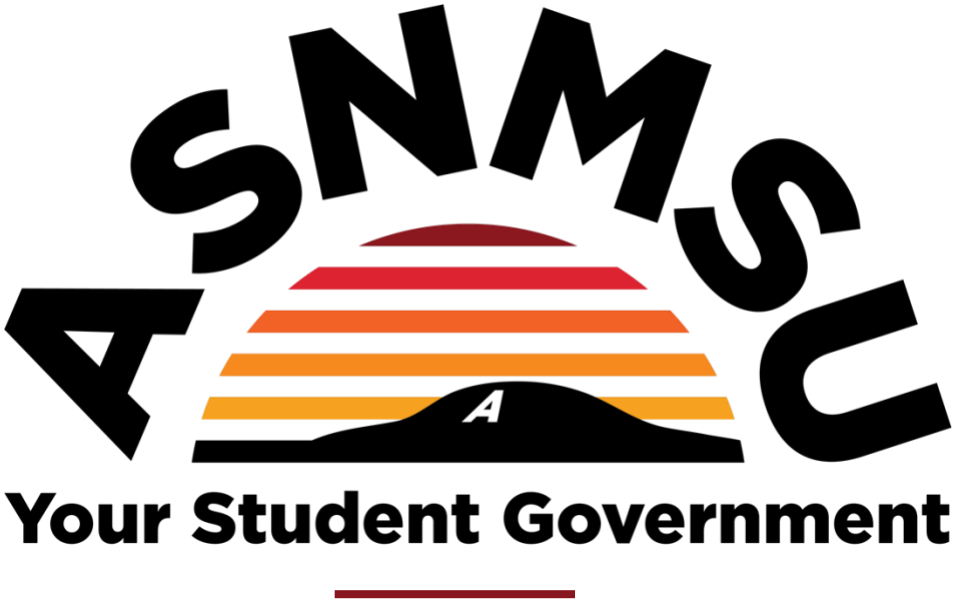


THE FINANCIAL PROCEDURES MANUAL OF THE ASSOCIATED STUDENTS OF NEW MEXICO STATE UNIVERSITY

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

This document is certified by the NMSU Business Manager III:

2026 - 2027

NMSU Business Manager III

Effective Academic Year

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7. FINANCIAL PROCEDURES

7-1. ASNMSU ACCOUNTS

7-1-1. ASNMSU MEMBERSHIP

A. In order to obtain and maintain membership in the ASNMSU, students of NMSU shall pay to the NMSU Business Office (per semester); and

B. Based on an analysis of tuition and fees, every student pays a flat fee per credit hour up to eleven (11) credit hours during the fall and spring semesters and up to eight (8) credit hours during the respective summer sessions, where the ASNMSU Cardinal Account receives twenty thousand dollars ($20,000) and the ASNMSU Principal Endowment receives twenty-five thousand dollars ($25,000); and

C. All ASNMSU fee-paying members are entitled, upon the presentation of a valid, current Student I.D. or Student I.D. number, to:

1. Free admission to events and activities substantially funded by the ASNMSU unless otherwise provided for through the bylaws; and

2. Participate, without charge, in all other ASNMSU-funded programs unless otherwise provided for through the bylaws; and

3. All other rights and privileges of membership in the ASNMSU.

7-1-2. PRINCIPAL ENDOWMENT ACT

The ASNMSU Principal Endowment, also known as the ASNMSU Club Endowment fund, was established to provide stable funding for recognized organizations. The income earned from this endowment is to be allocated to the ASNMSU Revenue Fund Account:

A. The ASNMSU Principal Endowment shall be a permanently endowed fund of the NMSU Foundation; and

B. The principal shall be invested and reinvested in a common investment trust fund for endowments in accordance with the investment policies of the NMSU Foundation; and

C. Money from the ASNMSU Principal Endowment cannot be removed without an act of the ASNMSU Senate and NMSU Board of Regents approval; and

D. Income earned from the ASNMSU Principal Endowment shall annually be transferred to the ASNMSU Revenue Fund Account in the NMSU Treasury Services Office according to the policy of the NMSU Foundation; and

E. The ASNMSU Comptroller shall be responsible for reporting the balance on the ASNMSU Principal Endowment.

7-1-3. ASNMSU REVENUE FUND

The ASNMSU Revenue Account is established to earn interest from the ASNMSU Principal Endowment for consistent funding for student organizations regardless of the financial status of ASNMSU:

A. The ASNMSU Revenue shall be managed through the following procedures:

1. The ASNMSU Comptroller shall be responsible for reporting the balance on the ASNMSU Revenue Fund; and

2. The ASNMSU Senate, by a simple majority, may withdraw funds from the ASNMSU Revenue Account for recognized organizations through the normal appropriations process.

B. The ASNMSU Senate, by a three-fourths (3/4) vote, may transfer money out of the ASNMSU Revenue Fund Account to the ASNMSU Expense Fund Account, provided the July first (1st) balance of the ASNMSU Revenue Fund Account is a minimum of twenty thousand dollars ($20,000):

1. An amount no greater than the July first (1st) balance minus twenty thousand dollars ($20,000) can be transferred; and

2. Unless the ASNMSU Expense Fund account drops to seventy-five thousand dollars ($75,000) or below, the ASNMSU Expense Fund must maintain a minimum balance of twenty thousand dollars ($20,000); and

3. Such a transfer of money shall be done through standard appropriation methods.

C. The rationale for setting up the ASNMSU Revenue Fund Account:

1. The establishment of the ASNMSU Principal Endowment and ASNMSU Revenue Fund Account will prevent the ASNMSU from repeating the problems of 1988-89. During that year, clubs were given no direct allocations from the ASNMSU Senate beyond those funds awarded to the College Councils in the General Appropriations Act; and

2. By establishing this revenue fund, ASNMSU will allow for the growth of both base programs and club funding; and

3. As the yield grows from the ASNMSU Principal Endowment and gets transferred into the ASNMSU Revenue Fund, clubs shall have enough funds to fulfill their potential of being a dynamic force on campus.

7-1-4. ASNMSU EMERGENCY FUND QUASI-ENDOWMENT

The ASNMSU Emergency Fund Quasi-Endowment is hereby established to fund the operating expenses for the ASNMSU Emergency Fund. The sole purpose of this

endowment is to alleviate the financial burden of ASNMSU while providing consistent funding to the ASNMSU Emergency Fund:

A. The ASNMSU Emergency Fund Quasi-Endowment shall be a permanently endowed fund of the NMSU Foundation; and

B. The principal shall be invested and reinvested in a common investment trust fund for endowments in accordance with the investment policies of the NMSU Foundation:

    1. Before a set policy is implemented, the ASNMSU President, ASNMSU Vice President, ASNMSU President Pro-Tempore, ASNMSU Lead Comptroller, and ASNMSU Fiscal Advisor are authorized and empowered to execute and fulfill the duties that appertain to the implementation and facilitation of the ASNMSU Emergency Fund Quasi-Endowment:

        a. These representatives shall work alongside the members of the NMSU Foundation to ensure the ASNMSU Emergency Fund Quasi-Endowment is properly implemented.

C. The selected representatives, from time to time, shall report to the ASNMSU Senate with any updates and progress regarding the implementation of the ASNMSU Emergency Fund Quasi-Endowment; and

D. The sole and unilateral purpose of the ASNMSU Emergency Fund Quasi-Endowment is to provide annual funding to the ASNMSU Emergency Fund account. No revenue generated from the ASNMSU Emergency Fund Endowment shall be used for any other purpose than funding the ASNMSU Emergency Fund; and

E. Upon an agreed method by the ASNMSU representatives listed in Section 7-1-4-B-1 and the NMSU Foundation, a percentage of the revenue made by this endowment shall be invested back into the ASNMSU Emergency Fund Quasi-Endowment account, while a designated percentage shall be given to the ASNMSU Emergency Fund Account; and

F. No members of the ASNMSU Senate, Executive, or Judiciary shall pull funds from this account; and

G. Interest earned and accepted from the ASNMSU Emergency Fund Quasi-Endowment shall be transferred to the ASNMSU Emergency Fund Account in the Treasury Services Office according to the policy of the NMSU Foundation; and

H. The ASNMSU Comptroller shall be responsible for reporting the balance on the ASNMSU Emergency Fund Quasi-Endowment; and

I. The ASNMSU Emergency Fund Quasi-Endowment shall have a minimum balance of five hundred thousand dollars ($500,000).

7-1-5. ASNMSU EXPENSE FUND

The ASNMSU Senate, by a simple majority, may withdraw funds from the ASNMSU Expense Account for recognized organizations and base programs through the standard appropriations process. The following procedures shall govern the ASNMSU Expense Account:

A. All ASNMSU revenue and appropriated funds remaining in ASNMSU funded accounts shall revert to the ASNMSU Expense Account each June thirtieth (30th), unless otherwise prescribed through the bylaws; and

B. If any revenue is to be generated from the allocation of said funds, all monies generated shall revert to the ASNMSU Expense Account thirty (30) days after such event, unless special circumstances indicate otherwise and as acknowledged in the appropriation act; and

C. Revenue collected from the ASNMSU membership fees not accounted for in the ASNMSU General Appropriations Act and interest on the ASNMSU Expense Account shall be deposited in the ASNMSU Expense Account; and

D. Three hundred thousand dollars ($300,000) shall be the ASNMSU Expense Account minimum balance; and

E. The ASNMSU Expense Account minimum balance of three hundred thousand dollars ($300,000) shall not be made available to any ASNMSU or NMSU department, branch, service, or function other than for the prescribed use outlined in the Insufficient Revenue Section 7-2-4 of the ASNMSU Bylaws; and

F. If, after implementation of NMSU procedures, the ASNMSU Expense Account minimum balance should fall below the minimum balance level of three hundred thousand dollars ($300,000) the return to the minimum balance level shall be accomplished by:

1. Use of any excess monies in the ASNMSU Revenue Fund Account; or

2. The decrease of the forthcoming fiscal year's ASNMSU General Appropriations Act by an amount equal to the deficit.

G. The ASNMSU Expense Account is exempt from Sections 7-2-4 and 7-2-5 of the ASNMSU Bylaws; and

H. Amendments to the ASNMSU Expense Account may be made only after the following requirements have been met:

1. The ASNMSU Senate shall be informed, in writing, two (2) weeks prior to the introduction of any motion to propose amendments to the ASNMSU Expense Account; and

2. The ASNMSU Senate shall, before allowing the introduction of any legislation that proposes amendments to the ASNMSU Expense Account, vote on the motion to allow such legislation to be introduced:

    a. The vote on the motion to allow the introduction of such legislation shall be no less than three-fourths (3/4) in the affirmative

3. The motion to allow the introduction of amendatory legislation to the ASNMSU Expense Account Minimum Balance Act has been introduced and passed by the ASNMSU Senate at the previous, regularly scheduled ASNMSU Senate meeting.

7-1-6. ASNMSU CARDINAL FUND

The ASNMSU Cardinal Account shall be used to fund major nonrecurring purchases of equipment and other permanent, special projects for the ASNMSU base programs and other similar groups that potentially affect all students:

A. All deposits to the ASNMSU Cardinal Account shall be read in accordance with section 7-1-1; and

B. The ASNMSU Senate, by a simple majority, may withdraw funds from the ASNMSU Cardinal Account for specific one (1) time projects. This shall be done through the normal appropriations process; and

C. The ASNMSU Senate, by a three-fourths (3/4) vote, may transfer money out of the ASNMSU Cardinal Account to the ASNMSU Expense Account, providing that the July first (1st) balance of the ASNMSU Cardinal Account is a minimum of thirty thousand dollars ($30,000); and

D. A floor for the account shall be set at thirty-thousand dollars ($30,000):

    1. The ASNMSU Senate shall not appropriate or transfer money out of the ASNMSU Cardinal Account, which will bring the balance on the account before June thirtieth (30th) below this amount.

E. Any interest earned from the ASNMSU Cardinal Account shall be deposited in the ASNMSU Cardinal Account.

7-1-7. ASNMSU EMERGENCY FUND

7-1-7-1. PURPOSE OF ACT

The purpose of the ASNMSU Emergency Funding Act is to create a financial resource for ASNMSU members to have access to relief funds during emergencies to assist in the continuation of their education, which shall include but not be limited to loss of employment, housing expense, food insecurity, and personal or family expenses.

7-1-7-2. MAIN PROVISIONS

A. All requests for the ASNMSU Emergency Fund shall go to the NMSU Office of Student Assistance Services; and

B. ASNMSU Emergency Fund shall make appropriations according to the following procedures:

1. The ASNMSU Emergency Fund may provide up to five hundred dollars ($500) per request to assist any ASNMSU member:

a. ASNMSU fee-paying members shall only receive assistance from this fund twice per academic career.

2. The ASNMSU Senate may pass an appropriation bill once the total of this account falls below five thousand dollars ($8,000):

a. The ASNMSU Emergency Fund at any given time shall not exceed sixty thousand dollars ($60,000); and

b. In the event that the ASNMSU Expense Fund Account balance has reached one hundred seventy-five thousand dollars ($175,000), the ASNMSU Senate shall not appropriate any more funds to this account; and

c. ASNMSU shall not be the sole source of funding for the Aggie Emergency Fund:

i. The NMSU Office of Student Assistance Services is responsible for finding additional funding sources prior to the ASNMSU Senate appropriating additional funds.

7-1-8. INTEREST

All ASNMSU funds shall earn interest, which will be compounded monthly based on cash balances, at the rate that University investments earn.

7-2. REVENUE DISPOSITION ACT

7-2-1. DEFINITIONS

A. "Summer" begins at the end of the last ASNMSU Senate meeting in the spring and ends with the first ASNMSU Senate meeting in the fall; and

B. "Insufficient revenue" occurs when ASNMSU Revenue is inadequate to cover all expenses incurred by the ASNMSU only when the fund balance falls below the minimum balance as defined in the ASNMSU Bylaws for the respective funds and is confirmed in writing by the ASNMSU Fiscal Advisor; and

C. “Fund balance” is the amount of funds available in the respective fund.

7-2-2. ASNMSU REVENUE DEFINED

ASNMSU Revenue means all revenue collected or received:

A. By the University Accounts Receivable Office from the payment of the ASNMSU membership fees; or

B. From student fees and monies appropriated to ASNMSU by the Student Fee Review Board; or

C. By any agency or organization created by ASNMSU; or

D. Interest from all ASNMSU accounts; or

E. From the profit of any promotional activities sponsored under the auspices of ASNMSU or any agency or organization of ASNMSU; or

F. Fines resulted from the ASNMSU Supreme Court.

7-2-3. DISPOSITION OF ASNMSU REVENUE

All ASNMSU revenue shall be deposited with the University Accounts Receivable Office. All revenue collected from the payment of the ASNMSU student fees shall be allocated to accounts as prescribed by the ASNMSU General Appropriations Act. Revenue collected from the ASNMSU Student fees not accounted for in the ASNMSU General Appropriations Act and interest on the ASNMSU Expense Fund Account shall be allocated to the ASNMSU Expense Fund Account. All other revenue shall be deposited in the account of the agency or organization responsible for its collection.

7-2-4. INSUFFICIENT REVENUE

The ASNMSU Senate shall declare and repeal a state of insufficient revenue in the form of a resolution with written confirmation from the ASNMSU Fiscal Advisor. During the summer, a state of insufficient revenue may be called by either the ASNMSU Senate, in the form of a resolution, or by the ASNMSU Summer Senate Finance Board. If ASNMSU revenue is insufficient to cover all appropriations made through the bylaws and insufficient revenue is declared, ASNMSU shall, at the ASNMSU President's discretion, discharge the deficit through the following:

A. The ASNMSU Expense Fund Account; or

B. The ASNMSU Cardinal Account; or

C. The ASNMSU base program Accounts; or

D. The ASNMSU Revenue Fund Account.

7-2-5. SUMMER FINANCE BOARD & SENATE VALIDATION

If the ASNMSU President determines the ASNMSU is in a state of insufficient revenue during the summer, the ASNMSU President must notify the ASNMSU Vice President in writing. The ASNMSU Vice President may then call a special meeting of the ASNMSU Senate. Should the ASNMSU Senate not convene within seventy-two (72) hours of the written notification from the ASNMSU President to the ASNMSU Vice President, the ASNMSU Senate Finance Board shall have the power to declare a state of insufficient revenue. The ASNMSU Senate must, in the form of a resolution, validate or invalidate the actions of the ASNMSU Senate Finance Board concerning insufficient revenue within three (3) meetings of the ASNMSU Senate.

7-2-6. APPROVAL REQUIRED FOR WITHDRAWAL

No funds shall be withdrawn from any account funded by ASNMSU except by the passage of an ASNMSU Senate appropriation bill or by a memorandum understanding signed by the executive of the account, the ASNMSU Comptroller, the ASNMSU President, and the ASNMSU Advisors. Approval for withdrawal shall be denied by the ASNMSU Comptroller or ASNMSU Fiscal Advisor only for reasons of:

A. Insufficient funds; or

B. Failure to comply with the written procedures for the financial operation of ASNMSU or any subdivision thereof as prescribed by the ASNMSU Comptroller; or

C. Failure to comply with the procedures for the financial operation of ASNMSU as prescribed by ASNMSU Financial Procedures Manual or by NMSU policies and procedures; or

D. Withdrawal of funds for the purchase of goods or services not approved in the budgeted pools of the executive of the account; or

E. Also, may be denied by the ASNMSU President.

7-2-7. SENATE MAY OVERRIDE PRESIDENTIAL DENIAL OF WITHDRAWAL

The ASNMSU Senate may, in the form of a resolution, override a presidential denial of withdrawal of funds with a three-quarters (3/4) vote.

7-2-8. FINANCE BOARD MAY OVERRIDE PRESIDENTIAL DENIAL OF WITHDRAWAL DURING THE SUMMER

The ASNMSU Senate Finance Board may override a presidential denial of withdrawal during the summer with a three-fourths (3/4) vote.

7-2-9. PRESIDENT EMPOWERED TO IMPOUND FUNDS

The ASNMSU President is empowered to impound the funds of any agency or organization that has received funds from ASNMSU to protect the financial well-being of ASNMSU. The presidential impoundment order shall be a written memorandum to the ASNMSU Fiscal Advisors in the Office of the ASNMSU Comptroller. If the presidential impoundment order is still in effect for three (3) working days, the ASNMSU President

will inform, in writing, the ASNMSU Vice President, the ASNMSU Advisors, and all

agencies and organizations directly affected by the impoundments. The ASNMSU President is empowered to impound the funds for the following reasons:

A. Insufficient funds or revenue; or

B. Failure to comply with the ASNMSU bylaws; or

C. Failure to comply with NMSU policies or procedures; or

D. Failure to comply with state or federal law.

7-2-10. SENATE MAY OVERRIDE PRESIDENTIAL IMPOUNDMENT

The ASNMSU Senate may, in the form of a resolution, override a presidential impoundment order with a three-fourths (3/4) vote.

7-2-11. FINANCE BOARD MAY OVERRIDE PRESIDENTIAL IMPOUNDMENT DURING THE SUMMER

The ASNMSU Senate Finance Board may override a presidential impoundment order during the summer with a two-thirds (2/3) vote.

7-2-12. STUDENT FEE REVIEW BOARD ASSESSMENTS

All fiscal assessments and arrangements made by the Student Fee Review Board for a particular fiscal year shall be reflected in the ASNMSU General Appropriations Act for that fiscal year. The ASNMSU President, ASNMSU Vice President, and the ASNMSU Senate Representative on the Student Fee Review Board shall be responsible for ensuring that such assessments are reflected in the ASNMSU General Appropriations Act.

7-3. ASNMSU GENERAL FUNDING RULES

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

7-3-1. DEFINITIONS

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

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

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

D. "Operating expenses" are those that recur and are required for the organization's normal functioning over the course of the academic year. Operating expenses shall not include funding for items or activities that are intended to provide something that

is available to the general membership of ASNMSU, such as speakers and other service-oriented activities; and

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

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

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

7-3-2. PURPOSE OF ACT

To clarify and regulate the allocation of ASNMSU funds.

7-3-3. MAIN PROVISIONS

A. Before a recognized organization or base program may receive funds from the ASNMSU Senate, the president and treasurer, or director of that organization or base program shall sign a Procedural Release Form stating either through digital or nondigital means that they have completed an ASNMSU Financial Procedure Workshop within the current academic year, that they understand ASNMSU financial procedures, and that they will follow these regulations or forfeit any right to the allocated funds. The use of the release forms will be handled by the ASNMSU Comptroller, certifying that the leaders have demonstrated sufficient knowledge of the procedures. The text of the Release Form shall read: "The undersigned representative of (organization) agrees to the following”:

1. Follow the revised ASNMSU Financial Procedures Guide, in its entirety, in dealing with ASNMSU monies appropriated to the organization; and

2. Failure to follow these procedures will result in the organization's forfeiture of any rights to the allocated funds; and

3. An organization’s successful completion of an ASNMSU Financial Procedure Workshop shall only be valid for the academic year in which it was completed.”; and

4. Completion of the Financial Procedure Workshop shall be documented by signatures of the Financial Procedure Workshop Terms and Conditions Contract from each organization’s president and treasurer.

B. Any ASNMSU Senator who is drafting legislation intended to fund an organization’s operating expenses (including the hosting of events) shall be required to submit their bill for first readings and to the ASNMSU Fiscal Advisors at least 30 days before the items are needed in order to give the Fiscal team adequate time to make purchases:

1. Senators shall submit their bill to the ASNMSU Fiscal Advisors before the bill enters committees.

C. Appropriations for up to three (3) students for travel expenses, as expressed in section 7-4-1, shall have the option of completing the ASNMSU Financial Procedures Workshop requirement in accordance with 7-3-3 or by having all the students requesting appropriation complete the ASNMSU Financial Procedures Workshop in lieu of their organization's President and Treasurer. Should the student choose to complete the ASNMSU Financial Procedures Workshop in lieu of their organization's President and Treasurer, the appropriation must still be made to a recognized student organization:

1. All requests for allocations will be voted on through a viewpoint-neutral process; and

2. All requests for allocations not included in the ASNMSU General Appropriations Act must include a detailed line-item breakdown; and

3. No organization other than graduate student organizations funding a graduate student shall exceed one appropriations bill per event, research project, or conference unless otherwise provided for or required by the ASNMSU Bylaws; and

4. No individual shall exceed one (1) appropriations bill per event, research project, or conference unless otherwise provided for or required by the ASNMSU Bylaws; and

5. No funds will be allocated to any recognized student organization or base program sponsored function to which attendance would be denied to any student currently enrolled at NMSU; and

6. All funds allocated by ASNMSU shall follow NMSU's Business Procedures Manual. ASNMSU reserves the right to supervise and inspect all funds allocated by ASNMSU.

D. No revenue shall be generated from student fee allocated funds:

1. Donations. ASNMSU will prohibit donations or gifts of any kind. This includes cash awards to employees; and

2. Alcohol. No funds will be allocated for the purchase or consumption of alcohol or liquor; and

3. Holiday decorations. ASNMSU will not allocate funds to clubs or organizations for holiday decorations; and

4. Athletic or entertainment events. ASNMSU will not reimburse clubs or organizations for the cost of tickets to athletic or entertainment events; and

5. Operating expenses will not include external medications not in a first aid kit, chamber of commerce dues, and personal care products not required for the conduct of university business.

E. The ASNMSU Senate shall not make appropriations for any reason to any College Council, club, organization, or base program recognized by NMSU and the ASNMSU to promote any person running for ASNMSU elected office; and

F. The ASNMSU Senate shall make travel appropriations only if a bill enters first readings by the first regular meeting of the ASNMSU Senate following the return from the trip unless the return from travel is one day prior or on the same day as the first regular meeting of the ASNMSU Senate:

1. If an appropriation is requested for any travel, as defined by Section 7-4-1, during the time when the ASNMSU Senate is not in session, a bill for the organization may be introduced only if all of the following are met:

    a. The bill is introduced into first readings no later than the second regular meeting of the ASNMSU Senate of the semester succeeding the trip; and

    b. Reimbursements occurring more than ninety (90) days after purchase shall be taxable and the responsibility of the ASNMSU fee-paying members or organization requesting such appropriations; and

    c. Summer travel expenditures may be pre-approved through the ASNMSU Senate and subsequently approved by the ASNMSU Comptroller:

        i. In order to receive a pre-approved reimbursement bill, constituents must have paid for all travel-related expenses prior to the bill being presented to the ASNMSU Senate; and
        ii. Once constituents return from travel and submit the required receipts to the ASNMSU Comptroller, all receipts will be reviewed for compliance; and
        iii. If any travel expense is found to have been purchased after the bill was approved by the ASNMSU Senate, reimbursement for that specific expense may be deemed invalid by the ASNMSU Comptroller.
        iv. In cases where a portion of the travel expense violates these requirements (e.g., airfare purchased after Senate approval). The ASNMSU Comptroller shall have the discretion to forfeit the specific line item(s) that are out of compliance.

G. Trips with appropriated funds from the Spring Semester with return from travel scheduled after the last Spring ASNMSU Appropriations Board meeting, shall file reimbursement receipts with the Office of the ASNMSU Comptroller or with the

ASNMSU Fiscal Advisors within ten (10) business days starting at the return from travel date or the funds will be forfeited; and

H. Any bill which is making an appropriation that is introduced to the ASNMSU Senate and referred to the standing committees shall have a time limit placed upon it for which it can remain in the ASNMSU Senate standing committees or the ASNMSU Senate. Any bill for any type of travel shall be given six (6) working weeks from the date it is introduced in first reading to get to the ASNMSU Senate for second readings to be voted upon. Such a bill may be tabled in any committee for as long as the author desires so long as it reaches the ASNMSU Senate by the sixth week to be voted upon. It shall be automatically withdrawn if it stays in committees for any longer than six (6) working weeks. The bill shall be considered active during the time place upon it and shall be withdrawn automatically if it goes over the time placed upon it:

   1. The author of the appropriations bill shall inform the constituent(s) and provide a copy to the Chair of the committee by Monday at noon on the sixth week; and

   2. "Working weeks" shall refer to weeks during which the ASNMSU holds ASNMSU Senate meetings or ASNMSU Senate standing committee meetings; and

   3. Should an appropriations bill remain in the standing committees for six (6) working weeks, be referred to the ASNMSU Senate floor, and then be referred back to committees, the bill shall have until the next regularly scheduled general ASNMSU Senate meeting to return to the floor. Failure to return to the ASNMSU Senate floor by the next regularly scheduled general meeting will result in automatic withdrawal of the bill.

I. Reimbursements occurring more than ninety (90) days after purchase shall be taxable and the responsibility of the ASNMSU fee-paying members or organization requesting such appropriations.

7-4. ASNMSU SENATE APPROPRIATION ACT

An act establishing the ASNMSU Senate appropriation regulations for clubs and organizations.

7-4-1. DEFINITIONS

A. "Research Travel" means travel for groups or individuals for the express purpose of collecting research as approved by an organization advisor, as well as for an honors thesis, master's thesis, or doctoral dissertation; and

B. "Conference Attendance Travel" means travel for groups or individuals for the express purpose of attending an academic, professional, leadership, humanitarian, community service, or national club conference without the intent to present research; and

C. "Conference Presentation Travel" means travel for groups or individuals for the express purpose of presenting previously conducted research at an academic

conference to which they have been accepted; and

D. “Competition Travel” means travel for teams or individuals with the express purpose of competing for recognition, reward, or any other objective which distinguishes that team or individual from others; this competition must further the organization’s objective; and

E. “Management Travel” means travel for “organization managers” with the express purpose of supporting those in the organization competing for recognition, reward, or any other objective which distinguishes that team or individual from others; this competition must further the organization’s objective; and

F. “Community Service Travel” means travel for the express purpose of promoting human welfare or improving the quality of life of a community of human beings; and

G. “Humanitarian Travel” means travel for the express purpose of promoting human welfare only pertaining to active disaster areas as indicated by the Federal Emergency Management Agency (FEMA) or the United Nations (UN); and

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

I. “Professional Workshops” means optional expenses relating to the academic development of an organization’s members. Such expenses shall be appropriated only for conference presentations and conference attendance travel. Expenses shall only be considered professional workshops for attendance if they relate to the organization’s purpose and for presentation if they contribute to the individual(s) research; and

J. “Application fee” means a mandatory, non-refundable fee paid to the entity or organization hosting an event for the purposes of applying to said event; and

K. “Journal Publication” means the expenses relating to publishing a research article in a peer-reviewed research journal; and

L. “Publication fee” is a fee which is charged to student researchers to publish their work either in an open access peer-reviewed research journal or hybrid scientific journal; and

M. “Advisor Letter” is a letter from the organization’s advisor listed on Crimson Connection. Different intents of travel may require different information included in an Advisor Letter, all of which are defined in section 7-4-3. By submitting such an Advisor Letter, the organization’s advisor is confirming that the students listed are active members of the organization; and

N. “ASNMSU Senate Funding Disclaimer Form” is a formal document that all

constituents are required to sign and comply with, as it outlines the official rules and regulations governing the allocation of funds. Non-compliance with these stipulations will result in the forfeiture of any allocated funds. Such forfeited funds will be reallocated to the ASNMSU Cardinal, Revenue, and/or Expense Account; and

O. "Private Vehicle" is any vehicle that does not belong to an organization, university, company, business, or firm and is privately owned by any individual; and

P. "Rental Vehicle" is any vehicle that is owned by an organization, university, company, business, or firm and is leased out to an individual at any fee, including zero dollars ($0.00) as well.

7-4-2. PURPOSE OF ACT

To clarify and regulate the allocation of ASNMSU funds to NMSU student organizations.

7-4-3. MAIN P RO VI SI ON S

A. Funds may be allocated to any recognized student organization that requires its members to pay dues to fulfill any local or national mandate. However, ASNMSU funds cannot be used to pay these dues:

1. ASNMSU funds may be used to fund membership fee(s) provided such a fee brings down the cost of the registration fee for the trip being reimbursed and the combined membership fee and registration fee is lower than the original nonmember registration fee:

a. The Chair of the ASNMSU Senate Finance Committee shall verify that the combined membership fee and registration fee are lower than the original nonmember registration fee.

B. Funds shall only be allocated to a base program under Section 7-5; and

C. Trips with multiple purposes, as defined in 7-4-1-A through 7-4-1-F, are required to draft separate subsections for each purpose; and

D. Any recognized organization or department requesting an ASNMSU Senate appropriation shall meet all of the following community service requirements:

1. The members of the organization or department listed on the legislation must collaboratively complete eight (8) hours of community service for every one thousand dollars ($1,000) appropriated; six (6) hours must benefit the New Mexico community outside the NMSU Campus, and the other two (2) hours must particularly benefit the campus of NMSU per approved appropriation. The exact number of required community service hours for organizations and departments must be calculated using the following formula (the result will be rounded up to the nearest whole number):

$$\text{ooooo ccccccccccc hooccoocc} = \text{ccccccoooooccooaaccaaaaooaa ccccooccaaaa} \times \frac{6}{1000}$$

$$\text{ooaa ccccccccccc hooccoocc} = \text{ccccccoooooccooaaccaaaaooaa ccccooccaaaa} \times \frac{2}{1000}$$

2. Off-Campus hours will be accepted at the discretion of the ASNMSU Senate Credentials and Archives Committee, through a viewpoint-neutral process and pursuant to NMSU policies or procedures; and

3. The excess community service will be saved until expiration (one year) for an ensuing appropriation request:

    a. On-campus and off-campus excess community service will be treated in accordance with the formulation above; however, they will not be interchangeable and will remain in distinct reserves; and

    b. If the average community service completed by individual members is less than one (1) hour, the community service will not be accepted as the on-campus or off-campus requirement; and

    c. Each community service project shall occur within one (1) year prior to the appropriation request.

4. Appropriations of up to four (4) students have the option of fulfilling community service requirements in accordance with Section 7-4-3-E-1 or by each of the students seeking an appropriation completing four (4) hours of community service each for every three thousand ($3,000) appropriated. These community service hours may be completed on or off the NMSU campus. The exact number of required community service hours for organizations and departments must be calculated using the following formula (the result will be rounded up to the nearest whole number):

$$\text{ccooccccccaaaaaacc ccssoossaaccss hooccoocc} = \text{ccccccoooocccooaaccaaaaoooaa ccccooccaaaa} \times \frac{4}{3000}$$

5. A community service project form must be submitted to the ASNMSU Senate Credentials and Archives Chair before noon on the day before the ASNMSU Senate Credentials and Archives meets, at which legislation requesting funding is to be discussed. A late community service project can be turned in at the discretion of the Chair of the ASNMSU Senate Credentials and Archives Committee. If the day before the ASNMSU Senate Credentials and Archives Committee meeting shall fall on a Saturday, Sunday, or a university-recognized holiday, the form shall be due the closest business day prior to the ASNMSU Senate Credentials and Archives meeting. Failure to do so will result in immediate retention of the legislation. The ASNMSU Senate Credential and Archives Committee shall approve these community service projects before the appropriation request may enter second readings; and

6. As defined by Section 7-3-1-F, community service organizations are exempt from fulfilling community service hour requirements.

E. The ASNMSU Senate shall not authorize appropriations for alcoholic beverages, banquets, gifts, favors, items of monetary value intended for distribution, furniture, office equipment, computer software, or computer hardware for any College Council, club, or organization recognized by New Mexico State University and ASNMSU:

   1. Exception: Appropriations for food and non-alcoholic beverages may be permitted only when such costs are an integral component of a mandatory registration or program fee for an approved conference, community service event, or competition. This means participation in the event is not possible without paying the associated fee that includes the cost of meals.

   2. Shirts, hats, pants, or other clothing items possibly needed by a club, or organization may be appropriated by ASNMSU, provided that:

      a. All recipients are verified members of the organization through Crimson Connection.

      b. A list of recipients, including Aggie ID, names, and signatures acknowledging receipt of the items, is submitted in compliance with accounting and financial policies.

      c. These items shall not be used for recruitment, promotional purposes, or freely distributed to the student body.

      d. These items shall not be exchanged for monetary value.

      e. These items include the ASNMSU logo as a sponsor.

F. The ASNMSU Senate shall make no appropriations for trips or other expenses of clubs, organizations, or teams which are not expressly prescribed in 7-4; and

G. Funding for operating expenses (including teams) shall be no more than ten thousand dollars ($10,000) cumulatively for each organization and department's total reimbursements/appropriations, except for a withdrawal from the ASNMSU Cardinal Account, provided that the July first (1st) balance is a minimum of thirty thousand dollars ($30,000). The ASNMSU Senate, by a three-fourths (¾) vote, may transfer money out of the ASNMSU Cardinal Account to the ASNMSU Expense Account, providing that the July first (1st) balance of the ASNMSU Cardinal Account is a minimum of thirty thousand dollars ($30,000) per academic school year:

   1. The decision as to whether or not an appropriation is for operating expenses shall be made by the ASNMSU Senate Rules Committee before the request for appropriation enters second readings if the purpose of the funding is not clearly defined by the ASNMSU Fiscal Team.

H. The ASNMSU Senate shall make appropriations for conference attendance travel, conference presentation travel, research travel, community service travel, and humanitarian service travel according to the following procedures:

1. The ASNMSU Senate may provide up to one hundred percent (100%) of the total funds requested, but no more than ten thousand dollars ($10,000) cumulatively for each organization and department's total reimbursements/appropriations, except for a withdrawal from the ASNMSU Cardinal Account, provided that the July 1st balance is a minimum of thirty thousand dollars ($30,000). The ASNMSU Senate, by a three-fourths (¾) vote, may transfer money out of the ASNMSU Cardinal Account to the ASNMSU Expense Account, provided the July first (1st) balance of the ASNMSU Cardinal Account is a minimum of thirty-thousand dollars ($30,000), per academic school year to help defray the traveling expenses for the following:

    a. Round trip transportation to destination to include:

        i. Airfare; and
        ii. Commercial bus line; and
        iii. Commercial train; and

iv. Mileage for the use of personal vehicle; and
v. Rental vehicle; and
vi. Fuel if using a rental vehicle; and
vii. Fuel if using NMSU vehicle.

b. Registration, including workshops; and

c. Lodging; and

d. Any other expenses pre-approved in writing by the Office of the ASNMSU Comptroller.

2. The following expenses are not reimbursable unless pre-approved in writing by the ASNMSU Office of the ASNMSU Comptroller:

    a. Intracity transportation; and

    b. Transportation to and from the El Paso airport; and

    c. Insurance; and

    d. Baggage fees.

3. The mileage rate for the use of a personal vehicle should be adjusted based on Section 5C.40.20.40 of the NMSU Business Procedures Manual; and

4. The ASNMSU Senate shall allocate a maximum of ten thousand dollars ($10,000) per academic fiscal year for conference or humanitarian service participation, regardless of the number of students attending; and

5. Organizations must submit proof to the Chair of the ASNMSU Senate Credentials and Archives Committee in the form of a letter from the organization's advisor or coordinator of the community service or humanitarian service event:

    a. Letters must include at least: who is attending, presenting, conducting research, what conference they are attending, where the conference is located, and the duration of the trip. Said letter must be on official NMSU letterhead, including contact information for the organization's advisor listed on Crimson Connection. By submitting such an Advisor Letter, the organization's advisor is confirming that the students listed are active members of the organization:

        i. Graduate students may also submit an Advisor Letter from an academic, research, or their organization's advisor.

b. Letters for community or humanitarian service should include the following: names of participants, where the service is to be performed, and the duration of the trip. Said letter must be on official NMSU letterhead including, contact information for the organization's advisor listed on Crimson Connection:

i. Organizations must submit proof to the Chair of the ASNMSU Senate Credentials and Archives Committee in the form of a letter from the organization's advisor and proof of the active FEMA or United Nations declaration.

I. The ASNMSU Senate shall make appropriations for competitive travel according to the following procedures:

1. The ASNMSU Senate may provide one hundred percent (100%) of up to ten thousand dollars ($10,000) cumulatively for each organization and department's total reimbursements/appropriations, except for a withdrawal from the ASNMSU Cardinal Account, provided that the July first (1st) balance is a minimum of thirty thousand dollars ($30,000). The ASNMSU Senate, by a three-fourths (¾) vote, may transfer money out of the ASNMSU Cardinal Account to the ASNMSU Expense Account, provided the July first (1st) balance of the ASNMSU Cardinal Account is a minimum of thirty thousand dollars ($30,000), per academic school year to help defray the traveling expenses for all student competitors, including non-NCAA sponsored competitions. Regardless of how many students take place in the competition, the ASNMSU Senate will only allocate funding up to ten thousand dollars ($10,000) cumulatively for each organization and department's total reimbursements/appropriations**,** except for a withdrawal from the ASNMSU Cardinal Account, provided that the July first (1st) balance is a minimum of thirty thousand dollars ($30,000). The ASNMSU Senate, by a three-quarters (¾) vote, may transfer money out of the ASNMSU Cardinal Account to the ASNMSU Expense Account, provided the July first (1st) balance of the ASNMSU Cardinal Account is a minimum of thirty thousand dollars ($30,000) per academic school year; and

2. The number of alternates for a team is limited to twenty percent (20%) of the minimum number of members required to participate in the competition. Teams who compete in physically strenuous activities or in competitions where there is a strong likelihood of injury may take alternates for no more than sixty percent (60%) of the minimum number of members required to participate in the competition; and

3. Management travel must be sponsored on a separate bill from competition travel. The number organization managers for a team is limited to twenty percent (20%) of the minimum number of members required to participate in the competition.

4. Organizations must submit proof to the Chair of the ASNMSU Senate Credentials and Archives Committee in the form of a letter from the organization's advisor listed on Crimson Connection and proof of competition that may be in the form of a schedule or bracket. If the competition should have no schedule or bracket, the constituent may provide supplementary proof of competition, with the ASNMSU Senate Credentials and Archives Committee ultimately having the right to exercise discretion in accepting the provided supplementary proof of competition:

    a. Advisor letters must include at least: who is competing, what competition they

are attending, where the competition is located, and the duration of the trip. Said letter must be on official NMSU letterhead including, contact information for the organization's advisor. By submitting such an Advisor Letter, the organization's advisor is confirming that the students listed are active members of the organization;

b. Advisor letters for management travel must include what the organization managers' role will be and how it is beneficial to the team.

5. Advisor letters must include at least: who is competing, what competition they are attending, where the competition is located, and the duration of the trip. Said letter must be on NMSU letterhead including, contact information for the organization advisor.

a. Advisor letters for management travel must include what the organization managers' role will be and how it is beneficial to the team.

J. The ASNMSU Senate shall make appropriations for Journal Publication according to the following procedures:

1. The ASNMSU Senate may provide one hundred (100%) of the total funds requested to help defray the "Publication fee" to publish research in a peer reviewed research journal; and

2. The ASNMSU member requesting such appropriations will require to be the primary author of the research article. The number of additional participants will be limited to the people conducting the research and are co-authors of the research article:

a. The ASNMSU Senate shall have the right to bypass 7-4-3-J-2 with a three-fourths (3/4) majority vote, thereby appropriating money for a journal publication for which the primary author is not an ASNMSU member.

3. Students must submit an advisor letter from the student's research advisor and the research article to the Chair of the ASNMSU Senate Credentials and Archives Committee:

a. Letters must include at least: who is conducting the research, where the research is being published, and the cost of the publication. Said letter must be on letter head including, contact information for an academic, research, or from their organization's advisor.

4. The ASNMSU Senate shall appropriate no more than two thousand five hundred dollars ($2,500) per individual for the purpose of Journal Publication in a single appropriation bill; and

5. The ASNMSU Senate shall make appropriations to Journal Publications only if the bill enters into First Readings by the second regular meeting of the ASNMSU

Senate following the proof of publication.

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

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

2. All student organizations requesting funds for such events must submit a petition that includes the following requirements:

    a. At least two hundred (200) undergraduate or graduate student signatures, along with the corresponding student's New Mexico State University assigned email address.

        i. The student Signatures must be composed on the ASNMSU Constituent Signature Event Form, which is downloadable on Crimson Connection.

    b. A letter from the organization's advisor submitted to the ASNMSU Senate Credentials and Archives Committee. The letter must include the following:

        i. The name of the event speaker(s), the location of the event, and the event duration: and

        ii. The letter must be on an official letterhead and include the advisor's contact information.

    c. A signed Event Appropriation Bill Consent form, which is downloadable on Crimson Connection.

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

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

5. Organizations cannot ask for funding for conferences, renowned public speakers and presenters, seminars, and workshops events more than one (1) time in an academic year; and

6. Any organization that receives this sponsorship must list ASNMSU as a sponsor with the inclusion of the ASNMSU logo for that specific event.

L. The ASNMSU Senate shall make appropriations for student organizations recognized by NMSU to fund on-campus events:

    a. At least two hundred (200) undergraduate or graduate student signatures, along with the corresponding student's New Mexico State University assigned

email address.

i. The student Signatures must be composed on the ASNMSU Constituent Signature Event Form, which is downloadable on Crimson Connection.

b. A letter from the organization's advisor submitted to the ASNMSU Senate Credentials and Archives Committee. The letter must include the following:

i. The name of the event speaker(s), the location of the event, and the event duration: and

ii. The letter must be on an official letterhead and include the advisor's contact information.

c. A signed Event Appropriation Bill Consent form, which is downloadable on Crimson Connection.

M. For any legislation introduced that is under the Recommended Expenditure per person, the ASNMSU Senate shall vote on the final passage of the bill by a simple majority. If a bill is higher than the Recommended Expenditure per person, the final passage of the bill shall be determined by a three-fourths (3/4) vote. It is the responsibility of the Vice President, President Pro Tempore, or Authoring Senator to announce if a piece of legislation will put student(s) over the recommended expenditure before holding the three-fourths (3/4) vote:

1. The Recommended Expenditures per person for legislation will be one thousand dollars ($1000) according to section 7-4-3-N of the ASNMSU Financial Procedures Manual; and

2. It shall be the responsibility of the ASNMSU Senate Finance Committee to determine whether a bill is over its average cost per person for its type of travel and make a note of it in the traveling notebook.

N. Any constituent from a recognized organization can request funding from the ASNMSU Senate up to a recommended expenditure of one thousand dollars ($1000) per academic school year

1. The ASNMSU Senate Rules Committee is required to verify and keep a record, which is public to the ASNMSU Senate, of the constituents that have received any reimbursements and the dollar amount they received.

O. Should the ASNMSU Senate decide to make an appropriation to a club or organization, the constituents receiving the appropriations shall meet with the ASNMSU Appropriations Board to validate receipts under the following provisions:

1. Constituents shall request a meeting with the ASNMSU Appropriations Board within ten (10) business days of their appropriation bill being signed into bylaw or within ten (10) business days after return from travel, whichever is later; and

2. Constituents shall provide all receipts reflecting the line items on the bill from which they are requesting reimbursement:

    a. The ASNMSU President, ASNMSU Vice-President, and ASNMSU Chief Senate Clerk must sign any appropriation legislation into bylaw within two NMSU business weeks of the legislation passing through the ASNMSU Senate. The legislation will automatically be enacted into the bylaws if the documents are not signed within the two NMSU business week deadlines.

3. Constituents shall provide either all debit or credits cards used to purchase the line items on the bill or a bank statement for each to only the ASNMSU Comptrollers or ASNMSU Fiscal Advisor; and

4. Constituents must submit a signed copy of the ASNMSU Senate Funding Disclosure Form prior to the Senate meeting. This submission constitutes a formal acknowledgement and agreement to the specified rules and regulations. The signed form shall be subject to review, by the ASNMSU Senate Rules Committee, and the ASNMSU Comptroller; and

5. If any of the aforementioned documentation is not provided to the ASNMSU Appropriations Board at the original meeting, constituents shall have five (5) business days to provide documentation, or the affected line items shall become invalid for appropriation; and

6. Failure to comply with the rules and regulations specified in the ASNMSU Senate Funding Disclosure Form will be reallocated to the ASNMSU Cardinal, Revenue, and/or Expense Account; and

7. Any exceptions to these provisions shall be made at the discretion of any of the following:

    a. The Chair of the ASNMSU Appropriations Board; and

    b. The ASNMSU Fiscal Advisor; and

    c. A simple majority vote of the ASNMSU Appropriations Board.

P. Event bills refer to a type of appropriation bill relevant to sections 7-4-3 subsections K and J:

i. As an appropriation is different from a reimbursement bill, event appropriation bills must come out of the Expense Account.

7-5. PROFESSIONAL DEVELOPMENT FUND ACT

AN ACT ESTABLISHING FUNDING PROCEDURES TO ASSIST ASNMSU MEMBERS WITH PROFESSIONAL DEVELOPMENT.

7-5-1. DEFINITIONS

A. A "Examination fee" is a fee which is charged to ASNMSU members to assess their proficiency over a specific subject or interest area.

B. A "Certification or Licensing fee' is a fee which is charged to ASNMSU members to attest to a level of status or achievement in an interest area.

C. "Training fee" is a fee which is charged to ASNMSU members to complete a course in a specific subject or interest area.

7-5-2. PURPOSE OF ACT

The purpose of funding professional development activities is:

A. To devote financial resources to improve ASNMSU members' experiential learning and service-learning to the development of essential skills.

B. To assist ASNMSU members in developing their professional potential.

7-5-3. MAIN PROVISIONS

A. ASNMSU shall not reimburse the activities mentioned on the following list:

i. Graduate Record Examinations (GRE);

ii. Law School Admissions Test (LSAT);

iii. State Bar Association Exams (BAR);

iv. Certified Public Accountant (CPA);

v. Fundamentals of Engineering (FE); or

vi. Medical College Admission Test (MCAT).

B. ASNMSU shall make reimbursements for examination, certification, licensing, and training fees according to the following procedures:

a. ASNMSU shall make reimbursements only if the application is received by the Chair of The Appropriations Board within sixty (60) days of the successful completion of the activity.

b. Constituents shall approach the Appropriations Board with proof of payment within two (2) weeks of their applications being approved.

c. ASNMSU may provide up to one hundred percent (100%) of the total funds requested by an individual but no more than four hundred dollars ($400) per fiscal year to help defray the cost of the fees.

d. The ASNMSU Senate shall pass an appropriation bill by the last Senate meeting of the spring semester with regards to how much shall be available for the professional development fund in the following fiscal year.

e. The Appropriations Board may ask for an additional twenty -thousand dollars ($20,000) from the ASNMSU Senate in the form of an appropriation bill per fiscal year.

f. The Appropriations Board shall read the personal statement and letter of recommendation. The Board shall review and verify the cost of the examination, certification, licensing, or training fee and proof and legitimacy of program.

g. The Appropriations Board shall verify community service with the chair of the ASNMSU Credentials and Archives Committee.

C. Applications for a Professional Development appropriation shall be submitted to the ASNMSU Appropriations Board to be validated under the following provisions:

a. Constituents shall request a meeting with the ASNMSU Appropriations Board within ten (10) business days of their appropriation bill being signed into bylaw or within ten (10) business days after return from travel, whichever is later; and

b. Constituents shall provide all receipts reflecting the professional development fees from which they are requesting reimbursement; and

c. Constituents shall provide either all debit or credits cards used to pay for the professional development fees; and

d. Constituents shall provide proof of attendance, presentation, or competition via a photo as well as a secondary form (nametag, agenda, flyer, etc.); and

e. If any of the aforementioned documentation is not provided to the ASNMSU Appropriations Board at the original meeting, constituents shall have five (5) business days to provide documentation, or the affected line items shall become invalid for appropriation; and

f. Any exceptions to these provisions shall be made at the discretion of any of the following:

    i. The Chair of the ASNMSU Appropriations Board; and
    ii. The ASNMSU Fiscal Advisor; and

iii. A simple majority vote of the ASNMSU Appropriations Board.
iv. Constituents are required to complete 5 hours of community service.

7-6. SENATE FINANCIAL PROCEDURES

The ASNMSU Senate will hear all bills, resolutions, and memorials according to the latest edition of Robert's Rules of Order unless otherwise specified for in special orders of the ASNMSU Senate.

7-6-1. MAIN PROVISIONS

A. The following formula will be utilized to generate the maximum amount that the ASNMSU Senate may appropriate to chartered student groups and ASNMSU feepaying members every academic year, beginning with the first day of the fiscal year (July 1st) and ending with the last day of the fiscal year (June 30th):

   1. YSL = (EFAB * 0.40); and

   2. "YSL" means the maximum amount that can be used in appropriations to be chartered groups and ASNMSU fee-paying members during the fiscal year; and

   3. "EFAB" means the ASNMSU Expense Fund Account balance at the beginning of the fiscal year; and

   4. "SSFC" means the student fees expected to be received based on the summer fees received the previous fiscal year.

B. The ASNMSU Senate may continue to appropriate more than the total generated in section 7-5-1-A-1 approved by three-fourths (3/4) of the ASNMSU Senate voting for the purpose; and

C. The ASNMSU Senate will not consider appropriations made to base programs to count against the total appropriation limit; and

D. The ASNMSU Senate will appropriate no more than one hundred thousand dollars ($100,000) beyond the ASNMSU General Appropriations Act to base programs of the ASNMSU during every fiscal year, as defined by NMSU:

   1. The ASNMSU Senate may continue to appropriate more than one hundred thousand dollars ($100,000) to ASNMSU base programs beyond the ASNMSU General Appropriations Act, providing that the appropriation bills beyond the one hundred thousand dollars ($100,000) fiscal year limit be approved by three-quarters (3/4) of the ASNMSU Senate voting for the purpose.

E. The ASNMSU Comptroller shall maintain a ledger of the appropriations made by the ASNMSU Senate; this ledger will be updated by Tuesday at noon before regularly scheduled ASNMSU Senate meetings; the ledger will be published to the ASNMSU webpage and will be freely available to any member of the ASNMSU requesting a copy; and

F. Any money not allocated in the fall shall be added to the ledger and reallocated in the spring.

7-7. BASE PROGRAMS ACT

An act creating ASNMSU base programs and regulating their spending.

7-7-1. DEFINITION

A. "Base programs" are those that facilitate the operation of ASNMSU and are budgeted for in the ASNMSU General Appropriations Act; and

B. “CCF” means the amount funded per year to a College Council from the ASNMSU General Appropriations Act; and

C. “ACT” means the number of recognized organizations that are represented in a College Council and active in its activities; and

D. “TCO” means the number of recognized organizations within all College Councils; and

E. “ATI” means the actual total income for the fiscal year before the year affected by the ASNMSU General Appropriations Act in question.

7-7-2. MEMBERSHIP

ASNMSU base programs are ASNMSU Departments, all College Councils, all Diversity Programs, and any other Department or Organizations on the NMSU campus.

7-7-3. PURPOSE OF ACT

To clarify and regulate the allocation of ASNMSU funds to the ASNMSU base programs.

7-7-4. MAIN PROVISIONS

A. The ASNMSU base programs are not subject to section 7-4; and

B. The maximum amount of the ASNMSU General Appropriations Act for the next fiscal year shall be no higher than the actual income from the Summer Session II, Fall, and Spring student fee allocation for the current fiscal year. Allocation adjustments to student fees during the respective time periods shall also be considered:

1. The ASNMSU Senate shall have the right to reallocate up to ten percent (10%) of the ASNMSU Expense Fund Account as of February 15th towards the ASNMSU General Appropriations Act with a three-fourths (3/4) majority vote.

C. Only ASNMSU base programs and ASNMSU Expense Fund Account repayments shall be budgeted for in the ASNMSU General Appropriations Act; and

D. The ASNMSU General Appropriations Act Operating Procedures:

1. The ASNMSU General Appropriations Act is an itemized summary of estimated or intended expenditures for a given period, with proposals for financing; and

2. The ASNMSU is an NMSU Department and, in its operations, will follow the NMSU Accounting Procedures, the NMSU Business Procedures Manual, and the State of New Mexico Purchasing Guidelines; and

3. The ASNMSU base programs cannot spend more than the total appropriation to the program in the ASNMSU General Appropriations Act; and

4. If any ASNMSU base program's Account ends the year in deficit, the amount of the deficit must be repaid to the ASNMSU Expense Fund Account out of the next fiscal year's budget; and

5. The ASNMSU Comptroller Authority:

    a. The ASNMSU Comptroller can manage the ASNMSU General Appropriations Act according to these legal procedures; and

    b. The ASNMSU Comptroller can maintain and update ASNMSU base program directors on their financial status; and

    c. The ASNMSU Comptroller is authorized to divert funds up to forty percent (40%) within specific base programs during a fiscal year between line items in order to keep the programs financially viable, with the approval of the Chair of the ASNMSU Senate Finance Committee; and

    d. The Comptroller must report any diverted funds in a report to the ASNMSU President, the ASNMSU Fiscal Advisor, and the Chair of the ASNMSU Senate Finance Committee, and this report is to be kept on file until the next ASNMSU General Appropriations Act is in effect; and

    e. The ASNMSU Comptroller can only divert funds between different base programs, not to exceed twenty percent (20%) within a fiscal year, with the majority vote approval of the ASNMSU Senate Finance Committee.

6. Extra ASNMSU Base Program Funding. ASNMSU base programs are permitted to approach the ASNMSU Senate for funding outside of the ASNMSU General Appropriations Act in the form of a bill; and

7. If ASNMSU base programs require travel appropriations in addition to the ASNMSU General Appropriations Act, they must follow these guidelines:

    a. Conference travel for base program operations will only be allowed according to the following:

i. The number of participants attending a conference will be limited to a maximum of two (2) individuals; and

ii. Appropriations for conference travel to an ASNMSU base program will only be made once per year; and

iii. Participants must be presenting, participating in a sponsored roundtable, or attending for a specific panel or component of the conference. This reason must be given in the rationale of the bill; and

iv. Upon returning within one (1) month from their conference, the ASNMSU base program must report to the ASNMSU Senate on their learning experiences:

1. All ASNMSU base programs who are to receive funds from the ASNMSU Senate for travel purposes will have their bills introduced and passed before they use any student fees for purchasing items needed for the aforementioned travel unless special circumstances indicate otherwise and as acknowledged in the ASNMSU Appropriations Act; and

2. ASNMSU Departments requiring travel appropriation, in addition to the ASNMSU General Appropriations Act, are exempt from 7-6-4-D-7-a-i.

E. Proposed budgets for each base program shall be presented to the ASNMSU Senate Finance Board and the ASNMSU Senate Budget Committee prior to the introduction of the ASNMSU General Appropriations Act into first readings; and

F. The College Councils may request, in the form of a bill, a maximum of one thousand dollars ($1,000) each academic year or five hundred ($500) per semester to support College Council events on campus as an ASNMSU base program; and

G. NMSU Departments may request, in the form of a bill, a maximum of ten thousand dollars ($10,000) each academic year.

7-7-5. COLLEGE COUNCILS

A. The purpose of funding the College Councils is:

1. To encourage recognized organizations to participate in College Council activities; and

2. To organize events that aid the students and organizations of the respective Colleges; and

3. To send representatives to ASNMSU Boards and Committees as stipulated in the ASNMSU Bylaws; and

4. To streamline funding procedures for minimal expenditures.

B. The following shall be included in the ASNMSU College Council Funding Act:

1. College Council Presidents will submit a list of recognized organizations within the College Council to the ASNMSU President Pro Tempore no later than the fourth week of the spring semester. The ASNMSU President Pro Tempore shall verify with the NMSU Campus Activities Office individual organization's funding eligibility and submit findings to the ASNMSU Senate Finance Board; and

2. The following formula will be utilized to generate appropriations to College Councils:
   a. CCF = ACT/TCO x (.035 x ATI).

3. The College Councils figured into the 7-6-5 are:

   a. Agricultural, Consumer, and Environmental Sciences; and

   b. Arts and Sciences; and

   c. Business; and

   d. Engineering; and

   e. Health, Education & Social Transformation.

4. The ASNMSU Senate Finance Board will determine appropriation amounts based on the formula; and

5. College Council Presidents and Treasurers will be required to attend an ASNMSU Financial Procedures workshop each semester; and

6. College Councils may request additional funding for their organizations in accordance with 7-6; and

7. College Councils shall not appropriate more than five hundred dollars ($500) of ASNMSU monies to each recognized organization within the College Council; and

8. All monies must be appropriated in accordance with NMSU regulations and the ASNMSU bylaws.

C. The Graduate Student Council shall receive funding as outlined below:

1. The Graduate Student Council is exempt from provisions outlined by sections 7-6- 5-B-7 and will not receive funding through 7-6-5-B-2; and

2. The Graduate Student Council will receive no fewer than one thousand dollars ($1000) per active organization for Graduate Student Council expenditures; and

3. The Graduate Student Council will receive no fewer than ten thousand dollars ($10,000) for Graduate Student Council Operational Costs (GSCOC):

    a. The Office of the ASNMSU Comptroller shall be notified four (4) weeks prior to GSCOC of all the possible expenditures; and

    b. ASNMSU monies shall not be used for the purchase of alcohol but can be used for any services. iv. The Graduate Student Council is considered a base program pursuant to Base Programs Act (7-6).

4. The Graduate Student Council is considered a base program pursuant to Base Programs Act (7-6); and

    a. In order for a graduate student to become eligible for presenting a bill to the ASNMSU Senate, they must obtain approval or denial from the Graduate Student Council.

        i. This rule does not apply if the graduate student is coming to the ASNMSU Senate with an undergraduate organization.

5. If a graduate student receives funding from the Graduate Student Council for a reimbursement through the ASNMSU Senate, they are required to obtain a written statement from the Graduate Student Council Treasurer that guarantees the availability of such funds. This statement shall be submitted to the ASNMSU Senate Finance Committee:

    a. Any funds from the Graduate Student Council listed on a reimbursement through the ASNMSU Senate but have not been approved by the Graduate Student Council Treasurer will be deducted from the allocation at the authority of the ASNMSU Appropriations Board.

7-8. OFFENSES AND ENFORCEMENT ACT

7-8-1. IRREGULARITIES

The ASNMSU Comptroller is empowered to:

A. Not allow any money to be transferred to organizational accounts until the prescribed matching funds are available; and

B. Verify that the appropriated monies were spent in the manner set forth by the appropriation request, including the ASNMSU General Appropriations Act; and

C. Find that expenditure irregularities exist and inform the ASNMSU Attorney General and the Chair of the ASNMSU Senate Finance Committee, who will then investigate the irregularity.

7-8-2. OFFENSES

A. Violations of any portion of the financial procedures of ASNMSU or NMSU, including but not limited to:

1. Appropriated funds expended for purposes other than the approved line items; or

2. Fraud:

a. Reporting false statements to ASNMSU or its officers with the intent to defraud; or

b. The fraudulent signing of vouchers or financial reports concerning requests of any ASNMSU funds by either ASNMSU personnel or the requesting body.

7-8-3. PUNISHMENT

A. For clubs or organizations, the following shall be permitted:

1. Impoundment of funds; or

2. Loss of ASNMSU funding for one (1) year after citing of offense by resolution passed through the ASNMSU Senate; or

3. Censure.

B. For base programs, the following shall be permitted:

1. Impeachment:

a. Any ASNMSU hired position 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.

2. Censure:

a. The ASNMSU Advisors shall be made aware of a Censure before it reaches second readings.

3. The ASNMSU Senate Finance Committee can audit the base program; or

4. Impoundment of funds; or

5. No ASNMSU Senate funding, excluding the ASNMSU General Appropriations Act, can be appropriated to the ASNMSU base program for one (1) year after citing of offense by resolution passed through the ASNMSU Senate.

C. For the ASNMSU Comptroller, the following shall be permitted:

1. Notification to ASNMSU Advisors; or

2. Impeachment:

a. Any ASNMSU Comptroller 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.

3. Censure:

a. The ASNMSU Advisors shall be made aware of a Censure before it reaches second readings.

7-8-4. ENFORCEMENT

A. Any alleged infraction can be brought forward by any party within ASNMSU and directed to the ASNMSU Attorney General and the ASNMSU Advisors; and

B. The ASNMSU Attorney General will be invested with sole investigation responsibility and shall collaborate with the ASNMSU Advisors and the NMSU Office of Student Conduct & Community Standards; and

C. The ASNMSU Attorney General is instructed to write an opinion within three (3) working days to be given to the ASNMSU President, ASNMSU Vice President, ASNMSU Chief of Staff, ASNMSU Chief Justice, ASNMS and the ASNMSU Comptrollers; and

D. The proper penalty should be determined based on the ASNMSU Attorney General's investigation and by the ASNMSU Senate and implemented through the following procedures:

1. Impeachment must follow the specific guidelines established for the specific office; and

2. Censure is to be passed by a resolution outlining the specific violation and passed by three-fourths (3/4) of the ASNMSU Senate; and

3. The ASNMSU Senate shall pass impoundment of funds through resolution with three-fourths vote and shall be implemented by the ASNMSU Comptroller; and

4. Loss of funding shall be passed by resolution of the ASNMSU Senate by resolution with three-fourths (3/4) vote.

E. If it is not during the regular scholastic year, the Office of the ASNMSU Attorney General shall write an opinion, and the ASNMSU judicial branch will deal with the matter.

7-8-5 FORFEIT OF FUNDS

A. If an organization does not meet the requirements of the ASNMSU Appropriations Board, as described in section 7-4-3-Q, the ASNMSU Appropriations Board must transfer the allocated funds back to the ASNMSU Expense Fund:

1. The ASNMSU Appropriations Board must send a written letter to the ASNSMU President Pro Tempore and the ASNMSU Senate Finance Committee Chair if such situations occur.

B. If an organization violates the financial procedures of ASNMSU or NMSU, as described in section 7-7-2-A, the ASNMSU Appropriations Board must transfer the allocated funds back to the ASNMSU Expense Fund:

1. The ASNMSU Appropriations Board must send a written letter to the ASNSMU President Pro Tempore and the ASNMSU Senate Finance Committee Chair if such situations occur.

7-8-6. OVERRIDE

The ASNMSU Supreme Court may override any provision of Chapter 7-7 with the agreement of the ASNMSU Advisors.

7-8-7. REGULATION OF PRESIDENTIAL POWER TO COMMIT ASNMSU FUNDS

The ASNMSU President shall not commit ASNMSU funds to any entity without prior approval from the ASNMSU Senate, except as otherwise permitted by the ASNMSU Bylaws or Finance Procedures Manual.

A. During meetings of the Student Fee Review Board, the ASNMSU President may negotiate on behalf of ASNMSU in determining ASNMSU funding and may commit potential funding to entities on behalf of ASNMSU if they deem it in the interest of ASNMSU. The ASNMSU President shall not commit ASNMSU funds exceeding ten percent (10%) of the ASNMSU Expense Fund account balance as of July 1st of the current fiscal year to any entity under any circumstances:

1. The ASNMSU Senate may pre-clear the ASNMSU President to commit more than ten percent (10%) of the July 1st Expense Fund account balance with a three-fourths (3/4) vote.

B. When the ASNMSU Senate is in session, the ASNMSU President shall not commit ASNMSU funds to any entity as part of negotiations of the Student Fee Review Board without receiving the written consent of the ASNMSU Senate Representative on the Student Fee Review Board and the Chair of the ASNMSU Senate Finance Committee:

C. Should the ASNMSU Senate be in recess, the ASNMSU President shall only commit ASNMSU funds to any entity, under any circumstances, with receiving the written consent of the ASNMSU Vice President and ASNMSU President Pro Tempore of the ASNMSU Senate.

7-9. SUSPENSION, INVALIDITY, AND AMENDMENTS

7-9-1. SUSPENSION

The ASNMSU Senate may suspend any portion of Chapter 7 with a three-fourths (3/4) vote.

7-9-2. INVALIDITY

If any portion of Chapter 7: Financial Procedures Manual is found invalid by the ASNMSU Supreme Court, ASNMSU Advisors, or NMSU Vice President of Student Success, only that portion of Chapter 7 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.

7-9-3. AMENDMENTS

Amendments to the ASNMSU Financial Procedures Manual may be made by a simple majority vote of the ASNMSU Senate in the form of a legislative bill:

A. The ASNMSU Advisors, ASNMSU Fiscal Advisors, and Office of the ASNMSU Comptroller shall be made aware of any amendments to Chapter 7 prior to the amendment bill coming to Second Readings; and

B. The ASNMSU Chief Senate Clerk shall make available copies of the above amendments to the ASNMSU Chief of Staff immediately after it becomes bylaw; and

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