and

B. Generally, supervise all ASNMSU elections; and

C. Verify that all official candidates for ASNMSU offices are qualified to accept and to run for the office for which they are official candidates at the time of the election; and

D. Attend every other scheduled meeting of the ASNMSU Senate to provide reports on upcoming events, scheduled events, job progress, and current budget at the discretion of the ASNMSU President:

    1. If the ASNMSU Chief Elections Officer cannot attend, the ASNMSU Chief Elections Officer may send the ASNMSU Deputy Elections Officer or a representative from the ASNMSU to provide the report.

E. Prepare instructions for the ASNMSU Chief Elections Officer successor and election officials in accordance with the ASNMSU bylaws; and

F. Advise the election officials as to the proper methods of performing their duties as prescribed by the ASNMSU Election Code; and

G. Administer the ASNMSU Election Code, investigate potential violations, and report violations immediately to the ASNMSU Election Board:

    1. The ASNMSU Chief Elections Officer must notify the ASNMSU Senate and the ASNMSU Supreme Court if a penalty is enforced.

H. Publish and distribute to the election polls, all official candidates and any other ASNMSU member who requests the ASNMSU Election Code, enough copies of the ASNMSU Election Code as needed, including any amendments; and

I. Prepare and furnish instructions to clearly explain how voters may cast their ballots:

1. Prepare and furnish to each poll sufficient ballots, forms, records, or other equipment deemed necessary for the administration and operation of such polls, including suitable instructions concerning their use.

J. Publicly announce required candidates' meetings as needed, giving notice of their time and place to the student newspaper and all ASNMSU student media outlets; and

K. Approve a representative of an official candidate prior to a required candidate meeting if the candidate is unable to attend a meeting; and

L. Automatically refer an official candidate to the ASNMSU Election Board for further review for the failure of the candidate or an approved representative of the candidate to attend a required candidate meeting if the candidate had at least twenty-four (24) hours' notice of the meeting; and

M. Check each poll worker during each election to ensure that the individuals working the polls are the individuals approved as poll workers; and

N. Where appropriate, consult with the ASNMSU Attorney General regarding the legal interpretation of the ASNMSU Election Code; and

O. Take requests from candidates and other parties as to the setting up of additional or temporary Internet voting sites and render decisions as to the necessity of those sites; and

P. Take requests from candidates and other parties as to the administering and use of wireless-capable devices in wireless-capable areas for Internet voting and the setting up of Internet voting sites in wireless-capable areas; and

Q. Appoint an impartial body to administer the use of wireless-capable devices in wireless-capable areas for use by the general student population for voting in the ASNMSU elections; and

R. Appoint, if desired, an ASNMSU Deputy Elections Officer and as many volunteers as the office of the ASNMSU Chief Elections Officer shall require:

1. The ASNMSU Deputy Elections Officer shall not have the authority or power to view the election results prior to their posting; and

2. The ASNMSU Deputy Elections Officer shall, subject to the direction of the ASNMSU Chief Elections Officer, have equal power and authority as the ASNMSU Chief Elections Officer but shall be subordinate to the ASNMSU Chief Elections Officer:

   a. The ASNMSU Deputy Elections Officer shall not have the authority or power to view the election results prior to their posting.

S. Provide training to the ASNMSU Election Board at least one (1) week prior to the start of official campaigning, but not more than three (3) weeks prior:

1. Training on but not limited to the ASNMSU Elections Code.

2. Act as the official custodian and trustee for the ASNMSU elections results and records, which shall be kept for historical value to ASNMSU: Official results per semester shall be made public by posting said results within ten (10) business days on the ASNMSU website for no less than three (3) years.

T. Establish and submit a procedural elections guide to the ASNMSU Senate, as outlined in section 5-8, no later than four (4) weeks prior to the general election. Upon approval from the ASNMSU Senate, the ASNMSU Chief Elections Officer shall present the procedural guidelines to the ASNMSU Election Board, which would include but is not limited to:

1. Previous decisions regarding the penalties for violations.

U. Conduct official ASNMSU polls and surveys of opinion on the NMSU student body:

1. A poll or a survey may be requested of the ASNMSU Chief Elections Officer at any time during the academic year, except for ASNMSU General Election weeks and the seven (7) calendar days preceding and following said elections; and

2. The following officials may request polls or surveys:

   a. The ASNMSU President; or

   b. The ASNMSU Vice President; or

   c. The ASNMSU Executive Directors.

3. Polls and surveys shall remain open for at least five (5) business days; and

4. Polls and surveys shall be made available to the student body electronically, with the choice of the platform being at the discretion of the ASNMSU Chief Elections Officer; and

5. The ASNMSU Chief Elections Officer shall compile the results of polls and surveys; and

6. At the end of their term, the ASNMSU Chief Elections Officer shall deliver the compiled results of that year's polls and surveys to the Office of the ASNMSU Attorney General so that they may be archived.

V. Prepare a packet that includes all necessary documents for candidates, which shall include the following:

1. Formal Letter; and

2. Available Positions; and

3. Important Dates; and

4. Biography Instructions; and

5. Freedom of Expression Policy & CCSU Campaign Regulations; and

6. NMSU Housing Policy Campaign regulations; and

7. Poster & Flyer Information; and

8. Petition of Candidacy & Binding to ASNMSU Election Code; and

9. Qualification Check Release Form; and

10. Financial Disclosure Form; and

11. Social Media & List Serve Form; and

12. Official Violation Form; and

13. Campaign Rules from the ASNMSU Election Code; and

14. Code of Ethics; and

15. Any other document deemed necessary at the discretion of the ASNMSU Chief Elections Officer.

W. Organize and schedule a public debate for the presidential and vice-presidential candidates that shall take place during the campaign period; and

X. Call a required poll watchers' meeting as needed; and

Y. Inform candidates of the appeal of the contest process immediately after the decision of the ASNMSU Election Board is rendered; and

Z. The ASNMSU Chief Elections Officer shall not:

1. Violate any qualification for the ASNMSU Election Board Membership; or

2. Commit any actions concerning voter fraud or may be deemed unethical.

3-8-19 ASNMSU DEPUTY ELECTIONS OFFICER

The duties and responsibilities of the ASNMSU Deputy Elections Officer are as follows:

A. Assist the ASNMSU Chief Elections Officer in the duties and responsibilities of the Office of the ASNMSU Chief Election Officers; and

B. Assist in the planning and staging of the ASNMSU Elections.

3-8-20. ASNMSU EXECUTIVE DIRECTOR OF GOVERNMENTAL AFFAIRS

The duties and responsibilities of the ASNMSU Executive Director of Governmental Affairs are as follows:

A. Act as a liaison within the committees, councils, and boards that constitute the shared governance system of NMSU; and

B. Coordinate all activities within the Office of the ASNMSU Executive Director of Governmental Affairs; and

C. Represent the ASNMSU in any other state or national student coalitions deemed to have relevance to governmental affairs; and

D. Coordinate governmental affairs with any important city, county, state, or national levels of governance; and

E. Maintain contacts with the City Council of Las Cruces, County of Dona Ana, State Legislature, New Mexico Senators and Representatives, and other important levels of governance; and

F. Report any important issues regarding governmental affairs to the executive and legislative branches; and

G. Reports to the legislative branch will be given during a scheduled meeting of the ASNMSU Senate to provide reports on upcoming events, scheduled events, job progress, and current budget at the discretion of the ASNMSU President:

   1. If the ASNMSU Executive Director of Governmental Affairs cannot attend, the ASNMSU Executive Director of Governmental Affairs can send the ASNMSU Assistant Director of Governmental Affairs to provide the report.

H. Be present at the NMSU Campus Affairs Committee meetings and report any legislative related finding to the ASNMSU Senate:

   1. If the ASNMSU Executive Director of Governmental Affairs cannot be present, they may send the ASNMSU Assistant Director of Governmental Affairs.

I. Chair the ASNMSU Student Advocacy Board. In this capacity, the Director shall:

   1. Provide strategic leadership to the board, ensuring alignment with ASNMSU's mission and objectives; and

   2. Oversee the planning and execution of advocacy initiatives and outreach efforts, particularly during legislative sessions; and

   3. Serve as the official spokesperson, articulating the board's positions to the media, university administration, and external organizations; and

   4. Serve as the primary liaison between the board and the ASNMSU Senate and Executive Branch:

      a. Provide regular updates to the ASNMSU Senate and Executive Branch on the Board's activities, including progress on advocacy initiatives and any challenges encountered; and

   5. Provide guidance and mentorship, organizing training sessions and workshops to enhance the board's effectiveness; and

6. Ensure Student Advocacy Board outreach efforts effectively engage the student body, fostering a culture of civic engagement; and

7. Prepare and provide summary of data collected by the student advocacy board on students' opinions on capital outlay project to the president-elect of the incoming administration five days prior to the president-elect's scheduled swearing-in.

J. The legislative priorities shall be introduced into first readings in the form of a procedural resolution by the fifth (5th) ASNMSU Senate meeting in the Fall semester:

1. It shall be authored by the ASNMSU Senate Representative on the ASNMSU Student Advocacy Board.

K. ASNMSU's Legislative Priorities shall go through all of the ASNMSU Senate standing committees and shall not be seen in the ASNMSU Committee of the Whole:

1. The ASNMSU Senate Representative on the ASNMSU Student Advocacy Board is responsible for representing the resolution; and

2. If the ASNMSU Senate Representative on the ASNMSU Student Advocacy Board is unable to represent the resolution, the ASNMSU President Pro Tempore shall represent the resolution; and

3. The ASNMSU Senate Representative on the ASNMSU Student Advocacy Board shall be required to attend the State Legislative Session on behalf of the ASNMSU Legislative Branch in order to lobby for the Capital Outlay Project; and

4. If the ASNMSU Senate Representative on the ASNMSU Student Advocacy Board is unable to attend the State Legislative Session, the ASNMSU President Pro Tempore shall attend:

a. If the ASNMSU President Pro Tempore is unable to attend the State Legislative Session, the ASNMSU Director of Governmental Affairs, in cooperation with the ASNMSU Vice-President, shall appoint a member of the ASNMSU Legislative Branch to attend.

L. Special projects assigned by the ASNMSU President; and

M. Schedule a meeting with the ASNMSU Fiscal Advisor, Administrative Assistant, and Chief of Staff to discuss the logistical plans for the upcoming legislative session between November fifteenth (15th) and December fifteenth (15th); and

N. Coordinate an event to raise awareness and educate the New Mexico State University community on National Voter Registration Day; and

O. Host a minimum of 6 meetings for professional development. These meetings shall pertain to lobbying, governmental affairs process, and etiquettes.

<u>3-8-21. ASNMSU ASSISTANT DIRECTOR OF GOVERNMENTAL AFFAIRS</u>

The duties and responsibilities of the ASNMSU Assistant Director of Governmental Affairs are as follows:

A. Serve as the Vice Chair of the ASNMSU Student Advocacy Board. In this capacity, the Assistant Director shall:
    1. Oversee the boards day-to-day operations, assisting the Director and implementing advocacy

strategies, ensuring cohesive efforts within the board:

a. Coordinate logistical aspects of meetings, including scheduling, agenda preparation, and documentation.

2. Assist in facilitating outreach efforts to engage the student body in advocacy initiatives; and

3. Manage internal and external communications; and

4. Assume the responsibilities of the Director in their absence and assist in any delegated tasks by the Director.

B. Lobby the New Mexico State Legislature on issues concerning the ASNMSU; and

C. Inform the New Mexico State Legislature of the issues concerning the ASNMSU; and

D. Assist in the archival of records containing information on how to:

1. Contact various legislatures, committees, offices, and others; and

2. Information regarding advocacy activities, meetings including pertinent legislation on a national and statewide basis; and

3. Anything else deemed necessary by the Board.

E. Report any important issues regarding governmental affairs to the executive and legislative branches; and

F. Coordinate the ASNMSU Voter Registration drives; and

G. Act as a liaison amongst the ASNMSU, the State of New Mexico Government, Associated Students of New Mexico, and any other national student organizations as deemed necessary by the ASNMSU Executive Director of Governmental Affairs or the ASNMSU President; and

H. Special projects assigned by the ASNMSU President.

I. Host a minimum of 6 meetings for professional development. These meetings shall pertain to lobbying, governmental affairs process, and etiquettes.

3-8-22. ASNMSU EXECUTIVE DIRECTOR OF PUBLIC RELATIONS

The duties and responsibilities of the ASNMSU Executive Director of Public Relations are as follows:

A. Coordinate with the ASNMSU Outreach Program, which will involve members of the executive, legislative, and judicial branches speaking to student groups regularly; and

B. Prepare a written report at the end of each semester to be submitted to the ASNMSU executive and legislative branches that concerns itself with the progress made by each program; and

C. Meet with the ASNMSU Senate once a month during a scheduled meeting of the ASNMSU Senate to provide reports on upcoming events, scheduled events, job progress, and the current budget at

the discretion of the ASNMSU President. If the ASNMSU Executive Director of Public Relations cannot attend, the ASNMSU Executive Director of Public Relations can send the ASNMSU Assistant Director of Public Relations to provide the report; and

D. Appoint two (2) people to fill the position of ASNMSU Assistant Director of Public Relations who will assist with the management of social media as well as perform other responsibilities under the direction of the ASNMSU Executive Director of Public Relations; and

E. Appoint one (1) person to fill the position of ASNMSU Assistant Director of Public Relations Web Developer who will assist with the management of the ASNMSU website, and the Crimson Connection page as well as perform other responsibilities under the direction of the ASNMSU Executive Director of Public Relations; and

F. Contact and determine involvement with cosponsors of previous programs within thirty (30) calendar days of appointment by the ASNMSU President; and

G. Create flyers, posters, and social media graphics for ASNMSU events, activities, etc.; and

H. Order and buy promotional items; and

I. Create and manipulate logos or images at any given time for said promotional items; and

J. Work in conjunction with the ASNMSU President to release the ASNMSU's response to national and international crises; and

K. Other projects assigned by the ASNMSU President; and

L. In coordination with the ASNMSU Assistant Director of Public Relations Web Developer, ensure that the ASNMSU Website and its respective legislation tracker are up to date within one (1) business day of ASNMSU Senate, Special, Emergency, or committee meeting with legislation that is passed through first readings, Senate standing committees and second readings, and their respective status; and

M. Maintain all social media accounts of the ASNMSU; and

1. Notify the public of any technical issues, interruptions, or interpretation challenges during live streaming, and provide information on their resolution

N. Upkeep and update the ASNMSU Website or designate one of the ASNMSU Assistant Directors of Public Relations to ensure that all information presented is still relevant; and

O. Upkeep and update the ASNMSU public relations across the campus that is damaged by the environment, outdated, or needs remodeling; and

P. Take record of physical inventory within thirty (30) days of appointment; and

Q. Upkeep the style guide and change it accordingly to new logos or other public relations; and

R. Publish any announcements of Bill Packets becoming bylaw within three (3) business days after

notification from the ASNMSU Vice President or President Pro Tempore.

3-8-23. ASNMSU ASSISTANT DIRECTOR OF PUBLIC RELATIONS

The duties and responsibilities of the ASNMSU Assistant Director of Public Relations are as follows:

A. To assist the ASNMSU Executive Director of Public Relations with the production of advertisements for the department and the rest of the ASNMSU:

1. Should the ASNMSU Executive Director of Public Relations have a conflict of interest in this matter, the ASNMSU Assistant Directors of Public Relations shall be fully responsible for producing such ads.

B. To develop the ASNMSU outreach presentations as needed by the ASNMSU Executive Director of Services and Executive Director of Community Outreach; and

C. To perform any other duties assigned by the ASNMSU Executive Director of Public Relations; and

D. To be responsible for drafting or creating all press releases concerning the ASNMSU, ASNMSU sponsored events, and other projects deemed appropriate by the ASNMSU Director of Public Relations, ASNMSU Chief of Staff, or the ASNMSU President; and

E. All Las Cruces and surrounding areas shall receive press releases as deemed necessary by the ASNMSU Executive Director of Public Relations, ASNMSU Chief of Staff, or the ASNMSU President; and

F. To serve as the liaison with NMSU University Communication; and

G. To assist in managing and updating all ASNMSU social media accounts; and

H. To give public notice of any policy-making body; and

I. Transmit public address material to the ASNMSU Assistant Director of Public Relations Web Developer, to make public on the ASNMSU website and ASNMSU Crimson Connection page as necessary; and

J. To record and keep a visual record of any ASNMSU policy-making meeting.

3-8-24. ASNMSU ASSISTANT DIRECTOR OF PUBLIC RELATIONS WEB DEVELOPER

The duties and responsibilities of the ASNMSU Assistant Director of Public Relations Web Developer, are as follows:

A. Maintain and update the structure of the ASNMSU Website; and

B. Assist ASNMSU members in creating, updating and testing polls and forms on the ASNMSU Website and ASNMSU Crimson Connection page; and

C. Assist in updating and testing the ASNMSU Elections forms; and

D. Update the ASNMSU Website with public address material provided by the ASNMSU Assistant Director of Public Relations; and

E. Update the ASNMSU Website legislation tracker within one (1) business day of ASNMSU Senate, Special, Emergency, or committee meeting with legislation that is passed through first readings, Senate standing committees and second readings, and their respective status; and

F. Publish meeting agendas and minutes on the ASNMSU Website; and

G. Maintain document synchronization between the ASNMSU Website and the ASNMSU Crimson Connection page; and

H. Create and maintain a transition manual to be delivered to the newly hired ASNMSU ASSISTANT Director of Public Relations Developer.

3-8-25. SPECIFIC QUALIFICATIONS FOR EXECUTIVE DIRECTOR AND ASSISTANT DIRECTOR OF PUBLIC RELATIONS

Applicants for the positions of ASNMSU Executive Director of Public Relations or Assistant Director of Public Relations, in addition to the qualifications outlined in the ASNMSU Executive Student Leader Qualifications Act, should have skills in design and web editing, including:

A. Applicants should be proficient in Adobe software such as Illustrator and Photoshop; and

B. Applicants should be proficient in all platforms of social media.

3-8-26. SPECIFIC QUALIFICATIONS FOR ASNMSU ASSISTANT DIRECTOR OF PUBLIC RELATIONS WEB DEVELOPER

Applicants for the positions of ASNMSU Assistant Director of Public Relations Web Developer, in addition to the qualifications outlined in the ASNMSU Executive Student Leader Qualifications Act, should have the skills in web editing, including:

A. Applicants should be knowledgeable in website development and maintenance using the relevant software (ex: WordPress, Cascade).

3-8-27. ASNMSU EXECUTIVE DIRECTOR OF SERVICES

The duties and responsibilities of the ASNMSU Executive Director of Services are as follows:

A. Work in cooperation with the ASNMSU executive and legislative branches to promote, establish, and maintain all services provided for the ASNMSU members; and

B. Be responsible for the efficient operation of the following programs and services and has the authority to appoint individuals to aid this office in its purpose and in accordance with procedures set forth by the ASNMSU bylaws:

1. ASNMSU Pete's Pick-Up; and

2. ASNMSU Discount Program; and

3. ASNMSU Airport Shuttle; and

4. Other projects assigned by the ASNMSU President.

C. To serve as the official ASNMSU spokesperson for the aforementioned programs; and

D. Contact and determine involvement with cosponsors of previous programs within thirty (30) calendar days of appointment by the ASNMSU President; and

E. Prepare a written report at the end of each semester to be submitted to the ASNMSU executive and legislative branches that concerns itself with the progress made by each program; and

F. Meet with the ASNMSU Senate once a month during a scheduled ASNMSU Senate meeting to provide reports on upcoming events, scheduled events, job progress, and the current budget at the discretion of the ASNMSU President. If the ASNMSU Executive Director of Services cannot attend, the ASNMSU Executive Director of Services can send the ASNMSU Assistant Director of Services to provide the report; and

G. Act as the liaison for the ASNMSU Airport Shuttle program; and

H. Control access to the ASNMSU Golf Carts.

3-8-28. ASNMSU ASSISTANT DIRECTOR OF SERVICES

The duties and responsibilities of the ASNMSU Assistant Director of Services are as follows:

A. Serve as the ASNMSU Pete's Pick-Up Director; and

B. Assist the ASNMSU Executive Director of Services with the organization and implementation of any services as directed by the ASNMSU Executive Director of Services; and

C. Assist the ASNMSU Executive Director of Services in the organization and implementation of the ASNMSU Airport Shuttle Program; and

D. Assist the ASNMSU Executive Director of Services in the organization and implementation of the ASNMSU Discount Program.

3-9. STUDENT ADVOCACY BOARD

A. The Student Advocacy Board shall serve as the official body representing the interests of the student population of New Mexico State University in governmental affairs, particularly at the state level. The Board is tasked with advocating for policies and initiatives that enhance the academic, social, and economic well-being of NMSU students:

1. The Student Advocacy Board shall be Chaired by the Director of Governmental Affairs and Vice-Chaired by the Assistant Director of Governmental Affairs, accordingly to 3-8-20-I and 3-8- 21-A. If the Chair of the ASNMSU Student Advocacy Board cannot fulfill their duties, the Assistant Director of Governmental Affairs will take their place. The Vice-Chair, then Chair, shall appoint a replacement for their previous position from the Board; and

2. The Board shall be made up of eight (8) voting members, who shall consist of the Chair, Vice-Chair, and six (6) other members:

a. The following members are appointed by their respective party:

1. Governmental Affairs Appointee; and
2. Chief of Staff Student at Large; and
3. Justice of the Supreme Court; and
4. Senate Representative; and
5. Council of Councils Representative; and
6. Graduate Student Council Representative

b. "Respective party" refers to the specific governing body, organizational unit, or official position within the student government or university structure that holds the authority to elect or appoint a particular board member. These appointments are made as follows:

1. The Governmental Affairs Appointee shall be appointed by the ASNMSU Director of Governmental Affairs; and
2. The Chief of Staff Student at Large Representative shall be appointed by the ASNMSU Chief of Staff; and
3. The Justice of the Supreme Court shall be appointed by the ASNMSU Supreme Court Chief Justice; and
4. The Senate Representative shall be elected by the ASNMSU Student Senate; and
5. The Council of Councils Representative shall be elected by the ASNMSU Council of Councils; and
6. The Graduate Student Council Representative shall be elected by the Graduate Student Council.

3. The Executive Director of Governmental Affairs may appoint ex-officio members as they deem necessary with a limit of twelve (12) members in total within the Student Advocacy Board.

B. The duties and responsibilities of the ASNMSU Student Advocacy Board are as follows:

1. Collect data on student opinions for next year's Capital Outlay Project:

a. Shall outreach on behalf of the students of the Capital Outlay Project; and

b. Lobby on behalf of the Capital Outlay Project

2. The Student Advocacy Board shall support the ASNMSU Senate Representative on the Student Advocacy Board in ensuring the Capital Outlay Project Resolution is drafted and put into first (1st) readings by no later than the fifth (5th) ASNMSU Senate meeting of the Fall Semester; and

3. Support the ASNMSU Senate Representative on the ASNMSU Student Advocacy Board in ensuring the Capital Outlay Project Resolution drafted and put into first readings (1st) by no later than the fifth (5th) ASNMSU Senate meeting of the Fall Semester.

4. Maintain records containing:

   a. Information on how to contact various legislators, committees, offices and others deemed necessary; and

   b. Information regarding Student Advocacy Board activities, meetings, and pertinent legislation; and

5. Assist with the voter registration drive; and

6. Recommend resolutions concerning off-campus activities to the ASNMSU Senate; and

7. Monitor and create reports, when deemed necessary, on legislative developments and policy changes relevant to student interests; and

8. Develop long-term Legislative Priorities, consisting of strategies for student advocacy initiatives and legislative engagements.

3-9-1 QUALIFICATIONS OF THE MEMBERS OF THE ASNMSU STUDENT ADVOCACY BOARD

In order to serve as a voting member of the ASNMSU Student Advocacy Board, individuals shall:

A. Be an ASNMSU fee-paying member; and

B. Maintain ethical conduct throughout their term in accordance with the NMSU Student Social Code of Conduct (ARP 5.20 through 5.26); and

C. Complete training set forth by the ASNMSU Director of Governmental Affairs; and

D. Be subject to the academic and disciplinary requirements during their time as a member of the ASNMSU Student Advocacy Board.

3-9-2 STUDENT ADVOCACY BOARD POINT SYSTEM

A. Point System

The Point System is established to assign penalty points to ASNMSU Student Advocacy Board members for unexcused absences from required meetings and breaches of decorum; and

1. Each ASNMSU Student Advocacy Board member shall begin their term with zero (0) points; and

2. An ASNMSU Student Advocacy Board member shall receive zero (0) points for an excused absence from a required meeting; and

3. The Chair of the Student Advocacy Board shall have the sole discretion to determine if a member is late or unexcused; and

4. Penalties shall be assessed as follows:

a. Student Advocacy Board meeting (unexcused) ..... 1 point;

b. Student Advocacy Board meeting (late, unexcused)..... ½ point;

c. Professional Development Training (unexcused) ..... 1 point;

d. First Breach of Decorum ..... verbal warning;

e. Second Breach of Decorum..... ½ point; and

5. Upon accumulation of three (3) points, and for any subsequent point thereafter, the Student Advocacy Board member shall be referred to their respective appointing party, which shall decide on removal and appointment of a new member.

B. Excusal Process

1. To be excused, a Student Advocacy Board member must:

a. Submit an excusal request with written reasoning for the absence, and any supporting evidence available, to the Chair of the Student Advocacy Board and to their respective party; and

b. Submit the excusal request at least forty-eight (48) hours in advance, except in the case of emergencies at the discretion of the Chair; and

2. The Chair and Vice Chair of the Student Advocacy Board shall review all excusal requests and determine whether they are approved or denied; and

C. Attendance Expectations

1. Members may not miss more than two (2) meetings during their term, unless in cases of emergency at the discretion of the Chair; and

2. Members must attend all Professional Development Meetings unless proper approval of absence is made with the Chair.

D. Expectations

1. The Student Advocacy Board shall hold an election for the position of secretary at the first meeting of each term Members must volunteer for Voter Registration Day; and

2. Members must adhere to business formal attire at the discretion of the Chair; and

3. Members must uphold professional conduct during all meetings, trainings, and official events.

3-9-3 REMOVAL FROM THE ASNMSU STUDENT ADVOCACY BOARD

A. Members of the ASNMSU Student Advocacy Board shall only be removed if there is a three-fourths (3/4) majority vote of the Board present.

1. Reasons for removal shall be concurrent with the Qualifications of Members of the ASNMSU Student Advocacy Board and Student Advocacy Board Point System, set forth

in the bylaws; and

B. The ASNMSU Student Advocacy Boards decision regarding a member's removal is final. There is no avenue for appeal; and

C. If a member of the ASNMSU Student Advocacy Board is removed, the host representative shall appoint one (1) sufficient replacement from their College consistent with the qualifications enumerated in Qualifications of Members.

3-10. INSPECTION OF PUBLIC RECORDS

The ASNMSU shall ensure that any public entity is able to request information or records from the Association itself in accordance with the following procedures:

A. The ASNMSU shall post in a conspicuous location at its administrative office and on its website a notice that sets forth:

1. The right of any person to inspect the Association's records and the Association's responsibility to make public records available for inspection; and
2. The procedures for requesting inspection of public records; and
3. The procedures for requesting copies of public records.

B. The ASNMSU shall respond to requests in accordance with the following procedures:

1. If a request to inspect records is made orally, the custodian should respond to the request, but the procedures for handling requests do not apply; and
2. If the request is written, the custodian should determine whether the Association has possession or responsibility for the records requested; and
3. If the Association does not have custody or responsibility for the records, the custodian must forward the request to the proper custodian, if known:
   a. The custodian shall also notify the requester that the records are not in the custody and control of the custodian, state where the records are located, and provide contact information for the proper custodian, if known.

C. If the ASNMSU has the documents requested, it shall provide documents in accordance with the following procedures:

1. Determine if the requestor is asking for a record that is exempt to public inspection; and
   a. Exempt documents shall include:
      i. Letters of reference concerning employment, licensing, or permits; and
      ii. Letters or memorandums which are matters of opinion in personnel files or students' cumulative files; and

iii. Public records containing the identity of or identifying information related to an applicant or nominee for the position of president of a public institution of higher education; and

b. If the request contains one of the aforementioned documents, that document requested will be denied; however, other document requests withstanding document requests shall proceed.

2. Separate records containing exempt and nonexempt information (including redacting exempt information contained in an otherwise public record), if the records or parts of the records are exempt; and

3. Provide copies of public records in electronic format if requested and available in electronic format; and

4. If inspection is not allowed within three (3) business days, explain to the requester, in writing, when the records will be available for inspection or when the public body will respond to the request; and

5. Allow inspection or otherwise respond to the request within fifteen (15) calendar days from the date the custodian received the request; and

6. If the request is deemed excessively burdensome or broad the custodian must:

a. Notify the requester in writing that additional time is needed to respond; and

b. Provide such notification within fifteen (15) calendar days after the custodian receives the inspection request.

D. If the ASNMSU denies the public record request, the custodian must:

1. Deliver a written explanation to the requester no later than fifteen (15) calendar days after receiving the request. The written explanation must:

a. Describe the records sought; and

b. Include the names and titles of each person responsible for denying the request; and

c. Describe the reasons for the denial.

3-11. EXECUTIVE REMOVAL AND IMPEACHMENT ACT

A. Before the ASNMSU Senate can refer the ASNMSU President or Vice President to the ASNMSU Supreme Court for impeachment proceedings, a resolution must be introduced into the Senate:

1. This resolution will include the specific reasons for referral.

B. After the introduction of the resolution, the ASNMSU Chief Senate Clerk will notify the ASNMSU President or Vice President in writing within two (2) calendar days of any meeting where the person's position is being officially discussed:

1. The ASNMSU President or Vice President who is charged will be allowed to speak at any meeting where the person's position is officially being discussed.

C. No referral resolution will be allowed to go through the ASNMSU Senate Committee of the Whole; and

D. Following the passage of the resolution, a copy of the resolution shall be presented to the ASNMSU Supreme Court Chief Justice within two (2) days by the ASNMSU Chief Senate Clerk; and

E. Before the ASNMSU Supreme Court can consider the impeachment of the ASNMSU President or Vice President, the ASNMSU Supreme Court Chief Justice will notify, in writing within two (2) calendar days after receiving the resolution, the person who is to be impeached and the charges against this person:

   1. The person who is charged will be allowed to speak at any meeting where the person's position is being officially discussed.

F. If a resolution of impeachment is brought against the ASNMSU Vice President, the ASNMSU President Pro Tempore shall preside over the ASNMSU Senate to resolve the matter of the impeachment proceedings; and

G. The ASNMSU President and Vice President shall not be removed from office unless all policies, procedures, and methods of removal, in accordance with the policies and procedures of the NMSU professional staff, are followed; and

H. Any ASNMSU Executive Director may be removed from office if an act of impeachment is brought against said official by a three-fourths (3/4) vote of the membership of the ASNMSU Senate present and voting and is found guilty of the charges made against said official by the ASNMSU Supreme Court:

   1. A resolution will be introduced to the ASNMSU Senate, detailing the specific reasons for impeachment; and

   2. The ASNMSU Chief Senate Clerk will notify, in writing within two (2) calendar days of the introduction of the resolution, the person who is to be impeached and the charges against this person; and

   3. The person who is charged will be allowed to speak at any meeting where that person's position is being officially discussed; and

   4. No impeachment resolution will be allowed to go through the ASNMSU Senate Committee of the Whole unless the ASNMSU Chief Senate Clerk has notified the person who is to be impeached within two (2) days of the meeting where the ASNMSU Senate will introduce the resolution of impeachment to the ASNMSU Senate Committee of the Whole; and

   5. ASNMSU Executive Directors or Advisors shall not be removed from office unless all policies, procedures, and methods of removal, in accordance with the policies and procedures of the NMSU professional staff, are followed.

3-12. DELEGATION OF SIGNATURE AUTHORITY

A. Department heads or other approvers may delegate their signature authority, though not their responsibility, on routine business transactions to temporary alternates:

1. Acceptable alternatives include department heads, professional assistants, or by order of succession.

B. The department head must give written notice of temporary delegation of signature authority to the ASNMSU Advisors, Comptroller, and Fiscal Advisors.

3-13. INVALIDITY

If any portion of Article three (3): Executive Bylaws is found invalid by the ASNMSU Supreme Court, ASNMSU Advisors, or the NMSU Dean of Students, only that portion of Chapter three (3) will be considered invalid.

A. The Attorney General shall interpret the invalid portions using legal precedent and NMSU policy to address any vagueness in bylaws that have had portions invalidated or removed until such bylaws are clarified by Senate or by the Supreme Court per the duties stated in 3-8-8-C.

3-14. AMENDMENTS

Amendments to the Executive Bylaws may be made by a simple majority of the ASNMSU Senate as a legislative bill:

A. The ASNMSU Chief Senate Clerk shall make available copies of the above amendments to the ASNMSU Chief of Staff within three (3) business days of it being signed into bylaw; and

B. The ASNMSU Executive Directors shall inform the ASNMSU Assistant Directors of the ASNMSU Senate amendments to Article three (3) of the ASNMSU bylaws; and

C. During weekly staff meetings, the ASNMSU Chief of Staff shall inform the ASNMSU Executive Directors of the above amendments.

4. JUDICIAL BRANCH

4-1. JURISDICTION

4-1-1. DEFINITIONS

A. A "case" is defined as a suit established arising from a dispute or an official complaint filed with the ASNMSU Court in which the plaintiff details the claims against the defendant and requests judgment from the ASNMSU Court; and

B. An ASNMSU Court has "original jurisdiction" over a certain type of case when it is the first Court in which such a case is heard. The decisions of ASNMSU Courts with original jurisdiction can only be reviewed through the appeals process; and

C. An ASNMSU Court has "appellate jurisdiction" over a certain type of case when it has the authority to review the decision made by a lower ASNMSU Court concerning such a case. ASNMSU Courts of appellate jurisdiction have the power to uphold, overturn, amend, or otherwise modify the decisions or sentences handed down from lower ASNMSU Courts so long as such modifications do not violate the ASNMSU bylaws; and

D. An ASNMSU Court has "sole jurisdiction" over a certain type of case if it is the only ASNMSU Court with the authority to hear that type of case.

4-1-2. ESTABLISHMENT OF JURISDICTION

A. The ASNMSU Court shall not initiate case proceedings listed under Chapter four (4) or the Judicial Bylaws unless a case is first filed with the ASNMSU Court; and

B. The ASNMSU Supreme Court shall have jurisdiction over all cases arising under the ASNMSU Constitution, statutory enactments, legislative resolutions, or executive order of the ASNMSU in accordance with 1-5-2; and

C. Article four (4) shall supersede the Judicial Bylaws of the ASNMSU bylaws; and

D. The ASNMSU Supreme Court shall have original jurisdiction over all these cases unless otherwise provided for through the bylaws; and

E. The ASNMSU Supreme Court shall have original jurisdiction over all cases involving civil action unless provided for through the bylaws:

1. Civil action shall be defined as a judicial proceeding brought by one party against another. A party may commence a civil action against another party for an alleged violation of the ASNMSU bylaws to prevent a legal violation or for the protection of a guaranteed right under ASNMSU's Governing Documents; and

2. Both parties in civil trials must be given an opportunity to argue their points, present witnesses and evidence, and cross-examine the opposing side's witnesses; and

3. All ASNMSU fee-paying members shall have the right to commence a civil action in the ASNMSU Courts in accordance with 1-2-1 and 7-1-1; and

4. Civil action shall be commenced, adjudicated, and appealed in accordance with the Rules of Procedure for the ASNMSU Courts as outlined in the Judicial Bylaws.

F. The ASNMSU Supreme Court may allow a temporary lower ASNMSU Court or tribunal to decide a particular case by appointing an ASNMSU Special Master to act as judge of this inferior ASNMSU Court in accordance with 4-9 and the Rules of Procedure for the ASNMSU Courts; and

G. The ASNMSU Supreme Court shall have sole appellate jurisdiction in all cases involving the review of decisions made by inferior ASNMSU Courts.

4-1-3. EXCEPTIONS TO SUPREME COURT JURISDICTION

The only lower court the Supreme Court does not have original jurisdiction over is the Election Board; however, if the ruling of the Election Board is appealed to the Supreme Court, then the court will have final jurisdiction.

4-1-4. APPEALS

The ASNMSU Supreme Court shall have sole appellate jurisdiction over all cases arising from an inferior ASNMSU Court:

A. The ASNMSU Supreme Court shall convene to hear an appeal when an ASNMSU fee-paying member requests to have the ASNMSU Supreme Court review the decision of a inferior ASNMSU Court or tribunal. An individual may petition the ASNMSU Supreme Court for an appeal if they believe that the inferior ASNMSU Court violated the ASNMSU bylaws in making its decision, or when a party has been harmed as a result of the ASNMSU bylaws and not because of the actions of another person or party; and

B. All ASNMSU fee-paying members shall have the right to one (1) appeal of a lower ASNMSU Court's decision; and

C. Cases in which the ASNMSU Supreme Court exercised original jurisdiction shall not be subject to appeal; and

D. If the ASNMSU Supreme Court reviews a decision that an ASNMSU Supreme Court Associate Justice made while serving as an ASNMSU Special Master, that ASNMSU Supreme Court Associate Justice must recuse themselves from the appeal; and

E. Upon appeal to the ASNMSU Supreme Court, no additional evidence shall be introduced, and no new witnesses called; and

F. All appellate proceedings will be commenced and adjudicated in accordance with the Rules of Procedure for the ASNMSU Courts as outlined in the Judicial Bylaws.

4-1-5. IMPEACHMENTS

The ASNMSU Supreme Court shall have sole jurisdiction over impeachment proceedings for all ASNMSU executive and legislative officials in accordance with 1-5-2. All impeachment proceedings are to be treated as a formal trial in the form of ASNMSU v. Defendant:

A. Upon receiving a Resolution of Impeachment from the ASNMSU Senate, the ASNMSU Supreme Court Chief Justice shall convene an ASNMSU Court of Impeachment. The ASNMSU Court of

Impeachment shall consist of the entire ASNMSU Supreme Court or a quorum. The ASNMSU Supreme Court Chief Justice will notify the person to be impeached, in writing within two (2) business days of receiving the Resolution of Impeachment; and

B. The ASNMSU Court of Impeachment will convene within five (5) calendar days of sending the aforementioned notification; and

C. Impeachment proceedings against ASNMSU Senators for attendance reasons are only initiated by the ASNMSU Supreme Court in accordance with the ASNMSU Senate Rules; and

D. All impeachment trials shall be held in the ASNMSU Court of Impeachment, with the ASNMSU Supreme Court Chief Justice presiding. All impeachment proceedings will be held in accordance with the Rules of Procedure for the ASNMSU Courts; and

E. Upon conclusion of the trial, a majority vote by the ASNMSU Court of Impeachment removes said person from office. The ASNMSU Court of Impeachment may also prohibit said person from holding or seeking an ASNMSU office for a set amount of time not to exceed four (4) years:

1. If a member of the executive branch is to be found guilty by the ASNMSU Supreme Court, additional steps may be necessary to terminate employment in accordance with NMSU Policy and Procedure.

4-1-6. AMENDING THE JURISDICTION OF THE ASNMSU JUDICIARY

The ASNMU Senate shall have the sole power to propose changes to the jurisdiction of any ASNMSU Court so long as such a change does not violate 1-5. Jurisdictional changes shall be in the form of an ASNMSU Senate bill amending the preceding sections. Such a bill will go through the regular bill process. Changes to the judiciary's basic judicial power shall be a constitutional resolution proposing amendments to sections 1-5.

4-1-7. ADOPTING CHANGES TO THE RULES OF PROCEDURE FOR THE ASNMSU COURTS

The ASNMSU Supreme Court shall have the sole power to adopt changes to the Rules of Procedure for the ASNMSU Courts. The ASNMSU Bylaw Committee may formally recommend changes, but their adoption will be at the discretion of the ASNMSU Supreme Court. The Rules of Procedure shall be posted in the Judicial Bylaws of the ASNMSU Governing Document and shall carry the force of the bylaws. The ASNMSU Supreme Court shall not adopt any rule that violates an ASNMSU statute or deprives an ASNMSU fee-paying member of a right guaranteed under the ASNMSU bylaws. Should such a rule be adopted, it will be considered null and void. ASNMSU Courts reserve the right to suspend a portion of the Rules of Procedure to accommodate unforeseen circumstances.

4-2. ASNMSU SUPREME COURT JUSTICES

4-2-1. JUSTICES QUALIFICATIONS

The ASNMSU Advisors shall post the qualifications for the offices of the ASNMSU Supreme Court Chief Justice or Associate Justice in the announcement of the position vacancy:

A. Applicants for the positions of ASNMSU Supreme Court Chief Justice or Associate Justice shall be ASNMSU fee-paying members and shall have been ASNMSU fee-paying members for the fall or spring semester prior to their appointment; and

B. Applicants for the position of ASNMSU Supreme Court Chief Justice or Associate Justice shall not

be on probation for academic progress, GPA, or disciplinary reasons:

1. Waivers on academic progress, GPA, or disciplinary probation will not be permitted for individuals applying for the positions of ASNMSU Supreme Court Chief Justice or Associate Justice.

4-2-2. OATH OF OFFICE FOR THE ASNMSU SUPREME COURT JUSTICES

The ASNMSU Supreme Court Justices are required to swear the oath, or affirmation, before assuming their respective office:

"I (state your name) do solemnly swear (or affirm) that I will support and interpret the bylaws *of the Associated Students of New Mexico State University unbiasedly and will to the best of my ability perform the duties of Justice of the ASNMSU Supreme Court."*

4-2-3. HIRING OF THE ASNMSU SUPREME COURT JUSTICES

Upon the vacancy of the ASNMSU Supreme Court Chief Justice, the ASNMSU President shall hire an ASNMSU fee-paying member to the Office of the ASNMSU Supreme Court Chief Justice. Upon the vacancy of an ASNMSU Supreme Court Associate Justice, the ASNMSU Supreme Court Chief Justice shall hire an ASNMSU fee-paying member to the Office of the ASNMSU Supreme Court Associate Justice. Applicants shall be ASNMSU fee-paying members and continue to be throughout employment.

4-2-4. DISMISSAL OF THE ASNMSU SUPREME COURT JUSTICES

A. If, at such time, an ASNMSU Supreme Court Justice fails to meet the qualifications required for the position, they must immediately resign. The ASNMSU Supreme Court Chief Justice is responsible for checking the qualifications before the appointment is made; and

B. After the ASNMSU Supreme Court Justice is confirmed, the ASNMSU Supreme Court Chief Justice in conjunction with the ASNMSU Advisors will keep a record of the qualifications and request a written letter of resignation if an ASNMSU Supreme Court Justice is placed on probation for academic progress, GPA, or disciplinary reasons; and

C. If the ASNMSU Supreme Court Chief Justice fails to meet the qualifications for the position, the senior ASNMSU Supreme Court Associate Justice will be responsible for asking for the resignation of the ASNMSU Supreme Court Chief Justice:

   1. At such time, the senior ASNMSU Supreme Court Associate Justice shall assume the responsibilities of ASNMSU Supreme Court Chief Justice until the ASNMSU President makes a permanent appointment.

D. The ASNMSU Supreme Court Chief Justice and Associate Justices shall only be removed from office if all policies, procedures, and methods of removal, in accordance with the policies and procedures of the NMSU professional staff, are followed.

4-2-5. RESIGNATION OF THE ASNMSU SUPREME COURT JUSTICES

Any ASNMSU Supreme Court Chief Justice or Associate Justice may resign. The ASNMSU Supreme Court Chief Justice shall submit a letter of resignation to the ASNMSU President with copies sent to the senior ASNMSU Supreme Court Associate Justice and Vice President. The ASNMSU Supreme Court Associate Justices shall submit a resignation letter to the ASNMSU Supreme Court Chief Justice

with copies sent to the ASNMSU President and Vice President.

4-2-6. JUDICIAL DEMERIT SYSTEM

A. Each ASNMSU Justice will begin their term with zero (0) demerits; and

B. Each ASNMSU Justice shall accumulate demerits based on the following infractions:

1. Dress Code: 1 demerit

a. violation at any public meeting shall result in 1 demerit

2. Tardiness without approved excuse: 1 demerit

a. If a Justice is more than five minutes late to any Court function, event, private hearing, or other meeting, they will be given one demerit.

b. Tardiness to a public hearing (Pretrial, Trial, Appeals, Oral Arguments) will result in an absence from the hearing if the Justice arrives after the hearing has been called to order.

3. Absence without approved excuse: 2 demerits

a. Public Hearings: 2 demerits

1. Public hearings shall include all hearings that are open to the public including, but not limited to, Court Cases, Appeals, and Impeachment Hearings.

b. Formal Meetings: 2 demerits

1. Formal meetings shall include any meetings of the Supreme Court called by the Chief Justice.

2. Justices shall come prepared to all meetings called by the Chief Justice.

4. Confidentiality Violations: 4 demerits

a. If a Justice violates the standards of confidentiality with regards to activities that are conducted as a part of ASNMSU (i.e. Parking Appeals or court cases), the Justice shall immediately accumulate four (4) demerits.

b. The Chief Justice, in consultation with the Advisor, shall determine what constitutes a violation.

C. Behavioral Issues: 1 to 2 demerits

1. While recognizably associated with ASNMSU, all members of the Judicial Branch are expected to act and behave in a professional manner.

2. If a disciplinary issue occurs, the Chief Justice will first issue a warning to the involved Justice(s). After the initial warning from the Chief Justice, if the behavior continues the Chief Justice may ask the

Justice to leave if they are disturbing the business of the Supreme Court. After the first warning, if a similar offense occurs, the Chief Justice may issue a written reprimand and assess one (1) demerit.

3. If similar behavior continues after the warning and the written reprimand, the Chief Justice shall call a meeting with the Justice to discuss the behavioral issues. An additional written reprimand will go on the Justices' file and two (2) additional demerits will be assigned.

4. Any further action will be at the discretion of the Chief Justice.

D. If a Justice fails to declare a possible conflict of interest, they may accumulate 2 demerits. Conflict of interest is determined by the Supreme Court by a simple majority

E. Removal of Justices Due to demerits

1. If a Justice accumulates 4 demerits in a calendar year from the date of their Senate confirmation, then the Chief Justice must call an assembly of the remaining Justices.

a. The Justices will hold a hearing regarding the demerits assigned to the Justice in question. The Justices may not reduce the demerits assigned to the Justice in question.

b. The Court will vote to refer the Justice to the Senate for impeachment or to not refer the Justice.

c. Upon accumulation of the 5th demerit, the Justice will automatically be referred to the Senate for impeachment. The Senate may not reduce the demerits assigned to the Justice in question.

F. Redemption demerits

1. All Justices are eligible to reduce their total absence demerits by:

a. Checking the parking lot counts on campus.

b. Painting curbs as indicated by the Parking Office.

c. Other community service as indicated by the Parking Office, with approval of the Chief Justice and Advisor.

2. Justices must have approval from the Chief Justice before seeking redemption demerits.

3. Absence demerits shall only be removed upon the successful completion of the prescribed activity. Proof of completion is required before the Chief Justice reduces the demerit count.

4-2-7. IMPEACHMENTS

Impeachment charges may be brought against any member of the ASNMSU Supreme Court in accordance with the ASNMSU Constitution by a resolution of the ASNMSU Senate for alleged nonfeasance, misfeasance, or malfeasance:

A. Impeachment proceedings for a member of the ASNMSU Supreme Court shall be carried out in the ASNMSU Senate:

1. Written notification of the allegations and a factual description of the grievances must be delivered to the ASNMSU Supreme Court Justice so charged, President, Vice President, and Supreme Court Chief Justice within two (2) academic days after the ASNMSU Senate action. The impeachment proceedings will be scheduled no earlier than five (5) academic days after the notification is served upon the defendant. The ASNMSU Supreme Court Justice and Justice's counsel, if any, will be allowed to speak in the ASNMSU Supreme Court Justice's defense at the proceedings:

    a. In such case that the ASNMSU Supreme Court Chief Justice is up for impeachment, written notification of the allegations and a factual description of the grievances must be delivered to the senior ASNMSU Supreme Court Associate Justice within two (2) academic days after the ASNMSU Senate action.

B. The ASNMSU Senate may adjourn to a closed meeting for final deliberation of the charges, but the vote for impeachment must be taken in an open meeting; and

C. The impeachment vote in the ASNMSU Senate must carry a three-fourths (3/4) majority for the defendant to be found guilty of the charges made against the ASNMSU Supreme Court Justice:

1. If the ASNMSU Supreme Court Justice is to be impeached from office by the ASNMSU Senate, additional steps may be necessary to terminate employment in accordance with NMSU Policy and Procedure.

4-2-8. IMPEACHMENT PROCEDURE

A resolution will be introduced into the ASNMSU Senate. This resolution will include the specific reasons for impeachment. In writing, the ASNMSU Chief Senate Clerk will notify within two (2) calendar days of the introduction of the resolution, the person to be impeached and the charges against this person. The person charged can speak at any meeting where that person's position is being officially discussed. No impeachment resolution will be allowed to go through the ASNMSU Senate Committee of the Whole unless the ASNMSU Chief Senate Clerk has notified the person to be impeached within two (2) calendar days of the meeting where the ASNMSU Senate to the ASNMSU Senate Committee of the Whole will introduce the resolution of impeachment.

4-3. DUTIES AND RESPONSIBILITIES

4-3-1. DUTIES OF THE ASNMSU SUPREME COURT CHIEF JUSTICE

The ASNMSU Chief Justice shall perform the following duties:

A. Act as the administrator and custodian of records and decisions for the ASNMSU judicial branch:

1. This will include managing the finances of the ASNMSU judiciary.

B. Preside over all ASNMSU Court hearings and meetings; and

C. Administer the Oath of Office for the ASNMSU President, Vice President, and Senators; and

D. Hold a minimum of four (4) regular office hours per week, excluding university holidays; and

E. Be familiar with the bylaws of the ASNMSU and be able to interpret them; and

F. Prepare a transition manual for the successor to the Office of the ASNMSU Supreme Court Chief Justice; and

G. Oversee all programs under the jurisdiction of the judicial branch including:

1. The ASNMSU Attorney Referral Program:

    a. The ASNMSU Supreme Court shall coordinate with local attorneys who will offer discounts to students for their legal services in exchange for free advertising on the ASNMSU website; and

    b. Attorneys in the program shall fill out a contract agreeing to the terms of the program for up to three (3) academic years; and

    c. The ASNMSU Supreme Court is responsible for keeping track of these contracts and ensuring that the information on the ASNMSU website about the attorneys in the program is up to date.

2. The ASNMSU Renter's Handbook:

    a. The Renters' Handbook shall be a guide to renting a house or apartment in the Las Cruces area; and

    b. The ASNMSU Supreme Court Chief Justice or an Associate Justice shall work with an attorney to annually update the handbook and keep it current with the New Mexico Uniform Owner-Resident Relations Act; and

    c. Oversight of this program will include administration and finances.

3. Parking Appeals:

    a. The ASNMSU Supreme Court shall work in conjunction with the NMSU Parking Department to hold appeals for anyone who receives a parking citation on campus; and

    b. These appeals shall be held either biweekly or monthly during the school year. This is at the discretion of the NMSU Parking Department and ASNMSU Supreme Court Chief Justice.

4. It's on Us Campaign:

    a. The ASNMSU Supreme Court shall work with the NMSU Office of Institutional Equity and Aggie Health and Wellness Center to hold a campaign that brings awareness to sexual assault issues on campus; and

    b. The fall Week of Action for the campaign shall be recommended to be hosted during the last week of October, whereas the spring Week of Action shall be recommended to be hosted during the first week of April.

5. Legal Event Series:

a. The ASNMSU Supreme Court shall host a series of events focused on the legal field and profession; and

b. This event shall be held at least once every semester.

H. Monitor the attendance of the ASNMSU Supreme Court Justices; and

I. Assign demerits to ASNMSU Justices according to the grievances defined in the Judicial Demerit system and notify the ASNMSU Senate when any ASNMSU Justice accumulates five (5) points; and

J. Serve as an ex officio non-voting member of the ASNMSU Bylaw Committee; and

K. Perform all other duties required by the ASNMSU bylaws; and

L. Appoint, if desired, an ASNMSU Court Intern:

1. The ASNMSU Court Intern shall hold office at the pleasure of the ASNMSU Chief Justice; and

2. The Court Intern can be hired or appointed through an internship position:

a. For a Court Intern to earn New Mexico State University (NMSU) class credit if the internship is supervised by a professor in the Government department. Otherwise, the internship will be for professional development and resume building.

b. The Court Intern will fulfill any duties appointed to them and complete duties and tasks assigned to them by the Justices.

4-3-2. DUTIES OF THE DEPUTY CHIEF JUSTICE

A. Duties of the Deputy Chief Justice:

1. Shall assume the duties and powers of the Chief Justice in the absence of the Chief Justice.

2. Assist the Chief Justice in tasks related to the administration of the judicial branch.

3. Schedule relevant outreach presentations with other branches, departments, or relevant organizations or groups.

4. Plan at least two (2) outreach events per semester for the Court.

5. Shall assist the Chief Justice in overseeing the Associate Justices and/or other Supreme Court employees, members, interns, or others under its jurisdiction.

6. Other duties as assigned by the Chief Justice.

B. Selection of the Deputy Chief Justice:

1. The Chief Justice shall appoint a Deputy Chief Justice. It is recommended that the Deputy Chief Justice:

2. Have at least 1 semester of experience in the Supreme Court.

C. Resignation of the Deputy Chief Justice

1. The Deputy Chief Justice may resign from their position as the Deputy Chief Justice without resigning from their position as Associate Justice.

2. The Deputy Chief Justice may resign from their position by notifying the Chief Justice, ASNMSU President, ASNMSU Vice President, and the next most senior Associate Justice. They must also specify if they are resigning from the Court as a whole or just resigning from the Deputy Chief Justice position.

D. Removal of the Deputy Chief Justice

1. The Chief Justice may remove the Deputy Chief Justice from service, provided that the Deputy Chief Justice is not performing their duties as expected or accumulates two (2) points within their term.

E. Vacancy of the Deputy Chief Justice

1. Should the Deputy Chief Justice position become vacant, the Chief Justice shall appoint a Deputy Chief Justice from the sitting Justices.

4-3-3. DUTIES AND RESPONSIBILITIES OF THE ASNMSU SUPREME COURT ASSOCIATE JUSTICES

The ASNMSU Supreme Court Associate Justices shall perform the following duties:

A. Be familiar with the ASNMSU bylaws and be able to interpret them; and

B. Attend all ASNMSU Supreme Court proceedings, hearings, and meetings required by the ASNMSU Supreme Court Chief Justice; and

C. Hold a minimum of eight (8) regular office hours per week; and

1. The Chief Justice may waive this requirement of substitute office hours for court meetings, hearings, events, or other duties

D. In the event of the absence of the ASNMSU Supreme Court Chief Justice, the senior ASNMSU Supreme Court Associate Justice will preside; and

E. Perform those projects and duties assigned by the ASNMSU Supreme Court Chief Justice; and

F. Must be in attendance or properly excused from the bi-annual Association Retreat. Excusals must be submitted to the ASNMSU Supreme Court Chief Justice two weeks prior to the retreat.

4-3-4. COMPENSATION LIMIT FOR THE ASNMSU SUPREME COURT JUSTICES

ASNMSU Supreme Court Justices shall receive compensation as outlined in the most current ASNMSU General Appropriations Act.

4-4. ASNMSU CODE OF JUDICIAL CONDUCT

An independent and honorable judiciary is indispensable to justice within the ASNMSU. The provisions of this code should be construed and applied to further that objective.

4-4-1. A JUSTICE SHALL UPHOLD THE INTEGRITY AND INDEPENDENCE OF THE JUDICIARY

An ASNMSU Justice shall observe high standards of conduct so that the integrity and independence of the judiciary may be preserved. They should also participate in establishing, maintaining, and enforcing high standards of conduct. An ASNMSU Justice shall not allow their social or other relationships to influence their judicial conduct or judgment. The ASNMSU Justice shall not lend the prestige of their office to advance the private interest of others.

4-4-2. A JUSTICE SHALL PERFORM THE DUTIES OF OFFICE IMPARTIALLY AND DILIGENTLY

In the performance of judicial duties, an ASNMSU Justice shall apply the following standards:

A. Adjudicative responsibilities:

1. An ASNMSU Justice should maintain order and decorum in judicial proceedings; and

2. An ASNMSU Justice should be patient, dignified, and courteous while in the ASNMSU Justice's official capacity and should require similar conduct of others subject to the ASNMSU Justice's direction and control; and

3. An ASNMSU Justice shall accord to every person legally interested in a proceeding, or the person's counsel, the full right to be heard according to bylaw. Except as authorized through the bylaws, an ASNMSU Justice shall neither initiate nor consider ex-party or other communications concerning a pending or impending proceeding. An ASNMSU Justice may obtain the advice of a disinterested expert on the bylaws applicable to a proceeding before the ASNMSU Justice; and

4. All cases decided by an opinion of an appellate ASNMSU Court shall be by a collegial opinion. Before an opinion is placed in final form, the participating ASNMSU Justices shall attempt to reconcile any differences. Each ASNMSU Justice on each panel is charged with the duty of carefully reading and analyzing the pertinent submitted material on each case in which the ASNMSU Justice participates; and

5. An ASNMSU Justice should abstain from public comment about a pending proceeding in any ASNMSU Court and should require similar abstention on the part of ASNMSU Court personnel subject to the ASNMSU Justice's direction and control. This subparagraph does not prohibit ASNMSU Justices from making public statements in the course of their official duties or from explaining for public information the procedures of the ASNMSU Court; and

6. An ASNMSU Justice shall not permit media personnel and equipment in the courtroom unless both parties approve of them.

B. Administrative responsibilities:

1. An ASNMSU Justice should diligently discharge the ASNMSU Justice's administrative responsibilities and maintain professional competence in judicial proceedings; and

2. An ASNMSU Justice shall observe the standards of confidentiality, fidelity, and diligence that

apply to the ASNMSU Justice.

4-4-3. DISQUALIFICATION

An ASNMSU Justice is disqualified and shall recuse themselves in any proceeding in which:

A. An ASNMSU Justice has a personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceeding; and

B. An ASNMSU Justice acted in their official capacity in any inferior ASNMSU Court or as an ASNMSU Special Master; and

C. Their spouse, or a person by blood, marriage, or other relationship to them:

1. Is a party to the proceeding, or an officer, director, or trustee of a party; or

2. Is acting as representative counsel in the proceedings; or

3. Is known by the ASNMSU Justice to have an interest that could be substantially affected by the outcome of the proceeding; or

4. Is to the ASNMSU Justice's knowledge likely to be a material witness in the proceeding; or

5. A party to the proceeding is an employee of the ASNMSU Court, whether assigned to the ASNMSU Justice or otherwise.

4-4-4. A JUSTICE SHOULD REGULATE THEIR ACTIVITIES TO MINIMIZE THE RISK OF CONFLICT WITH THEIR JUDICIAL DUTIES

A. They may appear at a public hearing before an executive or legislative body, and they may consult with an executive or legislative body or official, but only on matters concerning the administration of justice within the ASNMSU, except as required through the bylaws; and

B. An ASNMSU Justice may participate in civic and charitable activities that do not reflect adversely upon their impartiality or interfere with the performance of their judicial duties; and

C. An ASNMSU Justice shall not serve or perform any services for any committee, commission, or organization that conflicts with their judicial duties.

4-4-5. A JUSTICE SHOULD REFRAIN FROM POLITICAL ACTIVITY INAPPROPRIATE TO THEIR JUDICIAL OFFICE

A. Notwithstanding other provisions of the ASNMSU Code of Judicial Conduct or except as the ASNMSU bylaws provide for:

1. No ASNMSU Justice, while serving, shall be nominated, appointed, or elected to any other office.

4-4-6. APPLICABILITY

This ASNMSU Code of Judicial Conduct applies to all ASNMSU Supreme Court Justices and ASNMSU Justices/Special Masters of any inferior ASNMSU Courts.

4-5. CONTEMPT

An ASNMSU Justice has jurisdiction to punish for contempt only for disorderly behavior or breach of the peace, which interrupts or disturbs a judicial proceeding before the ASNMSU Justice or for disobedience of any lawful order or process of the ASNMSU Court.

4-5-1. CONTEMPT OF COURT

The ASNMSU Court may order any of the following judgments if a party is found guilty of contempt of the ASNMSU Court:

A. Order dismissing action pending before the ASNMSU Court if said party filed the action; and

B. A judgment fining an organization or an ASNMSU Base Program a maximum of one thousand dollars ($1,000).

4-6. OPEN MEETINGS POLICY

The ASNMSU Supreme Court is exempt from the ASNMSU Open Meetings Act during deliberation and voting. However, the voting record of a final decision must be released upon a case's conclusion.

4-7. JUDGMENTS

4-7-1. PRE-TRIAL JUDGMENTS

A. The ASNMSU Supreme Court may issue any of the following judgments or perform any of the following actions before a trial:

1. Issue a judgment freezing the accounts of an ASNMSU Base Program or a recognized NMSU student organization or program funded through ASNMSU.

4-7-2. POST TRIAL JUDGMENTS

The ASNMSU Supreme Court may issue any of the following judgments or perform any of the following actions at the conclusion of a trial:

A. Render an ASNMSU bylaw void if it is found to be in violation of the ASNMSU Constitution:

1. It shall be the responsibility of the ASNMSU Supreme Court Chief Justice to provide copies of such opinions as well as any previously overlooked opinions to the ASNMSU Bylaw Committee by the time it convenes.

B. Issue a judgment requiring that an individual or individuals do no less than five (5) hours and no more than fifty (50) hours of NMSU community service, which shall not be applied to community service requirements for appropriation purposes:

1. Individuals failing to complete 4-7-2-B as per ASNMSU Supreme Court Judgement shall not be appropriated ASNMSU funds.

C. Issue a judgment fining an organization or an ASNMSU Base Program a maximum of fifty-thousand dollars ($50,000) or issue a judgment fining an organization or an ASNMSU Base Program to not less than fifty (50) hours and no more than one hundred (100) hours of NMSU community service which shall not be applied to community service requirements for appropriation purposes:

1. Organizations failing to complete 4-7-2-C as per ASNMSU Supreme Court Judgement shall not be appropriated ASNMSU funds.

D. Remove from office an ASNMSU official who has been impeached in accordance with NMSU Policy and Procedure.

4-8. INCOME

Funds resulting from fines imposed on a party are treated as revenue as defined in section 7-2 of the ASNMSU Revenue Disposition Act.

4-9. APPOINTMENT OF A SPECIAL MASTER

If deemed necessary by the ASNMSU Supreme Court Chief Justice, an ASNMSU Special Master may be appointed to perform business before the ASNMSU Supreme Court:

A. The ASNMSU Special Master shall be an ASNMSU Supreme Court Associate Justice; and

B. The ASNMSU Special Master shall act as judge of a lower ASNMSU Court and shall follow the procedure outlined previously of lower ASNMSU Courts and tribunals; and

C. If an ASNMSU Special Master presides over a case, they are to docket any appeal to the ASNMSU Supreme Court; and

D. If an ASNMSU Supreme Court Associate Justice has acted as an ASNMSU Special Master on a lower ASNMSU Court decision, the ASNMSU Supreme Court Associate Justice will recuse themselves if the case is appealed to the ASNMSU Supreme Court.

4-10. INVALIDITY

If any portion of Article four (4): Judicial Branch is found invalid by the ASNMSU Supreme Court, ASNMSU Advisors, or the NMSU Dean of Students only that portion of Chapter four (4) will be considered invalid.

A. The Attorney General shall interpret the invalid portions using legal precedent and NMSU policy to address any vagueness in bylaws that have had portions invalidated or removed until such bylaws are clarified by Senate or by the Supreme Court per the duties stated in 3-8-8-C.

4-11. AMENDMENTS

Amendments to the Judicial Branch may be made by a simple majority of the ASNMSU Senate in the form of a legislative bill:

A. The ASNMSU Chief Senate Clerk shall make available copies of the above amendments to the ASNMSU Chief Justice within three (3) business days of it being signed into bylaw; and

B. The ASNMSU Supreme Court Chief Justice shall inform the ASNMSU Supreme Court Associate Justices of the ASNMSU Senate amendments to Article 4 of the ASNMSU Bylaws; and

C. During weekly staff meetings, the ASNMSU Supreme Court Chief Justice shall inform the ASNMSU Executive Directors of the above amendments.

5. LEGISLATIVE BYLAWS

5-1. ASNMSU OPEN MEETINGS ACT

An act establishing an open meeting policy for the ASNMSU policy-making bodies.

5-1-1. DEFINITIONS

As used in the ASNMSU Open Meetings Act:

A. "Policy-making body" means any ASNMSU board, committee, or other body that recommends or formulates policy, including the development of personnel policy, rules, regulations, discussing public business or for the purpose of taking any action of the authority of the ASNMSU, but not limited to the ASNMSU Senate Committees, the ASNMSU Student Advocacy Board, and the ASNMSU Senate; and

B. "Public notice" means causing to be posted at least seventy-two (72) hours prior to any meeting, the date, time, place, and purpose of such meeting; and

C. "Meeting" means any gathering of a quorum of members of a policy-making body at which policy related to the body is discussed; and

D. "Broadcasting" means any live or recorded audio, visual, or textual transmissions streamed or published through any media outlet; and

E. "Recording" means any audio, visual, or textual documentation that is saved for personal use or publication; and

F. "Publication" means any broadcasting or recording made available to another person besides oneself; and

G. "No Affiliation Disclosure" means a public agreement stating that ASNMSU is not liable and responsible for the publication of the broadcast or recording; and

H. "Session" means a set of ASNMSU Senate meetings that take place twelve (12) or more times in a given academic year, six (6) or more times in the fall semester, and six (6) or more times in the Spring Semester.

5-1-2. PUBLIC NOTICE

No ASNMSU policy-making body shall conduct a meeting unless reasonably advance public notice is given by:

A. The ASNMSU Department of Public Relations is responsible for giving public notice of the policymaking body; and

B. The ASNMSU Vice President is responsible for creating and releasing the ASNMSU policymaking schedule; and

C. The notice shall include the date, time, and location of the meeting; and

D. The notice shall be published or posted in a place and manner accessible to the public; and

E. Notice has been provided to all FCC licensed broadcast stations and newspapers of general

circulation that have been provided a written request for notice of meetings; and

F. The notice includes an agenda or information on how the public may obtain a copy of the agenda; and

G. The notice shall be posted seventy-two (72) hours in advance of the public meeting, except in instances of an Emergency Meeting.

H. In the event that technical difficulties or other unforeseen issues delay or disrupt a meeting after public notice has already been given, an updated public notice shall be issued within one (1) hour of the disruption by an officer or staff member with access to official ASNMSU communication platforms. This notice shall state the nature of the issue, whether the meeting will continue as scheduled, be delayed, or be postponed, and provide updated information on how the public may access the meeting.

5-1-3. OPEN ATTENDANCE OF MEETINGS

No person shall be denied admission to any meeting of any ASNMSU policymaking body, except as otherwise provided by within the bylaws.

5-1-4. CLOSED DELIBERATION

Any ASNMSU public policy-making body may discuss personnel matters in a closed session, but all decisions must be made public in an open session. For a public body to move into a closed session the following procedure must be followed:

A. A public body shall only enter a closed session to deliberate on the following:

1. Discussion of the hiring, promotion, demotion, dismissal, assignment, or resignation of an ASNMSU employee, or the investigation or consideration of complaints or charges against an ASNMSU employee; and

2. Deliberations in connection with an administrative adjudicatory proceeding held by the public body; and

3. Discussion of personally identifiable information about an individual student.

B. A motion must state the specific provision of law authorizing the closed session and a reasonably specific description of the subject to be discussed; and

C. A roll call vote on the motion to close the meeting in the open meeting shall occur, where the vote of each member is to be recorded in the minutes; and

D. Only the matters stated in the motion to close are discussed in the closed session; and

E. Action of an item discussed in a closed session must be taken in an open session; and

F. After a closed session is completed, a statement affirming that the matters discussed in the closed session were limited to those stated in the motion to close is recorded in the minutes.

5-1-5. INVALIDATION OF ACTION

When the ASNMSU Supreme Court finds that a policy-making body has violated this act, all business conducted by the body at that meeting shall be invalid; the ASNMSU Supreme Court may take other action if appropriate and in accordance with the bylaw.

5-1-6. EMERGENCY MEETING

The ASNMSU Senate may convene an Emergency Meeting if:

A. A simple majority of ASNMSU Senators, in writing or by petition, request an ASNMSU Senate Emergency Meeting. The request must be submitted to the ASNMSU Vice President and Advisors; in the absence of the ASNMSU Vice President, the ASNMSU Advisors may receive requests for an emergency meeting:
   1. In their request, ASNMSU Senators must propose a time and place for the ASNMSU Senate Emergency Meeting and the subject matter to be discussed at the ASNMSU Senate Emergency Meeting and ensure the meeting will occur at least seventy-two (72) hours after the conclusion of the current day unless the following apply:
      a. The public body did not expect the circumstances giving rise to the meeting; or
      b. If the public body does not act immediately, injury or damage to persons, property, or substantial financial loss to the public body is likely.

B. A quorum, as outlined in section 5-10-3 of the ASNMSU Bylaws, must be achieved for any business to be transacted at any ASNMSU Senate Emergency Meeting; and

C. The ASNMSU Chief Senate Clerk shall execute their duties as prescribed by section 6-5-2 of the ASNMSU bylaws at any Emergency Meeting:
   1. In the event that the ASNMSU Chief Senate Clerk is unable to attend the ASNMSU Senate Emergency Meeting, the ASNMSU Deputy Senate Clerk shall assume the responsibility for the duration of the ASNMSU Senate Emergency Meeting. If the ASNMSU Deputy Senate Clerk is also unavailable, the ASNMSU Senate shall appoint from its membership, by a simple majority vote, a member to execute the duties of the ASNMSU Chief Senate Clerk until such time as the ASNMSU Chief Senate Clerk can resume their duty or is appointed in accordance with section 6-5-2 of the ASNMSU Bylaws.

D. The ASNMSU Senate shall abide by all procedural rules outlined in Article six (6) of the ASNMSU Bylaws. Only the business for which the ASNMSU Senate Emergency Meeting was convened may be discussed; and

E. The Presiding Officer of an ASNMSU Senate Emergency Meeting shall be the ASNMSU Vice President:
   1. If the ASNMSU Vice President is unable or unwilling to preside over the ASNMSU Senate Emergency Meeting, the ASNMSU President Pro Tempore shall serve as the Presiding Officer; and
   2. If the ASNMSU President Pro Tempore is unable or unwilling to serve as the Presiding Officer of the ASNMSU Senate Emergency Meeting, the ASNMSU President Pro Tempore shall designate an ASNMSU Senator to preside.

F. The ASNMSU Chief Senate Clerk or ASNMSU Senator acting as the ASNMSU Chief Senate Clerk must notify the NMSU Dean of Students in writing at least twenty-four (24) hours prior to an ASNMSU Senate Emergency Meeting being convened; and

G. The ASNMSU Vice President or Presiding Officer of the ASNMSU Senate Emergency Meeting and the ASNMSU Chief Senate Clerk or acting ASNMSU Chief Senate Clerk shall sign and date the Journal of the ASNMSU Senate Emergency Meeting and submit it to the ASNMSU Advisors with a signed and dated letter explaining the need for the ASNMSU Senate Emergency Meeting and what, if any, actions were undertaken or ordered during the ASNMSU Senate Emergency Meeting:

   1. The ASNMSU Advisors shall make the Journal of the ASNMSU Senate Emergency Meeting and the letter of explanation available in the same manner as the Journal of a regularly scheduled meeting.

H. The ASNMSU Advisors may, with proper and due cause, request that the ASNMSU Senate review any actions undertaken or ordered during an ASNMSU Senate Emergency Meeting at the next regularly scheduled ASNMSU Senate meeting; and

I. The actions undertaken or ordered during an ASNMSU Senate Emergency Meeting of any ASNMSU Senate may be appealed to the ASNMSU Supreme Court:

   1. The ASNMSU Supreme Court may render illegal or improper actions and decisions undertaken or ordered by the ASNMSU Senate during an ASNMSU Senate Emergency Meeting null and void and may prescribe such remedy as is proper and just under the bylaws; and

   2. Any review of an ASNMSU Senate Emergency Meeting undertaken by the ASNMSU Senate and the subsequent decision of the ASNMSU Senate shall not exclude the actions or decisions undertaken or ordered during an ASNMSU Senate Emergency Meeting from being appealed to the ASNMSU Supreme Court.

J. The ASNMSU Senate may choose to review any actions undertaken or ordered by any policymaking body of the ASNMSU in an ASNMSU Senate Emergency Meeting and may overturn any action or decision undertaken or ordered by any policy-making body of the ASNMSU; and

K. Within ten (10) working days of the emergency meeting, the ASNMSU Attorney General shall be informed by the ASNMSU Chief Senate Clerk of the reason for the meeting and the actions taken in the meeting.

5-1-7. BROADCASTING AND RECORDING

A. All public policy-making meetings are broadcast on a publicly accessible platform. They are also to be recorded and kept in ASNMSU records; and

B. At the time of recording or broadcasting, the Chair of the ASNMSU meeting must make an announcement to the guests informing them of the broadcast or recording; and

C. Any guest attending a public policy-making body's meeting may legally record at any point throughout the duration of the meeting; and

D. Any guest, official, or entity broadcasting or recording a public policy-making body's meeting will be asked to sign a no-affiliation agreement as well as include a no-affiliation disclosure in their publication of a broadcast or recording. The ASNMSU Sergeant-At-Arms, Deputy Sergeant-At-Arms and Vice Chair of any ASNMSU committee will be responsible for enforcing this section; and

E. If the party failed to provide a no-affiliation disclosure in the publication of the broadcast or recording, they may redeem their rights by doing one (1) or more of the following:

    1. Provide a no affiliation disclosure in the publication of the broadcast or recording; or

    2. Provide public notice that the broadcast or recording was not affiliated with the ASNMSU.

F. Permissible areas of broadcasting and recording shall be from the ASNMSU Senate gallery; and

G. Any device causing audio distraction will be removed from the premise.

H. In the event technical difficulties interfere with the recording of a meeting, the policy-making body shall halt all operations until the difficulties are remedied. The officer or staff member responsible for maintaining ASNMSU records at the time shall:

    1. Document the nature of the technical issue, including the start time and duration of the disruption;

    2. Attempt to restore recording as soon as possible and notify the Vice President of the issue;

    3. If recording cannot be restored in real time, provide a written summary of the meeting within forty-eight (48) hours, including decisions made, motions passed, and any votes taken;

    4. Notify the public via official ASNMSU communication platforms that a recording issue occurred, along with information on how they may access the written summary or any alternate recording.

5-2. SENATE VACANCY ACTS

An act relating to vacancies in the ASNMSU Senate, defining a College Council and prescribing the manor for filling vacancies in the ASNMSU Senate.

5-2-1. DEFINITIONS:

A. "College" means the existing Undergraduate Academic Colleges and the Graduate Academic College of NMSU; and

B. "College Council" means a student organization whose purpose is to promote the interest of the students of their respective College, and which is recognized by NMSU and by the NMSU Dean of the College with whom the College Council is affiliated. A "College Council" shall consist of no less than ten (10) members of the College elected or appointed to such College Council in accordance with the respective College Council's Constitution. The ASNMSU shall recognize no College as having more than one (1) College Council, nor shall the ASNMSU recognize any College Council which represents two (2) or more Colleges; and

C. “Recall” means the removal from the official Office of an ASNMSU Senator by the College Council of the College that the ASNMSU Senator represents.

5-2-2. CAUSES OF VACANCY

A vacancy in the ASNMSU Senate shall be caused by:

A. The failure to elect an ASNMSU Senator at the time prescribed by bylaw; and

B. The failure of a person elected to the Office of ASNMSU Senator to meet the constitutional qualifications for holding such office; and

C. The death or resignation of an ASNMSU Senator; and

D. Expulsion of an ASNMSU Senator in accordance with the ASNMSU Rules of the Senate; and

E. Recall of an ASNMSU Senator in accordance with the ASNMSU bylaws.

5-2-3. RESIGNATION OF SENATORS

Any member of the ASNMSU Senate may resign the Office of ASNMSU Senator by filing a written statement of resignation with the President of the ASNMSU Senate. Upon the absence of any ASNMSU Senator from four (4) consecutive regularly scheduled meetings of the ASNMSU Senate, such ASNMSU Senator shall be considered to have resigned:

A. Any ASNMSU Senator who changes their major out of the College that they represent must submit a written statement of resignation.

5-2-4. PRESCRIBING A RECALL ELECTION

An ASNMSU Senator shall be recalled when:

A. A recall petition containing signatures of students within that ASNMSU Senator’s College, equivalent to at least twenty-five percent (25%) of the total number of votes cast by students in the ASNMSU Senator’s College during the election in which that ASNMSU Senator was elected to their current term is presented to the College Council of the ASNMSU Senator's College; and

B. The College Council verifies the signatures and the petition and endorses the petition by a simple majority of a quorum of the College Council in accordance with the Constitution and Bylaws of the College Council; and

C. The ASNMSU members of the ASNMSU Senator's College express a “no-confidence” by a two-thirds (2/3) vote supervised by the College Council; and

D. The ASNMSU Senator must have held office at least during three (3) meetings of the ASNMSU Senate prior to the College's vote on the recall petition; and

E. The ASNMSU Supreme Court judges the recall election result(s).

5-2-5. OCCURRENCE OF VACANCY

Upon the failure to elect an ASNMSU Senator, the failure of a person elected to the Office of ASNMSU Senator to meet the qualifications of office, death, resignation, or pending resignation of a

graduating ASNMSU Senator, or the expulsion or recall of an ASNMSU Senator, the Office of ASNMSU Senator shall be considered vacant or vacant pending resignation, and subject to normal appointment procedures.

5-2-6. COUNCIL SHALL BE INFORMED OF VACANCY

When a vacancy or pending vacancy occurs in the ASNMSU Senate, the President of the ASNMSU Senate shall, in writing and within five (5) business days, inform the Presiding Officer or Advisor of the College Council of the College of the available position:

A. That a vacancy has occurred, or will occur, in the ASNMSU Senate in the representation of their respective College Council; and

B. That the College Council may select an interim ASNMSU Senator from the membership of the College Council to serve the remainder of the unexpired term; and

C. Of the qualifications for holding the Office of ASNMSU Senator; and

D. Of the provisions of the ASNMSU Senate Vacancy Act for appointing an interim ASNMSU Senator.

5-2-7. VALIDITY OF APPOINTMENT

For an appointment of an interim ASNMSU Senator to be considered valid by ASNMSU, the College Council of the College of the vacated position must:

A. Approve each appointment by a majority of a quorum of the college council membership in accordance with the College Council's Constitution and Bylaws:

1. The approved interim ASNMSU Senator must submit to the ASNMSU Vice President the Qualification Check Release Form to be sworn in.

B. Submit to the ASNMSU Senate a written statement by the NMSU Dean of the College Council certifying that the body making the appointment is a College Council within the meaning of the ASNMSU Senate Vacancy Act; and

C. Submit to the ASNMSU Senate a written statement signed by the Presiding Officer and the Advisor of the College Council certifying that the College Council of the vacated position has appointed a member of the College Council to the Office of ASNMSU Senator in accordance with the provisions of the ASNMSU Constitution and the provisions of the ASNMSU Senate Vacancy Act.

5-2-8. DEAN APPOINTMENTS

In the case where no College Council exists according to the ASNMSU definitions, the NMSU Dean of the College may appoint students to fill the vacant ASNMSU Senate seats.

5-3. ASNMSU FALL AND SPRING RETREATS ACT

An act establishing the ASNMSU fall and spring retreats.

5-3-1. PURPOSE OF ACT

To provide training and guidance for all members of the ASNMSU executive, legislative, and judicial branches.

5-3-2. FREQUENCY

There shall be one retreat within nine (9) weeks of the first (1st) day of the fall semester and one retreat within nine (9) weeks of the first (1st) day of the spring semester, and both shall be mandatory for ASNMSU Senators to attend. An ASNMSU Senator may be excused at the discretion of the ASNMU Vice President.

5-3-3. DIVISION OF RESPONSIBILITY

The ASNMSU Vice President shall be responsible for the planning and carrying out of the ASNMSU retreats. The planning shall include, but not be limited to, setting the time, place, and content of the retreats.

5-3-4. FUNDING

A. The ASNMSU shall be responsible for all expenses incurred in developing and producing the ASNMSU fall and spring retreats; and

B. Retreat expenses shall be appropriated through the account of the ASNMSU Vice President during the ASNMSU General Appropriations Act.

5-3-5. ATTENDANCE

A. All members of the executive and judicial branches of the ASNMSU must be in attendance or properly excused. Excusals must be submitted to the head of the member's branch two (2) weeks prior to the retreat; and

B. All members of the legislative branch of the ASNMSU must be in attendance or properly excused. Excusals must be submitted to the ASNMSU Vice President at the ASNMSU Senate meeting prior to the retreat.

5-4. APPOINTED POSITIONS PROVISIONS ACT

An act providing that members of the ASNMSU Senate may hold certain appointed positions of ASNMSU and providing those members of the ASNMSU Senate currently holding other positions of ASNMSU may retain those positions.

5-5. ASNMSU FINANCE BOARD ACT

An act creating a legislative and executive board to be known as the "ASNMSU Finance Board" to formulate and submit an annual budget analysis and recommendation to the legislative and executive branches of the ASNMSU: defining the membership, powers, and duties of the board; prescribing the procedure by which the annual ASNMSU General Appropriations Act bills shall be formulated.

5-5-1. FINANCE BOARD CREATED

A legislative and executive finance board is created to be known as the "ASNMSU Finance Board."

5-5-2. MEMBERSHIP OF THE FINANCE BOARD

The ASNMSU Finance Board shall consist of the ASNMSU President, Vice President, Chief of Staff, Comptroller, President Pro Tempore, and the Chair of the ASNMSU Senate Finance Committee. If the Chair of the ASNMSU Senate Finance Committee is also the ASNMSU President Pro Tempore, the Vice Chair of the ASNMSU Senate Finance Committee shall assume the role of ASNMSU President Pro Tempore on the board. The ASNMSU Advisors, Fiscal Advisor or their designated representative, and Assistant Comptroller may serve as ex officio non-voting members of the board. The Chair of the

ASNMSU Senate Finance Committee shall act as Chair of the ASNMSU Finance Board.

5-5-3. DUTIES OF THE FINANCE BOARD

The ASNMSU Finance Board shall:

A. Examine the bylaws governing the finances and operation of all the ASNMSU departments, boards, committees, and other agencies or subdivisions of the ASNMSU and recommend changes in such bylaws if any changes are deemed desirable; and

B. Annually review budgets and appropriation requests and formulate a full written report of the board's findings and recommendations for the consideration of each successive ASNMSU Senate on or before April first (1st) of the current academic year and make the report available to the ASNMSU Senate Budget Committee, President, Vice President and each member of the ASNMSU Senate. The report must include the following:

1. A summary and justification of current annual expenses for each department; and

2. A summary and justification of current interdepartmental transfers and funds; and

3. A projected prioritized list of departmental expenses for the following academic year; and

4. The total tuition and fees collected for the prior academic year; and

5. A balanced budget recommendation for the following academic year.

5-5-4. POWERS OF THE FINANCE BOARD

The ASNMSU Finance Board shall have the power to:

A. Conduct hearings; and

B. Require any ASNMSU department, board, committee, or other agency or subdivision of the ASNMSU seeking funds to submit a copy of its appropriation and budget requests and to furnish any other supporting information or data deemed necessary to carry out the board's statutory duties; and

C. Request any non-ASNMSU department, board, committee, or other agency to submit an appropriation and budget request and any other supporting information or data; and

D. Appoint administrative and faculty advisors as ex officio non-voting members of the ASNMSU Finance board.

5-5-5. REPORT

The ASNMSU Finance Board and the ASNMSU Senate will receive a financial report of the ASNMSU, and all organizations funded by the ASNMSU on the sixth (6th) and sixteenth (16th) week of each semester.

5-5-6. FINANCE BOARD AND QUORUM

The Chair of the ASNMSU Finance Board, or a majority of the voting members of the ASNMSU Finance Board, may call a meeting of the ASNMSU Finance Board. The ASNMSU Finance Board

shall meet to begin consideration of the budget appropriations requests no later than February fifteenth (15th) of each year. A majority of the voting members of the ASNMSU Finance Board shall constitute a quorum to do business.

5-6. SENATE BUDGET COMMITTEE ACT

The ASNMSU Senate Budget Committee shall review and consider the report and recommendations of the ASNMSU Finance Board and shall draft and submit to the ASNMSU Senate an annual ASNMSU General Appropriations Bill. Neither the ASNMSU Senate Budget Committee nor the ASNMSU Senate shall be bound to the recommendations of the ASNMSU Finance Board. The annual ASNMSU General Appropriations bill shall be enacted into the bylaws in accordance with the requirements prescribed by the ASNMSU Constitution. This ASNMSU General Appropriations Act will only consist of the allocations for the ASNMSU Base Programs. Clubs and organizations not included in the ASNMSU Base Program Act may make requests for funding before the following year's ASNMSU Senate.

5-6-1. SENATE BUDGET COMMITTEE CREATED

A legislative senate budget committee is created to be known as the "ASNMSU Senate Budget Committee."

5-6-2. MEMBERSHIP OF THE SENATE BUDGET COMMITTEE

The ASNMSU Senate Budget Committee shall consist of the ASNMSU President Pro Tempore and the Chairs and Vice Chairs of the ASNMSU Senate Credentials & Archives, Rules, and Finance Committees. The ASNMSU Senate Finance Committee Chair shall Chair the ASNMSU Senate Budget Committee. If the Chair of the ASNMSU Senate Budget Committee is also the ASNMSU President Pro Tempore, the ASNMSU Parliamentarian shall assume the ASNMSU President Pro Tempore's place on the ASNMSU Senate Budget Committee. The ASNMSU Comptroller and Chief Senate Clerk shall serve as ex officio non-voting members. The ASNMSU Advisors, Fiscal Advisor or their designated representative, and Assistant Comptrollers, may serve as ex officio non-voting members of the Senate Budget Committee.

5-6-3. DUTIES OF THE SENATE BUDGET COMMITTEE

The ASNMSU Senate Budget Committee shall:

A. Review and analyze the report of the ASNMSU Senate Finance Board; and

B. Write and present the ASNMSU General Appropriations Act to the ASNMSU Senate.

5-6-4. POWERS OF THE SENATE BUDGET COMMITTEE

The ASNMSU Senate Budget Committee shall have the power to:

A. Conduct hearings; and

B. Require any ASNMSU department, board, committee, or other agency or subdivision of the ASNMSU seeking funds to submit a copy of its appropriation and budget requests and to furnish any other supporting information or data deemed necessary to carry out the board's statutory duties; and

C. Request any non-ASNMSU department, board, committee, or other agency to submit an appropriation and budget request and any other supporting information or data.

5-6-5. SENATE BUDGET COMMITTEE AND QUORUM

The Chair of the ASNMSU Senate Budget Committee, or a majority of the voting members of the ASNMSU Senate Budget Committee, may call a meeting of the ASNMSU Senate Budget Committee. The ASNMSU Senate Budget Committee shall meet to begin consideration of the budget appropriations requests no later than March first (1st) of each year. A majority of the voting members of the ASNMSU Senate Budget Committee shall constitute a quorum to do business.

5-7. ASNMSU BYLAW ACT

An act creating the ASNMSU Bylaw Committee, defining its powers and duties, and establishing the general contents of the ASNMSU Governing Document

5-7-1. DEFINITIONS

As used in the ASNMSU Bylaw Act:

A. "Committee" means the ASNMSU Bylaw Committee; and

B. "Bylaws" refers to the ASNMSU Governing Document.

5-7-2. BYLAW COMMITTEE - CREATED

The ASNMSU Bylaw Committee shall consist of the ASNMSU Vice President, who shall act as Chair of the ASNMSU Bylaw Committee; ASNMSU Chief Senate Clerk, who shall act as Secretary of the ASNMSU Bylaw Committee; ASNMSU Supreme Court Chief Justice; Chairs of the ASNMSU Senate standing committees; ASNMSU Attorney General; ASNMSU Comptroller; and any other members of the ASNMSU the ASNMSU Vice President may deem necessary:

A. The voting members shall consist of the following:

1. The ASNMSU Vice President (in the event of a tie); and

2. The ASNMSU President Pro Tempore; and

3. Chair of the ASNMSU Senate standing committees; and

4. Any current ASNMSU Senator.

B. The non-voting members shall consist of the following:

1. The ASNMSU Chief Senate Clerk; and

2. The ASNMSU Chief Justice; and

3. The ASNMSU Attorney General; and

4. The ASNMSU Comptroller; and

5. Other members of the ASNMSU deemed necessary by the ASNMSU Vice President.

5-7-3. POWERS AND DUTIES OF THE COMMITTEE

The ASNMSU Bylaw Committee is authorized to:

A. Provide an official, annotated compilation of ASNMSU's Governing Documents each academic year; determine the contents of the ASNMSU bylaws each academic year; determine any formatting considerations and all other things pertaining to the publication of the ASNMSU bylaws; and

B. Determine whether the requirements of the ASNMSU bylaws have been met in accordance with ASNMSU's Governing Documents, rules, and regulations of NMSU and file a certificate with the NMSU Dean of Students when the foregoing provisions have been met to the effect that the ASNMSU bylaws shall be recognized as the official Governing Document of ASNMSU as of the date of publication; and

C. Adopt any system of codification deemed necessary or useful; and

D. Review any minor grammatical or formatting errors identified by the ASNMSU Attorney General and, provided that a quorum is present, consent to allowing the ASNMSU Attorney General to correct these errors with a majority vote, so long as the corrections do not alter or confuse the meaning, application, or legislative intent of the section or statute in which the errors are contained Should any corrections alter or confuse legislative intent, meaning, or application, the ASNMSU Bylaw committee shall propose the introduction of legislation to enact the corrections:

1. The Chair of the ASNMSU Senate Rules Committee must present to the ASNMSU Senate any grammatical or formatting changes done by the ASNMSU Attorney General by the next ASNMSU Senate meeting after the changes are made.

5-7-4. ORIGINAL ACT TO GOVERN

The published version of the ASNMSU bylaws on the ASNMSU website shall serve as the official ASNMSU Governing Document for all rules and decisions. In the event the official published version becomes corrupt or inaccessible, the ASNMSU Attorney General, who is the official custodian, shall maintain an official print copy.

5-7-5. CONTENTS OF ASNMSU BYLAWS

The ASNMSU bylaws shall contain the following:

A. The ASNMSU Constitution, as amended at the date of publication; and

B. A synopsis of all written decisions of the ASNMSU Supreme Court; and

C. All the bylaws (acts) of a general and permanent nature in force at the date of publication; and

D. The following shall be published on the ASNMSU website:

1. All acts making an appropriation enacted since the last publication of the ASNMSU bylaws and any other acts making an appropriation that the ASNMSU Bylaw Committee deems necessary or useful; and

2. All the ASNMSU Senate resolutions enacted since the last publication of the ASNMSU

bylaws; and

3. All the ASNMSU Senate memorials enacted since the last publication of the ASNMSU bylaws.

E. The ASNMSU Rules of the Senate as amended at the date of publication; and

F. The rules and procedures of the ASNMSU Supreme Court as amended at the date of publication; and

G. An index of the contents of the ASNMSU bylaws; and

H. Any other documents that the ASNMSU Bylaw committee may deem necessary or useful.

5-7-6. LEGAL DOCUMENTS

No amendments to the ASNMSU Constitution, the ASNMSU Senate acts, the ASNMSU Senate resolutions, or the ASNMSU Senate memorials may be included in the ASNMSU bylaws except enacted in accordance with the ASNMSU Constitution. Nor shall any document not enacted or endorsed by the ASNMSU Senate be included without the permission of those responsible for the document and without compilation notes indicating those responsible for the document and those giving approval to the document.

5-8. SENATE REVIEW OF PROCEDURAL ELECTIONS GUIDE

5-8-1. MAIN PROVISION

The Procedural Elections Guide shall be submitted to the ASNMSU Senate for review no later than four (4) weeks prior to the general election, the ASNMSU Senate shall review and approve the Procedural Elections Guide submitted by a majority vote of the ASNMSU Senators present:

A. A copy of the Procedural Elections Guide shall be given to all the ASNMSU Senators one (1) week prior to such review by the ASNMSU Chief Senate Clerk.

5-9. SENATE SPECIAL COMMITTEES

5-9-1. SPECIAL COMMITTEES

The congregation of the Athletic Council/Game Management Committee, Student Advocacy Board, Sodexo Student Culinary Council, Strategic Planning Committee, Student Tech Advisory Committee, Student Health Insurance, Alcohol Review Board, Library Student Advisory Committee, Library Faculty Senate Advisory Committee, Student Fee Review Board, Faculty Senate Representative, and Student Media Advisory Committee , and Fraternity and Sorority life shall be referred to as the ASNMSU Senate special committees.

5-9-2. MEMBERSHIP

Each committee shall consist of at least one (1) ASNMSU Senator that will be responsible for their respective ASNMSU Senate special committee. It is the duty of the President of the ASNMSU Senate to notify all ASNMSU Senators of the responsibilities and obligations that are met with each ASNMSU Senate special committee. If an ASNMSU Senate special committee does not have an appointed ASNMSU Senator, it is the obligation of the President of the ASNMSU Senate to appoint or notify the ASNMSU Senate of the vacant position.

5-9-3. ELECTIONS

The President of the ASNMSU Senate may call for Elections of ASNMSU Senate special committees in the event of vacancy.

A. In the event of the ASNMSU Senate special committee elections, the ASNMSU Senate shall:

1. Nominate ASNMSU Senators on the floor, at which time, said nomination can be accepted or denied; and

2. Provide adequate time for each nominated ASNMSU Senator to deliver a speech; and

3. Deliberate over nominations and determine them with a simple majority vote.

B. In the event that no candidate is nominated, the President of the ASNMSU Senate shall:

1. Appoint any ASNMSU Senator on the ASNMSU Senate Floor or absent until vacancy is filled; and

2. Must notify appointed ASNMSU Senator within one (1) day of nomination in the event of absence from the ASNMSU Senate Floor; and

3. It will be at the discretion of the President of the ASNMSU Senate to allow acceptance or denials of appointed seats.

5-9-4. DUTIES

Responsibilities will vary between each selected ASNMSU Senate special committee but are subject to the listed.

A. Attend all meetings set by the Chair of each ASNMSU Senate special committee; and

B. Report any event, requests, or any relevant information involving the ASNMSU Senate special committee; and

C. In the event an ASNMSU Senator is unable to attend a meeting, they must send an ASNMSU Senator delegate in their place.

5-10. SENATE SPECIAL COMMITTEE ON EDUCATION

5-10-1. SENATE SPECIAL COMMITTEE ON EDUCATION

An ASNMSU Senate Special Committee on Education is created.

5-10-2. MEMBERSHIP

The ASNMSU Senate Special Committee on Education shall consist of one (1) ASNMSU Senator from each College appointed by each College Council. The President of the ASNMSU Senate must notify each College Council of their responsibility. If a College Council does not have a qualified ASNMSU Senator, the President of the ASNMSU Senate shall appoint another qualified ASNMSU Senator to take their place. The ASNMSU Vice President shall serve as the Chair and only vote in the event of a tie. The ASNMSU President, Supreme Court Chief Justice, Executive Director of Governmental Affairs, Advisors, and an NMSU Faculty Senate Representative shall serve as ex officio non-voting members.

5-10-3. QUORUM

A quorum shall consist of a simple majority of the voting membership of the ASNMSU Senate Special Committee on Education.

5-10-4. DUTIES

The ASNMSU Senate Special Committee on Education shall meet at the discretion of the ASNMSU Vice President.

A. The ASNMSU Senate Special Committee on Education shall:

1. Discuss and review educational issues affecting the members of the ASNMSU; and

2. Provide recommendations and solutions in regard to the issues discussed in the form of a resolution introduced to the ASNMSU Senate; and

3. Should the resolution pass, the ASNMSU Chief Senate Clerk shall provide a copy of the resolution to the NMSU Faculty Senate, ASNMSU President, NMSU Provost, NMSU Deans of every College, and any other parties outlined by the resolution.

5-11. SENATE ORIENTATION

The ASNMSU Senate Orientation is established to provide training for new and returning ASNMSU Senators on the ASNMSU Senate Process.

5-11-1. SENATE ORIENTATION ESTABLISHED

An orientation is established to be known as the "ASNMSU Senate Orientation".

5-11-2. MEMBERSHIP OF THE SENATE ORIENTATION

The ASNMSU Senate Orientation shall be attended by all sitting members of the ASNMSU Senate unless duly excused through the bylaws. The ASNMSU Vice President shall Chair the meeting. If the ASNMSU Vice President cannot be present at the ASNMSU Senate Orientation, the ASNMSU President Pro Tempore shall Chair the meeting.

5-11-3. RESPONSIBILITIES OF THE SENATE ORIENTATION

A. The ASNMSU Senate Orientation shall, at a minimum, provide training on and provide written confirmation through an Excel Worksheet approved by the ASNMSU Vice President that each

ASNMSU Senator in attendance of the ASNMSU Senate Orientation or through a one-on-one meeting with the ASNMSU Vice President that the following was completed:

1. The ASNMSU Senate Reimbursement Process; and

2. The ASNMSU Senate Parliamentary Procedures; and

3. The ASNMSU Senate Point System; and

4. Drafting and presenting ASNMSU legislation; and

5. The ASNMSU Senate resources and the Box application; and

6. Submission deadlines for the ASNMSU Chief Senate Clerk and the ASNMSU Senate standing committees; and

7. The ASNMSU Senate Standing Committee Procedures.

B. If the ASNMSU Vice President does not believe ASNMSU Senators have been thoroughly trained in the aforementioned processes, an affidavit shall be delayed:

1. In the event of a delay, the ASNMSU Senator shall have until the next immediate ASNMSU Senate Meeting to address the concerns of the ASNMSU Vice President.

5-11-4. DUTIES OF SENATE OFFICIALS

The ASNMSU Senate is comprised of the following officials: The ASNMSU Vice President, ASNMSU Chief Senate Clerk, ASNMSU President Pro Tempore, Chairs of the ASNMSU Senate standing committees, and ASNMSU Senate Parliamentarians. The ASNMSU Senate officials shall be responsible for conducting training on several pertinent ASNMSU Senate topics during the ASNMSU Senate Orientation:

A. The ASNMSU Vice President shall oversee the ASNMSU Senate Orientation and, at a minimum, provide generalized information on the ASNMSU Senate and Senate process, Senate meeting expectations, assignment of points and review of the point system and decorum; and

B. The ASNMSU Chief Senate Clerk shall, at a minimum, train senators on using the Box application, ASNMSU Senate resources, and Canvas submission deadlines; and

C. The ASNMSU President Pro Tempore shall work with the ASNMSU Senate standing committee Chairs to provide information on the ASNMSU Senate legislative process, respective ASNMSU Senate committee processes, and explanations for the ASNMSU Senate Committee of the Whole; and

D. The ASNMSU Senate Rules Committee Chair shall, at a minimum, train ASNMSU Senators on ASNMSU Senate committee expectations for formatting and drafting manual guidelines; and

E. The ASNMSU Senate Finance Committee Chair shall, at a minimum, train ASNMSU Senators on

ASNMSU Senate committee expectations for the ASNMSU Financial Procedures Workshops; and

F. The ASNMSU Senate Credentials and Archives Committee Chair shall, at a minimum, train ASNMSU Senators on ASNMSU Senate committee deadlines, submission requirements for documentation, and community service calculations; and

G. The ASNMSU Parliamentarian or Deputy Parliamentarian shall train members on proper parliamentary procedure, including making motions, breaches of decorum, and pertinent information from Robert's Rules of Order.

5-12. STANDING COMMITTEE TRAINING WORKSHOPS

To prevent the inefficiency of the ASNMSU Senate standing committees, the ASNMSU Senate standing committee Chairs shall each host an ASNMSU Senate Standing Committee Training Workshop for their ASNMSU Senate standing committee members. All sitting members of the ASNMSU Senate standing committee shall attend their respective ASNMSU Senate Standing Committee Training Workshops. ASNMSU Senators who, later in the semester, are appointed to a different ASNMSU Senate standing committee than the one for which they have attended an ASNMSU Senate Standing Committee Training Workshop must schedule a one-on-one with the Chair of that respective meeting to get oriented to their new ASNMSU Senate standing committee duties.

5-12-1. WORKSHOP AGENDA ITEMS

Each Standing Committee Training Workshop shall, at a minimum, include the following:

A. An explanation of the responsibilities of each ASNMSU Senate standing committee, as prescribed through the bylaws; and

B. A demonstration of how each responsibility is executed on an actual bill; and

C. A walk-through of an ASNMSU Senate standing committee meeting; and

D. A review of parliamentary procedure as it relates to the ASNMSU Senate standing committee; and

E. All sitting members of ASNMSU Senate standing committees shall attend their respective Standing Committee Training Workshop

1. ASNMSU Senators who did not attend the initial workshop must schedule a one-on-one meeting with the Chair of their respective committee to receive orientation on their new duties within three (3) weeks of their assignment, and

2. ASNMSU Senators from any standing committee are encouraged to attend other standing committee workshops they wish to educate themselves on.

5-13. INVALIDITY

If any portion of Article five (5): Legislative Bylaws is found invalid by the ASNMSU Supreme Court, ASNMSU Advisors, or the NMSU Dean of Students only that portion of Chapter five (5) will be considered invalid.

A. The Attorney General shall interpret the invalid portions using legal precedent and NMSU policy to address any vagueness in bylaws that have had portions invalidated or removed until such bylaws are clarified by Senate or by the Supreme Court per the duties stated in 3-8-8-C.

5-14. AMENDMENTS

Amendments to the Legislative Branch may be made by a simple majority of the ASNMSU Senate in the form of a legislative bill:

A. The ASNMSU Chief Senate Clerk shall make available copies of the above amendments to the ASNMSU Chief of Staff within three (3) business days of it being signed into bylaw; and

B. During weekly staff meetings, the ASNMSU Chief of Staff shall inform the ASNMSU Executive Directors of the above amendments.

6. RULES OF THE SENATE

6-1. OATH OF OFFICE

A. Before any ASNMSU Senator enters into the execution of office, that ASNMSU Senator shall take and subscribe to the following oath (or affirmation):

"I do solemnly swear (or affirm) that I will support the Constitution and laws of the United States, the Constitution and the laws of the State of New Mexico and the Constitution and bylaws of the Associated Students of New Mexico State University and I will faithfully and impartially discharge the duties of the officer of Senator to the best of my ability."

B. This oath shall be administered at an open session of the ASNMSU Senate by the ASNMSU Supreme Court Chief Justice or Associate Justice:

1. Exceptions shall be made at the discretion of the ASNMSU Vice President. ASNMSU Senators needing such accommodations shall submit an explanation, in writing, to the ASNMSU Vice President, who will determine the date and time of their respective swearing-in.

C. An ASNMSU Senator shall have until the second regularly scheduled meeting of their elected term to get sworn in. Should an ASNMSU Senator not fulfill this expectation, that ASNMSU Senator shall be considered to have resigned.

6-2. OFFICERS OF THE SENATE

The ASNMSU Vice President shall be the President of the ASNMSU Senate but shall vote only when the ASNMSU Senate is equally divided. The other officers of the ASNMSU Senate shall be the ASNMSU Chief Senate Clerk, Deputy Senate Clerk, President Pro Tempore, Parliamentarian, Deputy Parliamentarian and Sergeant-At-Arms and such other clerical help and employees as deemed necessary by the ASNMSU Senate. The ASNMSU Senate shall fix compensation for these employees of the ASNMSU Senate at the beginning of each session. All such officers and employees shall serve at the pleasure of the ASNMSU Senate except when otherwise provided by the ASNMSU Constitution. The ASNMSU Parliamentarian may not be elected to or assume the duties of the ASNMSU Senate's Presiding Officer.

6-3. LEGISLATIVE QUALIFICATIONS ACT

A. The ASNMSU Legislative Qualifications Act shall be in order for all salaried officers of the ASNMSU Senate; and

B. ASNMSU Senate Officers shall be ASNMSU fee-paying members and continue to be so throughout the term of their employment; and

C. ASNMSU Senate Officers shall have been ASNMSU fee-paying members for the fall or spring semester prior to their election or hiring; and

D. ASNMSU Senate Officers shall meet the minimum qualifications set forth in the current NMSU Student Employee Handbook with regards to GPA and academic and disciplinary probation:

1. Waivers on academic progress or GPA shall be decided in accordance with the current NMSU Student Employee Handbook.

E. ASNMSU Senate Officers shall meet any other qualifications outlined by the NMSU Human Resource Services Position Classification Description.

F. Students who wish to become ASNMSU Undergraduate Senators must have completed at least one (1) semester as full-time students on the NMSU main campus in the previous semester,

G. Students who wish to become ASNMSU Graduate Senators must have completed at least one (1) semester as full-time students on the NMSU main campus in the previous semester,

H. Students are required to have completed fifteen (15) credit hours if Undergraduate and nine (9) credit hours if Graduate in the previous semester in order to be eligible for the ASNMSU Leadership Scholarship. Not meeting these specific requirements does not disqualify students from candidate eligibility.

6-4. COMPENSATION LIMITS

A. ASNMSU Senate salaried officers shall receive compensation to be, at most, the amount outlined in the current ASNMSU General Appropriations Act, including the ASNMSU wage adjustment factor:

1. The adjustment factor for the ASNMSU Vice President and Chief Senate Clerk shall be for a 0.5 Full-time equivalent; and

2. The adjustment factor for the ASNMSU Deputy Senate Clerk shall be for a 0.375 Full-time equivalent.

6-5. OFFICER DUTIES

6-5-1. DUTIES OF THE ASNMSU VICE PRESIDENT

A. The ASNMSU Vice President shall be elected by the NMSU Student Body during the spring elections and subsequently hired by the ASNMSU and shall serve as an officer of the ASNMSU Senate; and

B. It shall be the duty of the ASNMSU Vice President to perform the following faithfully and adequately:

1. Have extensive knowledge of the latest edition of Robert's Rules of Order and the ASNMSU bylaws; and

2. Preserve order and decorum during all ASNMSU Senate meetings:

    a. In cases of disturbance or disorderly conduct in the meeting, the ASNMSU Vice President may cause the same to be cleared or direct the ASNMSU Senate Sergeant-at-Arms to do so.

3. Decide all questions of order; and

4. Schedule at least six (6) Senate meetings and all ASNMSU Senate standing committee meetings each semester for the entirety of their elected term by June first (1st) of each academic year; and

5. Assign one (1) ASNMSU Senator per ASNMSU Senate standing committee by July first (1st) of each academic year to serve as Chair of each; and

6. The ASNMSU Vice President must create and distribute Chair applications to interested ASNMSU Senators:

    a. If an appointed Chair resigns from the position, the Vice Chair shall become interim Chair until the ASNMSU Vice President decides upon a replacement.

7. To have the right to serve as an ex officio non-voting member at all ASNMSU committee meetings; and

8. The ASNMSU Vice President shall be allowed to enter debate from the floor but may not vote; and

9. Inform the ASNMSU legislative and executive branches of scheduled ASNMSU Senate and ASNMSU Senate standing committee meetings by July first (1st) of each academic year; and

10. Assign each ASNMSU Senator to serve on a standing committee and inform all ASNMSU Senators of their ASNMSU Senate standing committee appointments by August first (1st), prior to the fall semester, and January first (1st), prior to the spring semester:

    a. Assignments shall be made based on ASNMSU Senator preference when possible; and

    b. If an ASNMSU Senator must resign from their appointed ASNMSU Senate standing committee, the ASNMSU Vice President must assign them to another ASNMSU Senate standing committee.

11. Be responsible for calling an ASNMSU Senate Emergency Meeting according to the ASNMSU Open Meetings Act; and

12. Schedule the ASNMSU Fall and Spring Retreat according to the ASNMSU Fall and Spring Retreats Act; and

13. Ensure that each ASNMSU Senate special committee has an appointed ASNMSU Senator for the entirety of the ASNMSU Vice President's elected term; and

14. Assign points to ASNMSU Senators according to the grievances defined in the ASNMSU Point System Act and notify College Councils when any ASNMSU Senator from their College accumulates three (3) points; and

15. Serve as the Chair of the ASNMSU Senate Committee of Committees until a new Chair is appointed; and

16. Serve as an ex officio non-voting member of the Council of Councils; and

17. Attend meetings as assigned by the ASNMSU President; and

18. Create and maintain a transition manual to be delivered to the newly elected ASNMSU Vice President by the last ASNMSU Senate meeting of the current ASNMSU Vice President's elected term; and

19. Notify the ASNMSU Department of Public Relations of any Bill Packets signed into the bylaws within three (3) business days of the Bill Packets becoming bylaw.

6-5-2. DUTIES OF THE CHIEF SENATE CLERK

A. The ASNMSU Chief Senate Clerk shall be hired by the ASNMSU and serve as an ex officio nonvoting Officer of the ASNMSU Senate and the official custodian of all legislation, papers, documents, and all other records of the ASNMSU Senate. The ASNMSU Chief Senate Clerk shall be entitled to the possession thereof and shall not allow any legislation, document, or other paper of any kind to be taken from their desk or out of their custody by any person except the Chair or Vice Chair of the ASNMSU Senate committee to which the same has been referred; and

B. It shall be the duty of the ASNMSU Chief Senate Clerk to perform the following faithfully and adequately:

1. Attend every ASNMSU Senate meeting, call roll, and make a record of the ASNMSU Senators present, excused, or unexcused as provided by rule; and

2. Read all legislation, amendments, and all papers ordered to be read by the ASNMSU Senate or the ASNMSU Senate Presiding Officer; and

3. Prepare and furnish a copy of the agenda, which shall include all legislation upon the general order and special order:

   a. The agenda shall include a list of specific items the public body intends to discuss or transact at the meeting; and

   b. Clearly describe agenda items that the public body intends to discuss or act on during the meeting in order to give adequate public notice; and

c. The ASNMSU Chief Senate Clerk shall ensure that the ASNMSU Senate acts upon all legislation upon general and special order in the order in which they were reported and stand upon the calendar unless otherwise ordered by a majority vote of the ASNMSU Senate; and

d. The agenda shall be posted publicly at least seventy-two (72) hours prior to the meeting convening:

   i. In the case of an Emergency Meeting, the agenda does not need to be published.

4. Insert the correct ASNMSU Senate Action date on all legislation; and

5. Supervise all copying and work to be done for the ASNMSU Senate; and

6. Transmit to the ASNMSU President all legislation requiring Presidential signature for passage; and

7. Obtain a signature from the ASNMSU President, Vice President, and themselves; and

8. Deliver the bills, after signage is completed, to the Office of the ASNMSU Comptroller and the ASNMSU Fiscal Advisors within one (1) business day; and

9. Certify, for each piece of legislation, the fact and date of passage; and

10. Deliver all legislation pending review by each ASNMSU Senate standing committee to the ASNMSU Senate standing committees no later than two (2) hours before the start of their respective meetings; and

11. Prepare a list, which shall be included in the Journal, showing the status of legislation for consideration by the ASNMSU Senate; and

12. Attend all ASNMSU Senate emergency meetings; and

13. Perform any other duty as assigned by the ASNMSU Vice President or requested by the ASNMSU Senate as allowed by rule; and

14. Create and maintain a transition manual to be delivered to the newly hired ASNMSU Chief Senate Clerk upon their selection by the ASNMSU Vice President; and

15. They shall livestream all Senate meetings:

    a. The ASNMSU Public Relations Team shall give the Chief Senate Clerk access to the latest online platform that is designed for the association; and

16. Maintain exclusive control over the use of all electronic and public address equipment installed in the Senate Chamber.

6-5-3. DUTIES OF THE DEPUTY SENATE CLERK

A. The ASNMSU Deputy Senate Clerk shall be hired by the ASNMSU Chief Senate Clerk and serve as an ex officio non-voting Officer of the ASNMSU Senate and the official custodian of ASNMSU Senate and ASNMSU Senate standing committee meeting minutes; and

B. It shall be the duty of the ASNMSU Deputy Senate Clerk to perform the following faithfully and adequately:

1. Attend all ASNMSU Senate and Senate standing committee meetings; and

2. Attend all ASNMSU Senate and Senate standing committee special meetings; and

3. Attend all ASNMSU Senate emergency meetings; and

4. Take and publish minutes for every ASNMSU Senate, Special, Emergency, or committee meeting; and

    a. The Office of the Senate Clerk shall be responsible for recording the meeting minutes, which must include, at minimum, the date, time, and location of the meeting; the names of members present, absent, and excused; the substance of the proposals considered; and a detailed record of all decisions and votes taken, clearly indicating how each member voted. All meeting minutes shall be open and available for public inspection.

5. File and make available all voting records taken during ASNMSU Senate meetings in electronic or hard copy; and

6. Assist the ASNMSU Chief Senate Clerk in maintaining the order, integrity, and organization of the ASNMSU Senate; and

7. Assume the duties of the ASNMSU Chief Senate Clerk if the ASNMSU Chief Senate Clerk is absent or unable to perform their duties; and

8. They shall livestream all Committee meetings; and

    a. The ASNMSU Public Relations Department shall give the Deputy Senate Clerk access to the latest online platform that is designated for the association; and

9. Create and maintain a transition manual to be delivered to the newly hired ASNMSU Deputy Senate Clerk upon their selection by the ASNMSU Chief Senate Clerk: and

10. Communicate meeting minutes, agendas, and legislation documents and their respective status to the ASNMSU Assistant Director of Public Relations Web Developer and the ASNMSU Public Relations Team to verify their availability on the ASNMSU website and its respective legislation tracker, NMSU Crimson Connection and ASNMSU social media outlets.

6-5-4. DUTIES OF THE PRESIDENT PRO TEMPORE

A. The ASNMSU Senate shall elect the ASNMSU President Pro Tempore to serve as an Officer of the ASNMSU Senate; and

B. It shall be the duty of the ASNMSU President Pro Tempore to perform the following faithfully and adequately:

1. Have extensive knowledge of the latest edition of Robert's Rules of Order and the ASNMSU bylaws; and

2. Serve as the ASNMSU Senate Presiding Officer or designate an ASNMSU Senator to serve as the Presiding Officer in the absence of the ASNMSU Vice President; and

3. Preside over the impeachment proceedings for the ASNMSU Vice President, should the event arise; and

4. Serve as an ex officio non-voting member of the ASNMSU Council of Councils and the ASNMSU Appropriations Board; and

5. Serve as a voting member on the ASNMSU Senate Finance Board, the ASNMSU Senate Budget Committee and the ASNMSU Senate Bylaw Committee; and

6. Serve as a member on the ASNMSU Senate Committee of Committees; and

7. Preside over the ASNMSU Senate Committee of the Whole; and

8. Gather lists of recognized organizations from College Council presidents no later than the fourth (4th) week of the spring semester according to the Main Provisions of the ASNMSU College Council Funding Act:

   a. The ASNMSU President Pro Tempore shall verify these organizations with NMSU Campus Activities prior to submitting the list to the ASNMSU Senate Finance Board.

9. Create and maintain a transition manual to be delivered to the newly elected ASNMSU President Pro Tempore at the last ASNMSU Senate meeting of their current term; and

10. In the event the ASNMSU Vice President is unable to, the elected ASNMSU President Pro Tempore should notify the ASNMSU Department of Public Relations of any Bill Packets signed into the bylaws within three (3) business days of the Bill Packets becoming bylaw.

6-5-5. DUTIES OF THE PARLIAMENTARIAN

A. The ASNMSU Parliamentarian and Vice Parliamentarian shall be appointed, without objection from the ASNMSU Senate, by the ASNMSU Vice President to serve as Officers of the ASNMSU Senate; and

B. It shall be the duty of the ASNMSU Parliamentarian and Vice Parliamentarian to perform the following faithfully and adequately:

1. Have extensive knowledge of the latest edition of Robert's Rules of Order and the ASNMSU bylaws; and

2. Maintain the parliamentary procedures of the ASNMSU Senate and dispute matters arising therein; and

3. Keep track of time lapsed during debate or discussion on any motion on the ASNMSU Senate floor.

6-5-6. DUTIES OF THE SERGEANT-AT-ARMS

A. The ASNMSU Senate shall elect the ASNMSU Sergeant-At-Arms and Deputy Sergeant-At-Arms to serve as an Officer of the ASNMSU Senate; and

B. It shall be the duty of the ASNMSU Sergeant-At-Arms, or Deputy Sergeant-At-Arms in their absence, to perform the following faithfully and adequately:

1. Be in constant attendance, unless duly excused, to every ASNMSU Senate meeting of their elected term; and

2. Aid the ASNMSU Vice President in enforcing order during all regular and special meetings of the ASNMSU Senate; and

3. Present the national flag of the United States of America and the flag of the state of New Mexico to the ASNMSU Senate prior to each ASNMSU Senate meeting in a manner consistent with the United States Flag Code 4 USC Ch. 1:

   a. The ASNMSU Sergeant-At-Arms and Deputy Sergeant-At-Arms shall keep and maintain said flags during and after ASNMSU Senate meetings and properly dispose of them, when necessary, in a manner consistent with United States Flag Code 4 USC Ch. 1 Section 8.

4. Verify the names of the ASNMSU Open Forum Log and cross-reference those names with those speakers in attendance fifteen (15) minutes prior to the scheduled start of the meeting and during recess or any other significant interruption in the order of business; and

5. Control of the ASNMSU Open Forum Log public address system, when used, and use discretion in situations not directly addressed under the ASNMSU Rules of the Senate; and

6. Execute the demands of the ASNMSU Senate, as allowed under rule, under the direction of the ASNMSU Vice President or Senate Presiding Officer

6-5-7. DUTIES OF THE STANDING COMMITTEE CHAIR(S)

A. The ASNMSU Vice President shall appoint three ASNMSU Senators to serve as respective chairs for each of the three standing Senate committees: Rules, Credentials & Archives, and Finance; and

B. It shall be the duty of an ASNMSU Standing Committee Chair to perform the following faithfully and adequately:

1. Have extensive knowledge of the latest edition of Robert's Rules of Order and the ASNMSU Bylaws; and

2. Serve as the Presiding Officer for the committee and designate the most senior senator to serve as interim Vice Chair in the absence of the Vice Chair; and

3. Be in constant attendance, unless duly excused, to every single one of their ASNMSU Standing Committee meetings of their elected term; and

4. Remain vigilant of documentation being submitted by ASNMSU Members and other Senators for the purpose of passing a piece of legislation; and

5. Train ASNMSU Senators on committee expectations; and

6. Serve on the ASNMSU Senate Budget Committee; and

7. Grant excusals of a personal nature that should not be read aloud; and

8. In the absence of the Deputy Senate Clerk, ensure that the live stream is accessible to the public in real time and maintain the live stream through the duration of the committee; and

9. Maintain ongoing communication with committee members; and

10. Deliver a standing committee report during the Senate meeting immediately following their most recent committee meeting; and

11. Track all legislation referred to their committee; and

12. Create and maintain a transition manual to be delivered to the newly appointed Chair; and

C. The Chair of the ASNMSU Senate Rules Committee, or their designee, shall examine and correct bills referred to them by the ASNMSU Vice President, Chair of an ASNMSU Senate committee, or by the ASNMSU Senate for the purpose of avoiding repetition and for ensuring accuracy in the text. The Chair of the ASNMSU Senate Rules Committee shall report, upon request, whether the object sought to be accomplished can be secured without a special act under existing bylaw or by the enactment of a general bylaw; and

    1. The Chair of the ASNMSU Senate Rules Committee shall give a report specifying the exact nature of the errors and of the corrections made at the ASNMSU Senate meeting following immediately the grant of consent; and

D. The Chair of the ASNMSU Senate Credentials and Archives Committee shall verify that the purpose of the organization is to be a service-oriented organization, confirm the validity of the community service for all of the bills presented for that week and delegate the aforementioned duties as needed; and

    1. At the discretion of the Chair of the ASNMSU Credentials and Archives Committee, documentation not submitted by the deadline may be retained in the committee until

the next scheduled meeting; and

2. The Chair has the discretion to decide where all documentation is submitted; and

E. The Chair of the ASNMSU Senate Finance Committee shall review formulas defined in the ASNMSU College Council Funding Act and report progress and recommendations to the Senate once every semester in order to ensure adequate and equal funding to College Councils, and serve as an ex officio non-voting member of the ASNMSU Council of Councils Committee; and

1. Act as Chair of the ASNMSU Finance Board; and

2. Act as Chair of the ASNMSU Senate Budget Committee; and

3. Investigate all expenditure irregularities found by the ASNMSU Comptroller; and

4. Verify that the combined membership fee and registration fee are lower than the original nonmember registration fee; and

5. Confirm or deny approval of the Financial Procedures Workshop.

6-5-8. DUTIES OF SENATE MENTORS

A. The ASNMSU Vice President and ASNMSU Pro Tempore shall appoint ASNMSU Senators who have completed at least half a term to serve as respecting ASNMSU Senate Mentors for incoming ASNMSU Senators; and

B. It shall be the duty of the ASNMSU Senate Mentor to perform the following faithfully and adequately:

1. Assist mentees in understanding ASNMSU governing documents, parliamentary procedure, and financial procedures.

2. Provide guidance to mentees on drafting legislation, participating in Senate meetings, and constituent correspondence.

3. Serve as a resource for questions regarding legislative responsibilities and procedures.

4. Maintain regular communication with their assigned mentor, which can occur in person or virtually.

C. The ASNMSU Vice President and ASNMSU Pro Tempore may reassign mentor-mentee assignments when necessary to ensure the effectiveness of the program.

6-6. OPEN FORUM

Any member of ASNMSU shall have the opportunity to speak at the regularly scheduled meetings of the ASNMSU Senate during the order of business known as Open Forum.

A. The rules for Open Forum, which the ASNMSU Sergeant-At-Arms, or Deputy Sergeant-At-Arms in

their absence, shall keep, are as follows:

1. There shall be no more than ten (10) speakers in each Open Forum; and

2. Each speaker shall limit the contents of their speech to five (5) minutes or less and may only be allotted extra time with a simple majority vote of the ASNMSU Senate:

    a. A speaker may only have their time increased once per Open Forum, and the motion to do so is non-debatable; and

3. Prior to speaking, the speaker must:

    a. Register themselves, either in hardcopy or electronically, in the Open Forum Log no later than five (5:00) PM the day of the scheduled ASNMSU Senate meeting; and

    b. Read, sign, and abide by the rules and regulations of public address systems in the ASNMSU Senate; and

    c. Be present with their student ID and accounted for fifteen (15) minutes prior to the scheduled start of the meeting and be accounted for during any recess or significant interruption in the order of business prior to Open Forum.

4. A speaker is not required to answer questions from the ASNMSU Senate but may do so if they desire; and

5. The speaking order followed will be on a first-come, first-served basis; and

6. No speaker substitutions will be allowed under any circumstance; and

7. A speaker must be recognized by the Chair and asked to approach before speaking:

    a. Speakers failing to comply with the rules of Open Forum will be penalized in the following manner:

        i. Failure to comply with the decorum of the ASNMSU Senate Floor will result in the speaker's removal from the ASNMSU Open Forum Log and forfeiture of their opportunity to speak until the next scheduled ASNMSU Senate meeting; or

        ii. Failure to comply with the decorum of the ASNMSU Senate Floor will result in the forfeiture of any further opportunities to speak at Open Forum for as long as the speaker is a student at NMSU; and

8. The agenda cannot be amended to move Open Forum from its assigned position, which precedes First and Second Readings.

6-7. POINT SYSTEM ACT

The Point System is established to assign penalty points to ASNMSU Senators for unexcused absences to required meetings and breaches of decorum.

6-7-1. MAIN PROVISION

A. Each ASNMSU Senator shall begin their term with zero (0) points; and

B. An ASNMSU Senator shall receive zero (0) points for an excused absence from a required meeting; and

C. For the grievances listed, the following penalties are in order:

a. The Vice-President shall have the sole discretion to determine if a Senator is late or unexcused during Senate. The power falls to Committee Chairs during Committees. Penalties must be determined off the Point System:

ASNMSU Senate meeting (unexcused)	2 points
ASNMSU Senate meeting (late, unexcused)	1 point
ASNMSU Senate standing committee meeting (unexcused)	1 point
ASNMSU Senate standing committee meeting (late, unexcused)	½ point
College Council meeting (unexcused)	1 point
ASNMSU Senate special committee meeting (unexcused)	1 point
ASNMSU Financial Procedures Workshop (late)	1 point
ASNMSU Retreat (unexcused)	1 point

First Breach of Decorum	Verbal warning
Second Breach of Decorum	½ point
ASNMSU Senate Orientation (unexcused)	1 point
ASNMSU Emergency Senate Meeting (unexcused)	1 point
ASNMSU Emergency Senate Meeting (late, unexcused)	½ point

b. Failure to author a minimum of two (2) reimbursement bills per semester, as the primary (first-listed) author, shall result in the penalty of one (1) point per unmet bill requirement given at least two (2) senate meetings are remaining.

   i. A memo from each college council confirming no need for reimbursement bills shall serve to exempt a senator from the penalty, only one (1) point can be exempt at a time as the need for reimbursement changes.

c. Any violation of these Constitution and Bylaws not listed in the Point System list can be brought to the ASNMSU Supreme Court and, if a senator is found guilty of this/these action(s), can receive up to two (2) points pending the severity of the violation(s). The issuance and number of points will be determined by the ASNMSU Supreme Court and the ASNMSU Vice President.

d. Failure of an authoring senator to inform constituents via email of the passing of a reimbursement bill and the ten (10) business days deadline to submit receipts, within two (2) business days of the senate meeting in which the bill passed, shall result in a penalty of one (1) point per bill.

   i. The ASNMSU Vice President and the ASNMSU Comptroller Department shall be CC'd on the email.

e. The Vice-President shall have the sole discretion to determine if a standing committee chair is late or unexcused during their respective committee. Penalties must be determined off the Point System:

ASNMSU Senate Standing Committee Chair duties not fulfilled	2 points

f. The Vice-President shall have the sole discretion to determine if an ASNMSU Senate Mentor has failed to fulfil their duties described under 6-5-8-B pending the severity of the violation.

ASNMSU Senate Mentor duties not fulfilled	1 point

6-7-2. POINT ACCUMULATION

A. The ASNMSU Vice President shall have the sole right to decrease an ASNMSU Senator's points; and

   1. The Vice President shall be solely responsible for notifying an ASNMSU Senator via email of any points accumulated within three (3) business days of the point being issued, or else the point expires:

a. In the event that an ASNMSU Senator accumulates the three (3) or four (4) point threshold, it will be the responsibility of the ASNMSU Vice President to inform the ASNMSU Senator within three (3) Business Days.

2. It will be the sole responsibility of the ASNMSU Senator in question to schedule a meeting with the ASNMSU Vice President within ten (10) business days to request a decrease of any

points incurred:

a. If an ASNMSU Senator fails to contact the ASNMSU Vice President within ten (10) business days, the points will remain on the ASNMSU Senator's file until the completion of their term.

3. It shall be to the ASNMSU Vice-President's discretion if the points shall be reduced or remain the same.

4. In the event a meeting is to take place, an ASNMSU Advisor shall be present as a witness.

B. Upon accumulation of three (3) points and any subsequent increase thereof, the ASNMSU Senator shall be referred to the College Council that the ASNMSU Senator represents. The College Council shall decide whether to refer the ASNMSU Senator to the ASNMSU Supreme Court for impeachment proceedings:

1. A three-fourths (3/4) affirmative vote by those present and voting in the College Council is required to send an ASNMSU Senator to the ASNMSU Supreme Court for impeachment proceedings.

C. If the College Council does not or is not able to refer the ASNMSU Senator to the ASNMSU Supreme Court upon the accumulation of the four (4) points, the ASNMSU Senator shall be referred to the ASNMSU Senate. The ASNMSU Senate shall decide whether to refer the ASNMSU Senator to the ASNMSU Supreme Court for impeachment proceedings:

1. A three-fourths (3/4) affirmative vote by those present and voting in the ASNMSU Senate is required to send an ASNMSU Senator to the ASNMSU Supreme Court for impeachment proceedings.

6-8. RIGHTS AND DUTIES OF SENATORS

A. It shall be the right of an ASNMSU Senator:

1. To recuse oneself in the event of personal conflict of interest or pecuniary interest on any question posed for review; and

2. To speak without fear of interruption on any question posed for review; and

a. When a Senator wishes to speak, they shall first raise their hand then address the Presiding Officer. Only once the Presiding Officer recognizes and acknowledges the Senator that Senator be permitted to speak

3. To have the final debate if they are the primary author of a motion or piece of legislation; and

4. To be informed, upon request, of their total accumulated points; and

5. To have thirty (30) seconds, immediately following their roll-call vote, to explain their vote; and

6. To request, with the majority consent of the ASNMSU Senate, that the ASNMSU Sergeant-at-Arms, or Deputy Sergeant-At-Arms in their absence, secure absent ASNMSU Senators in the event quorum is not present; and

7. To initiate, with the majority consent of the ASNMSU Senate, procedures for censure or penalty as deemed necessary for ASNMSU Senators who do not render sufficient excuse for their absence or conduct; and

8. To enter debate at least twice on any motion; and

    a. All debate shall be confined and relevant to the specific question posed for review.

    b. Senators engaged in debate shall not refer to other Senators by their names. Instead, they shall have the option to refer to them in the third-person by their college (i.e. the Senator from the College of X) or as the previous speaker.

        i. Refraining from the use of Senators by their names during debate is exempt for elections of roles or committees in the ASNMSU Senate.

9. To speak more than twice on a motion with the majority consent of the ASNMSU Senate; and

10. To yield the floor for purposes of question, clarification, or explanation.

B. It shall be the duty of an ASNMSU Senator to perform the following faithfully and adequately:

1. Have extensive knowledge of the ASNMSU bylaws and the latest edition of Robert's Rules of Order; and

2. Serve as a link between the students of their respective College and the ASNMSU; and

3. Attend all required meetings: ASNMSU Senate meetings, ASNMSU Senate standing committee meetings, College Council meetings, ASNMSU Senate Orientations, ASNMSU Retreats, ASNMSU Senate special committee meetings for which the ASNMSU Senator has been appointed to and any others set forth by the ASNMSU Vice President; and

4. Know the ASNMSU financial procedures and the ASNMSU Senate legislative procedures; and

5. Be familiar with the ASNMSU Base Programs and organizations that frequently approach the ASNMSU Senate for funding; and

6. Complete an ASNMSU Financial Procedures Workshop prior to writing any legislation; and

7. Validity of an ASNMSU Financial Procedures Workshop completion shall be in effect for one (1) full term; and

8. ASNMSU Senators must complete an ASNMSU Financial Procedures Workshop by the second (2nd) ASNMSU Senate meeting of their elected term; and

9. Vote on each question under review by the ASNMSU Senate:

a. Proxy voting will not be allowed under any conditions.

10. Submit excusal letters for approval for absences to required meetings:

    a. A majority vote of ASNMSU Senators present shall grant excusals:

        i. Any ASNMSU Senator who has not sent a written excusal request to the Presiding Officer of the meeting and who is fifteen (15) or more minutes late shall be counted as unexcused from that meeting; and

ii. The Presiding Officer of the meeting may grant excusals of a personal nature and should not be read aloud.

b. Excusal requests from the ASNMSU Retreat shall be presented during the ASNMSU Senate meeting immediately preceding the ASNMSU Retreat; and

c. For absences from College Council meetings, excusals shall be submitted to the senior ASNMSU Senator and to the College Council President from their respective College:

i. A majority of the College Council shall grant excusals; and

ii. The President of the College Council may grant excusals of a personal nature and should not be read aloud; and

iii. Have one ASNMSU Senator from each College give a College Council Report during each regular ASNMSU Senate meeting.

11. Each ASNMSU Senator shall author a minimum of two (2) reimbursement bills per semester during both the fall and spring terms. For the purposes of this requirement, "author" shall be defined as the Senator who is listed as the primary (first-listed) author on the bill's byline and who has taken the lead in drafting, submitting, and presenting the bill. Failure to fulfill this authorship requirement shall result in the penalty of one (1) point per missing bill, to be administered by the Vice President at the conclusion of each semester.

12. The authoring senator shall notify the constituent, organization, or advisor of whether the reimbursement bill has passed or failed within two business days after the Senate meeting. The senator must provide proof of this notification. Failure to do so will result in the senator receiving one (1) point.

a. The authoring senator shall send an email to the constituent, which will include that they have 10 business days to submit receipts. The ASNMSU Vice President and the ASNMSU Comptroller department shall be CC'd.

6-9. LEGISLATIVE IMPEACHMENT ACT

A. Salaried officers of the ASNMSU Senate shall not be removed from office unless all policies, procedures, and methods of removal, in accordance with the policies and procedures of the NMSU professional staff, are followed; and

B. Any ASNMSU Senator shall be removed from office if the ASNMSU Senator is referred to the ASNMSU Supreme Court by a three-fourths (3/4) vote of the ASNMSU Senate or if the ASNMSU Senator is referred to the ASNMSU Supreme Court by their College Council upon the accumulation of penalty points as mentioned in the ASNMSU Point System Act and the ASNMSU Senator is found guilty of the charges made against them.

<u>6-9-1. PROCEDURE</u>

A. Before the ASNMSU Senate can refer an ASNMSU Senator to the ASNMSU Supreme Court for impeachment proceedings, a resolution must be introduced into the ASNMSU Senate. This

resolution will include the specific reasons for referral; and

B. Should the ASNMSU President Pro Tempore fail to fulfill their duties, they shall be removed by a two-thirds (2/3) majority vote of the ASNMSU Senate; and

C. ASNMSU Senate standing committee Chairs shall not be removed without a two-thirds (2/3) majority vote of the ASNMSU Senate, and ASNMSU Senate standing committee Vice Chairs shall not be removed without a two-thirds (2/3) majority vote of ASNMSU Senate standing committee members; and

D. After the introduction of the resolution, the ASNMSU Chief Senate Clerk shall notify the ASNMSU Senator in writing within two (2) calendar days of any meeting where the ASNMSU Senator's position is being officially discussed; and

E. The ASNMSU Senator who is charged will be allowed to speak at any meeting where their position is being officially discussed; and

F. No referral resolution will be allowed to go through the ASNMSU Senate Committee of the Whole; and

G. Before the ASNMSU Supreme Court can consider the impeachment of any ASNMSU Senator, the ASNMSU Supreme Court Chief Justice shall notify the ASNMSU Senator in writing, within two (2) calendar days, of the receipt of the resolution and the charges against the ASNMSU Senator; and

H. Any ASNMSU Senator will be impeached upon a majority vote of the ASNMSU Supreme Court.

6-10. LEGISLATION RECOMMENDATIONS

6-10-1. MAIN PROVISIONS

A. "Meeting" means either an ASNMSU Senate meeting or standing committee meeting.

B. The following recommendations are for legislation under review by the ASNMSU Senate:

1. "Do pass" if the majority looks favorable upon the bill, resulting in its movement to the next meeting or its final passage; or

2. "Do not pass" if the majority looks unfavorably upon the bill, resulting in its movement to the next meeting or death on the Senate floor; or

3. "Conditional do pass" if the legislation has not met its conditions but the majority votes to move it forward to the next ASNMSU Senate standing committee, provided the condition is met by twelve (12) PM on the Wednesday prior to the next ASNMSU Senate meeting:

   a. If the condition is not met, the legislation shall be retained in the committee that gave it the conditional do-pass.

4. "Favorable recommendation" if the majority looks favorably upon the resolution or memorial, resulting in its movement to the next ASNMSU Senate standing committee; or

5. "Unfavorable recommendation" if the majority looks unfavorably upon the resolution or memorial, resulting in its movement to the next ASNMSU Senate standing committee; or

6. "Approval" if the majority looks favorably upon the resolution or memorial, resulting in its final passage through the ASNMSU Senate. or

7. "Unapproved" if the majority looks unfavorably upon the resolution or memorial, resulting in its death on the ASNMSU Senate Floor; or

8. "Retain or Table" if the majority has voted to stop the movement of the legislation:

    a. Legislation may only be taken from the table in the meeting it was originally tabled unless the ASNMSU Senate Committee of the Whole is considering it; and

    b. Legislation may be tabled for lack of representation but may not be retained for reasons outside the scope of the ASNMSU Senate committee in which the legislation is currently under review; however, a report with recommended changes may be made.

9. "Refer to committee" if the legislation is problematic outside of the scope of the current committee. The legislation does not move forward to the next meeting:

    a. The same legislation can only be referred to once. Once referred and the committee has taken additional action, it must be sent to the next ASNMSU Senate meeting.

10. "Consider as a block" if an ASNMSU Senator believes the separate pieces of legislation should be considered as one singular piece of legislation:

    a. There is no limit to how many pieces of legislation may be considered as a block.

6-11. STANDING COMMITTEES

A. The ASNMSU Senate Rules Committee, Finance Committee, and Credentials and Archives Committee shall be the three ASNMSU Senate standing committees; and

B. It shall be the duty of the ASNMSU Senate standing committees to perform the following faithfully and adequately:

    1. Hold regular meetings while the ASNMSU Senate is in session, once between each ASNMSU Senate meeting at a permanent time and location determined by the Chair; and

    2. Hold other meetings as announced in open session by the Chair or as announced by a notice to all ASNMSU Senate standing committees at least forty-eight (48) hours prior to the meeting.

C. Every piece of legislation under the ASNMSU Senate consideration shall be sent to all ASNMSU Senate standing committees; and

D. A quorum shall be fifty percent (50%) of the ASNMSU Senate committee membership plus one (1) member. No business shall be allowed to be conducted if a quorum is not established; and

E. Any ASNMSU Senator whose name is on the byline for a piece of legislation shall be an author and may present it. ASNMSU Senators whose names are not on the byline are only able to present legislation if an ASNMSU Senator whose name is on the byline makes an amendment to add those ASNMSU Senators to the byline. Amendments must be made in person or by proxy:

1. This excludes ASNMSU Senators who have graduated, been impeached, resigned, or were not re-elected. If this is the case, the following ASNMSU Senator on the byline can pick up that bill, resolution, or memorial and claim it as their own.

F. Any ASNMSU Senator presenting legislation before an ASNMSU standing committee other than the one they serve on will present first (1st) if they have an NMSU class that conflicts with the meeting time. Any ASNMSU Senator presenting legislation with guests in attendance will present second (2nd). All other legislation shall be discussed in numerical order unless the ASNMSU Senate standing committee approves an order change.

G. Committee meetings will be live-streamed, and the following guidelines will be followed:

1. All meetings of the ASNMSU Senate Standing Committee will be live streamed to the public through an official online platform designated by the ASNMSU Senate; and

2. The ASNMSU Public Relations Department shall give the ASNMSU Deputy Senate Clerk access to the latest online platform that is designated for the association; and

   a. The ASNMSU Deputy Senate Clerk is responsible for ensuring that the live stream is accessible to the public in real time and for maintaining the live stream throughout the duration of all committee meetings:

      i. If the ASNMSU Deputy Senate Clerk is unable to attend a committee meeting, they shall notify the chair of the committee that the duties shall fall to the acting chair of the committee.

3. The content of the live stream will be archived and made available for public access on ASNMSU's official website or social media; and

4. Any device causing audio distraction will be removed from the premises; and

5. Any technical difficulties or interruptions during the live-streaming process will be promptly addressed, and the ASNMSU Public Relations Department will make reasonable efforts to notify the public of such issues and their resolution(s); and

6. The schedule for committee meetings and live-streaming dates will be regularly updated and communicated through official channels to keep the public informed.

<u>6-11-1. RULES COMMITTEE</u>

A. The ASNMSU Senate Rules Committee is established to keep the rules of the ASNMSU Senate up to date and ensure all legislation abides by the ASNMSU bylaws; and

B. The ASNMSU Senate Rules Committee shall have the following duties:

1. Examine all legislation to determine its compliance and effect on the ASNMSU bylaws; and

2. Review grammatical, spelling, and formatting errors on all legislation; and

3. Ensure the introduced by and referred to dates are correct on all legislation; and

4. Review minor grammatical, spelling, or formatting errors contained in the ASNMSU bylaws that the ASNMSU Attorney General identifies and, upon majority consent of the committee, allow the ASNMSU Attorney General to correct these changes should the correction of the errors not alter or confuse the legislative intent, meaning or application of the sections and statutes in which they are contained:

    a. The Chair of the ASNMSU Senate Rules Committee shall give a report specifying the exact nature of the errors and of the corrections made at the ASNMSU Senate meeting immediately following the grant of consent; and

    b. With a three-fourths (3/4) majority vote, the ASNMSU Senate may overturn a decision made by the ASNMSU Senate Rules Committee in regard to the ASNMSU Attorney General's recommended changes.

5. Confirm chartering for organizations requesting appropriations from ASNMSU; and

6. Determine whether an appropriation is for an operating expense according to the Main Provisions of the ASNMSU Senate Appropriation Act:

    a. No Advisor letter shall be required for operating expense appropriations.

7. Adopt the Drafting Manual; and

8. Give each piece of legislation one of the recommendations defined in Legislation Recommendations; and

9. Verify and keep a record, which is public to the ASNMSU Senate, of the constituents that have received any reimbursements through the ASNMSU Senate, and the dollar amount they receive, as any constituent from a recognized organization can request funding from the ASNMSU Senate for up to a recommended amount according to section 7-4-3-D of the ASNMSU Financial Procedures Manual; and

10. Confirm that conference or competition dates match the dates on the legislation.

C. The title of a piece of legislation, which shall be known as the intent of the bill, will be determined by the ASNMSU Senate Rules Committee, and no legislation may be altered to change its intent once the legislation has been given a recommendation by the ASNMSU Senate Rules Committee; and

D. The Chair of the ASNMSU Senate Rules Committee, or their designee, shall examine and correct bills referred to them by the ASNMSU Vice President, Chair of an ASNMSU Senate committee, or by the ASNMSU Senate for the purpose of avoiding repetition and for ensuring accuracy in the text. The Chair of the ASNMSU Senate Rules Committee shall report, upon request, whether the object sought to be accomplished can be secured without a special act under existing bylaw or by the enactment of a general bylaw.

6-11-2. FINANCE COMMITTEE

A. The ASNMSU Senate Finance Committee is established to keep the financial procedures of the ASNMSU Senate up to date and ensure that all legislation abides by ASNMSU financial procedures; and

B. The Finance Committee shall have the following duties:

1. Annually review budgets and appropriations requests and formulate a budget analysis with respect to such requests; and

2. Examine the bylaws governing the finances and operations of all the ASNMSU subsidiaries and recommend changes as needed; and

3. Verify the validity of the ASNMSU Financial Procedures Workshop completion by organizations and clubs requesting ASNMSU funding:

   a. If an ASNMSU Financial Procedures Workshop has not been attended, the legislation may, under the discretion of the committee, be retained in that committee.

4. Give each piece of legislation one of the recommendations defined in Legislation Recommendations; and

5. Verify funding from the Graduate Student Council for reimbursements going through the ASNMSU Senate.

C. The Chair of the ASNMSU Senate Finance Committee shall:

1. Review formulas defined in the ASNMSU College Council Funding Act, and report progress and recommendations to the Senate once every semester in order to ensure adequate and equal funding to College Councils; and

2. Serve as an ex officio non-voting member of the ASNMSU Council of Councils Committee.

D. ASNMSU Base Programs may approach the ASNMSU Senate Finance Committee for additional funding, and upon receiving such a request, the Chair of the ASNMSU Senate Finance Committee may approach an ASNMSU Senator from the ASNMSU Senate Finance Committee to draft an appropriation bill for said ASNMSU Base Program.

6-11-3. CREDENTIALS AND ARCHIVES COMMITTEE

A. The ASNMSU Senate Credentials and Archives Committee is established to review the validity of the community service presented by clubs and organizations; and

B. The ASNMSU Senate Credentials and Archives Committee shall have the following duties:

1. Ensure all appropriation bill requests for student organizations satisfy community service requirements in the ASNMSU Financial Procedures Manual; and

2. Designate an organization as service-oriented according to the following procedure:

   a. The organization's university bylaws are presented to the committee; and

   b. The purpose of the organization is primarily to provide services and resources to groups outside its membership, and the majority of its activities are of a goodwill nature; and An Advisor Letter is submitted, providing proof of the organization's service-oriented nature; and

   c. The organization is chartered as Special Interest with the NMSU Office of Student Involvement and Leadership Programs:

      i. This requirement may be omitted at the discretion of the committee.

   d. One (1) copy of the service activities completed in the previous year are submitted to the Chair of the ASNMSU Senate Credentials and Archives Committee; and

   e. If the organization is newly chartered, they must be active and engaged in community service for at least sixty (60) calendar days before approaching the committee; and

   f. The Chair of the ASNMSU Senate Credentials and Archives Committee shall verify if the purpose of the organization is to be a service-oriented organization; and

   g. Determine the validity of community service completion by organizations requesting appropriations:

   h. If community service requirements have not been completed or there is no proof of community service fulfillment at the time of bill submission, the bill is retained in the committee until sufficient proof of completion can be rendered.

3. Accept and verify Advisor Letters for travel prescribed in the ASNMSU Senate Appropriation Act; and

4. Accept and verify proof of attendance, in the form of an acceptance letter, schedule, or bracket, for organizations requesting appropriations for conference presentation or competition travel; and

5. Give each piece of legislation one of the recommendations defined in the Legislation Recommendations.

C. Persons requesting funding by use of group community service points will be required to have the

contact information of the student organization president, advisor, and beneficiary organization representative present to verify completion of community service; and

D. The name of the organization on the community service form shall be the same as the name of the organization on the legislation; and

E. Community service will expire and no longer satisfy requirements by the ASNMSU Senate after one (1) year has passed since the community service was performed; and Any community service that results in any monetary award for the club or organization will not be considered community service; and

F. In addition to required duties, the Chair of the ASNMSU Senate Credentials and Archives Committee shall:

    1. Confirm the validity of the community service for twenty-five percent (25%) of the bills presented for that week, and the bills shall be picked at random; and

    2. Maintain a current count of community service hours per organization, including excess community service for on and off-campus service forms; and

    3. Confirm service hours with the head of the community service or nonprofit organization that the community service was performed on behalf of; and

    4. Appoint the aforementioned duties as needed.

G. All ASNMSU Senate Credentials and Archives Committee documentation must be submitted to the Chair of the ASNMSU Senate Credentials and Archives Committee by noon the day before the committee meets:

    1. At the discretion of the Chair of the ASNMSU Senate Credentials and Archives Committee, documentation not submitted by this deadline may be retained in the committee until the next scheduled meeting; and

    2. It is at the discretion of the Chair of the ASNMSU Senate Credentials and Archives Committee to decide where all documentation is submitted.

6-12. TEMPORARY SELECT COMMITTEES

A. The ASNMSU Senate shall have the opportunity to create an ASNMSU Senate temporary select committees on issues it deems worthy of receiving greater attention; and

B. An ASNMSU Senate temporary select committee can be created by doing one (1) of the following:

    1. The ASNMSU Senate may, with a two-thirds (2/3) majority vote, send a piece of legislation to an ASNMSU Senate temporary select committee at any time after it has reached second (2nd) readings; or

    2. A resolution can be written and passed addressing an issue that the ASNMSU Senate deems

worthy of investigation and research.

C. The rules of an ASNMSU Senate temporary select committee are as follows:

1. Each College shall appoint, at least one (1) ASNMSU Senator to serve as a voting member on an ASNMSU Senate temporary select committee. Additionally, any ASNMSU Senator may serve on such committees regardless of the college they represent, should the choose to do so; and

2. The ASNMSU Vice President shall appoint a Chair with the approval of the ASNMSU Senate Committee of Committees:

   a. If no appointed ASNMSU Senator wishes to Chair the ASNMSU temporary select committee, the ASNMSU President Pro Tempore will act as Chair.

3. The ASNMSU Senate will be notified five (5) business days prior to the first (1st) scheduled meeting; and

4. The Chair of the ASNMSU Senate temporary select committee will prepare the agenda for each meeting; and

5. All meetings will conform to the current ASNMSU bylaws and the latest edition of Robert's Rules of Order; and

6. The Chair of the ASNMSU Senate temporary select committee shall give a report consisting of the of the ASNMSU Senate temporary select committee's findings and decisions will be given during each of the ASNMSU Senate meetings that the ASNMSU Senate temporary select committee is in session; and

7. At the conclusion of an ASNMSU Senate temporary select committee, if necessary, the ASNMSU Senate temporary select committee will give written recommendations for legislation concerning the topic in question.

6-13. COMMITTEE OF THE WHOLE

A. The ASNMSU Senate Committee of the Whole is established as the ASNMSU Senate standing committee for all ASNMSU Senate standing committees. A motion to dissolve into the ASNMSU Senate Committee of the Whole shall only be in order during ASNMSU Senate meetings and shall include the specific legislation to be debated in ASNMSU Senate Committee of the Whole; and

B. The following rules are for when the ASNMSU Senate shall dissolve itself into ASNMSU Senate Committee of the Whole:

1. The ASNMSU President Pro Tempore or their designee shall act as Chair and may not enter into debate nor vote except to break a tie; and

2. The ASNMSU Rules of the Senate shall be observed in the ASNMSU Senate Committee of the Whole as far as they may be applicable; yeas and nays shall only be taken regarding the passage

through the ASNMSU Senate Committee of the Whole; and

3. Whenever the ASNMSU Senate Committee of the Whole is engaged in the investigation of any charge against any of its members, the ASNMSU Rules of the Senate will apply; and

4. There shall be an agenda on which shall be entered all legislation and papers referred to the ASNMSU Senate Committee of the Whole; and

5. Bills shall be considered as sections. If there are no objections from the floor to any section, the section stands as approved with a simple majority vote, but the ASNMSU Senate may reconsider any section upon dissolving out of ASNMSU Senate Committee of the Whole; and

6. A motion that the committee rise and report progress on any bill shall always be decided without debate; and

7. The ASNMSU Vice President shall be allowed to enter debate from the floor but may not vote therein; and

8. A motion to un-retain a piece of legislation from an ASNMSU Senate standing committee and place it on the agenda of the ASNMSU Senate Committee of the Whole shall be in order; and

9. Each piece of legislation under debate of the ASNMSU Senate Committee of the Whole shall be given one of the recommendations as defined in Legislation Recommendations; and

10. The following motions are in order:

    a. Adjourn; and

    b. Appoint, authorize, or discharge committees; and

    c. Take a roll call vote; and

    d. Call for the previous question.

6-14. ORDER OF BUSINESS

The following shall be the order of business for ASNMSU Senate meetings:

A. Roll call; and

B. Reading and approval of the Journal; and

C. Petitions and remonstrations; and

D. Open Forum; and

E. Reports of ASNMSU Senate standing committees; and

F. College Council reports; and

G. Reports from ASNMSU Senate appointments on ASNMSU Senate special committees; and

H. Business on the President's desk; and

I. First readings; and

J. Second readings; and
K. Legislation with guests in attendance; and

L. Remaining legislation; and

M. Unfinished business; and

N. Adjourn.

6-14-1. EXCEPTIONS TO THE ORDER OF BUSINESS

A. Messages from the ASNMSU President and the NMSU Faculty Senate, communications and reports from the University Administration, reports concerning enrolling and engrossing or revision of the Journal, motions to resolve into the ASNMSU Senate Committee of the Whole, and motions to rise and report progress shall be received at any time.

6-15. PARLIAMENTARY PROCEDURE

The ASNMSU Senate Parliamentary Procedures are established to govern the proceedings of the ASNMSU Senate. For any regular or special meetings of the ASNMSU Senate, the following shall be in order:

A. Legislation or other matter that is made a special order for a particular day and is not completed on that day shall retain its place on the agenda as a special order in the order in which it was considered unless otherwise directed; and

B. No bylaw shall be passed except through legislation, and no legislation shall be altered or amended on its passage to change its original intent as defined by the ASNMSU Senate Rules Committee; and

C. Whenever any bill or other matter is made a special order for a particular day, and it shall not be completed on that day unless otherwise ordered, it shall retain its place on the agenda as a special order in the order of business in which it was considered; and

D. The enacting clause of all bills shall be: "BE IT ENACTED BY THE SENATE OF THE ASSOCIATED STUDENTS OF NEW MEXICO STATE UNIVERSITY"; and

E. The subject of every bill shall be clearly expressed in its title, and no bill embracing more than one (1) subject shall be passed except general appropriation bills and bills for the codification, revision, or repeal of the bylaws. General appropriation bills shall embrace only appropriations for the expense of the executive, legislative, and judiciary departments. All ASNMSU organizations' funding requests

shall be construed as executive department appropriations. All other appropriations shall be made by separate bills:

1. Legislation considered as a block for the purpose of considering said block as one (1) total appropriation will be subject to section 6-15-U.

F. No bylaw shall be revised or amended by reference to its title only. Each revised or amended section shall be set out in full, and each shall be set in a separate section of the amending act; and

G. If any bill makes an appropriation, the fact shall be stated in the title; and

H. An ASNMSU Senator presenting a paper shall endorse the same if it is a petition, memorial, or report to the ASNMSU Senate, with a brief statement of the subject of its contents, adding that ASNMSU Senator's name, or if it is a notice of resolution, with that ASNMSU Senator's name; or if it is a report of an ASNMSU Senate committee, a statement of such report with the name of the ASNMSU Senate committee and the ASNMSU Senator making the same; and

I. Petitions, memorials, and other papers of similar nature shall lie on the table to be taken up in the order in which the same were presented unless the ASNMSU Senate shall direct otherwise; and

J. When a committee shall report a bill, resolution, or memorial, such shall be open to adoption or rejection by the Senate. Adoption or rejection shall not limit the prerogative of the Committee of the Whole to debate the bill, resolution, or memorial as to substance; and

K. Committee reports and committee amendments to a bill, resolution, or memorial shall be highlighted on the bill, resolution, or memorial on file; and

L. The question on the final passage of every bill shall be by yeas and nays, which shall be entered into the Journal, and unless the bill receives the number of votes required by the ASNMSU Constitution to pass it, it shall be declared lost. If, on taking the final question on the bill, it shall appear that a constitutional quorum is not present or if the bill requires an extraordinary majority of all the ASNMSU Senators elected to pass it and it appears that such a number is not present, the bill shall retain its place on the calendar and be again taken up in its regular order; and

M. Immediately after the passage of any bill, memorial, resolution, or any substitute for legislation, it shall be enrolled and engrossed by the ASNMSU Chief Senate Clerk and thereupon shall be signed by the ASNMSU Senate Presiding Officer, and the fact of such signing shall be entered in the Journal; and

N. Resolutions must pass with a two-thirds (2/3) majority vote of the ASNMSU Senators present and voting, except for procedural resolutions, which shall require a simple majority vote of the ASNMSU Senators present and voting; and

O. The ASNMSU Chief Senate Clerk is not required to prepare legislation presented to that office less than thirty (30) hours prior to a regularly scheduled meeting; and

P. Upon resolution from the ASNMSU Senate Committee of the Whole, the Chair shall entertain a motion to adopt the entire ASNMSU Senate Committee of the Whole report. Upon approval of the ASNMSU Senate Committee of the Whole report, all legislation discussed will be entered into second (2nd) readings; and

Q. A motion or proposition requesting information from any office of the ASNMSU shall be in order at any time unless otherwise determined by a majority of the Senate, and when adopted, the ASNMSU Chief Senate Clerk shall cause the same to be forwarded immediately to the ASNMSU President; and

R. On taking the yeas and nays during a roll call vote on the question, the names of the members shall be called alphabetically or reverse alphabetically at the discretion of the ASNMSU Chief Senate Clerk. In the event of a tie vote, the name of the President of the ASNMSU Senate shall be called last; and

S. Substitutes may be offered at any time when a bill or resolution is open to amendment and, when adopted, shall take the place of the original bill or resolution and shall be open to amendment; and

T. Any matter may be made the Special Order for any particular time or day by consent of a majority of the ASNMSU Senators elected; and

U. Legislation considered as a block for the purpose of one (1) total appropriation can only be considered as a block in this manner according to the following guidelines:

    1. If said legislation is for the purpose of competitive, conference, research, or presentation travel for the same recognized organization, any number of legislations may be considered as a block; and

    2. All other legislation considered as a block for the purposes of appropriation, defined as three (3) or more appropriations, will not be considered as one (1) total appropriation but, instead, will be considered as separate appropriations.

V. Every report of an ASNMSU Senate committee upon a bill, which shall not be considered at the time of making the same or laid on the table by a vote of the ASNMSU Senate, shall stand upon the calendar with the bill and be entered upon the Journal; and

W. A motion to un-table a piece of legislation from an ASNMSU Senate standing committee and place it on the agenda of the ASNMSU Senate Committee of the Whole shall be in order; and

X. If an ASNMSU Senator is late entering the chambers and misses any roll call, a motion to allow will be required for them to enter the ASNMSU Senate chambers:

    1. This motion is a privileged motion and takes precedence over the main motion, overall subsidiary, and incidental motions, and overall privileged motions except those to adjourn and to fix the time at which to adjourn; and

    2. It is a non-debatable and non-amendable; and

    3. It is out of order when another has the floor; and

    4. Requires a majority vote; and

    5. Cannot be reconsidered; and

    6. The general form of this motion shall be as follows: “I move to allow Senator (last name) onto the Senate floor”.

Y. No motion can be renewed during the same session in which it has already been before the assembly, except where its renewal is permitted by a specific rule; and such a rule always implies circumstances under which the motion has in some respect become a different; and

Z. The ASNMSU President Pro Tempore, having read the Journal for the previous meeting, will announce their approval thereof. Unless dissent is raised, the Journal will be approved. If dissent is raised, the Journal shall be approved following the parliamentary authority.

6-15-1. EXCEPTIONS TO THE ORDER OF BUSINESS

A. When a bill or resolution has been on the floor for debate for one-half (1/2) hour, it is acceptable and in order, for any ASNMSU Senator to call previous questions:

   1. When a new motion is created upon the main motion (a debatable secondary motion (Amend, Postpone Indefinitely, etc.), that motion may be debated for one-half (1/2) hour before the previous question may be called; and

   2. After a vote has been taken on the secondary motion, the time will resume on the bill or resolution being discussed.

B. Previous questions may not be used in committees, in accordance with the latest edition of Robert's Rules of Order, except for the ASNMSU Senate Committee of the Whole; and

C. If at any time during the sessions of the ASNMSU Senate, a question shall be raised by any ASNMSU Senator as to the presence of a quorum, the ASNMSU Senate Presiding Officer shall forthwith direct the ASNMSU Chief Senate Clerk to call the roll and shall announce the results; and

D. A motion to "call a previous question" shall be followed by a roll call vote.

6-16. QUESTIONS OF ORDER

A. Only persons who are members of the ASNMSU Senate, employees of the ASNMSU Senate, or representatives of the media having official duties directly connected with the business of the ASNMSU Senate shall be admitted to the floor of the ASNMSU Senate during any session, provided that:

   1. Any person may be admitted with the consent of the ASNMSU Senate; and

   2. The public address system is not present or is not in operation.

B. If permission is denied to any member of the ASNMSU community to appear before the ASNMSU Senate, that person has the right to file a typed statement of one hundred (100) words or less with the ASNMSU Chief Senate Clerk, who shall place it in the Journal; and

C. The use and control of all electronic and public address equipment installed in the ASNMSU Senate Chamber shall be under the exclusive control of the ASNMSU President Pro Tempore; and

D. The ASNMSU Senate, by a majority vote, may exclude any representative of the media who abuses their privilege of admission to the ASNMSU Senate Chamber; and

E. The ASNMSU Senate Rules Committee is designated as the committee to which a bill will be referred to determine whether the ASNMSU Senate can, under the ASNMSU Constitution, act on it. Such referrals shall be made only upon objection of any member that a bill is not germane, provided the sponsor of the bill may request, by motion, that the whole ASNMSU Senate determine the question of referral; and

F. The Drafting Manual, as adopted by the ASNMSU Senate Rules Committee and subject to the approval of the ASNMSU Senate, shall be the standard authority as to the style and format of all legislation. Changes to the Drafting Manual shall be in the form of a procedural resolution.

6-17. VOTING PROCEDURE

A. Voting during an ASNMSU Senate meeting will be done by a roll-call response, show of hands, or other voting measures at the discretion of the ASNMSU Vice President. All ASNMSU Senators present on the floor when a vote is called are obligated to vote in the affirmative or negative unless they have a conflict of interest concerning the motion, confirmation, or legislation being voted upon. If a roll-call vote is issued, the ASNMSU Chief Senate Clerk will call the name of each ASNMSU Senator present. When an ASNMSU Senator's name is called, they will respond in one of the following fashions:

1. "Yay, or In Favor" indicates a vote in favor of the motion, bill, or resolution; or

2. "Nay, or Opposed" indicates a vote in the negative of the motion, bill, or resolution; or

3. "Abstain" indicates an abstaining vote. An ASNMSU Senator maintains the right to abstain from voting concerning the motion, confirmation, or legislation to be voted on. An abstention will have the same effect as a negative vote in accordance with the latest edition of Robert's Rules of Order; or

4. "Pass" indicates a desire to vote after all other votes have been cast. Note that if an ASNMSU Senator passes on their voting position, they are still obligated to vote on the motion, confirmation, or legislation being considered; or

5. "Recuse" indicates that an ASNMSU Senator wishes to recuse their vote. An ASNMSU Senator may recuse themselves from voting only if they have a conflict of interest concerning the motion, confirmation, or legislation to be voted on per 6-8 of the ASNMSU bylaws and 45:4 of the 12th Edition of Roberts Rules of Order. As defined by Appendix B-2-3-C:

   a. An ASNMSU Senator who recuses their vote shall not be accounted for in quorum to determine a majority or supermajority for the duration of the vote; and

   b. The President of the ASNMSU Senate will maintain the authority to determine whether a ASNMSU Senator's recusal is in order.

B. All Voting Records shall be kept by the ASNMSU Deputy Senate Clerk in electronic format; and

C. Records will be made available within one (1) week after each ASNMSU Senate adjournment.

6-18. VIRTUAL MEETINGS ACT

A. The ASNMSU Senate and Senate standing committees under it are authorized to meet virtually utilizing NMSU approved video conferencing application as deemed fit by the Chair of the ASNMSU Senate, with the below rules of order in addition to all other applicable rules in Article six (6):

1. To be recognized by the Chair, a member shall utilize a chat function using the letter "x" to be

added to the speakers list, a “p” for a privileged motion, and a “2” to signify seconding a motion; and

2. Any vote shall be taken as unanimous consent or a roll call vote; and

3. Microphones shall be muted until recognized by the Chair. Any ASNMSU or community member viewing the meeting shall refrain from unmuting their mic or utilizing the chat and will be held as breaching decorum of the Senate if they do not; and

4. If any member has any technical issues, another member can request through a point of privilege that the Chair stands the meeting at ease until their issue is deemed unfixable or is resolved. If a member has technical issues while holding the floor, the Chair will stand the meeting at ease, allowing their lost time to be reclaimed; and

5. All virtual meetings of the ASNMSU Senate shall be recorded and published online in a manner deemed plausible by the ASNMSU Chief Senate Clerk and the ASNMSU Executive Director of Public Relations.

6-19. SUSPENSION

The rules may be suspended by a three-fourths (3/4) majority vote of the elected ASNMSU Senators at two (2) consecutive meetings, provided that such suspension is consistent with the ASNMSU Constitution

6-20. INVALIDITY

If any portion of Article six (6): Rules of The Senate is found invalid by the ASNMSU Supreme Court, ASNMSU Advisors, or the NMSU Dean of Students, only that portion of Chapter six (6) will be considered invalid.

A. The Attorney General shall interpret the invalid portions using legal precedent and NMSU policy to address any vagueness in bylaws that have had portions invalidated or removed until such bylaws are clarified by Senate or by the Supreme Court per the duties stated in 3-8-8-C.

6-21. AMENDMENTS

A. The rules shall be in force from and after their adoption by the ASNMSU Senate and may be amended by a simple majority vote of the ASNMSU Senators elected at two (2) consecutive meetings and when such amendment is consistent with the constitutional provision; and

B. The rules shall be in force from and after their adoption by the ASNMSU Senate and may be suspended by a three-fourths (3/4) majority vote of the ASNMSU Senators elected at two (2) consecutive meetings and when such suspension is consistent with the constitutional provision.