



**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 Vice President of Student Success:

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Effective Academic Year

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1. THE CONSTITUTION OF THE ASNMSU

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."

1-2. MEMBERSHIP STRUCTURE AND LIMITATION OF POWER

1-2-1. MEMBERSHIP

All students of NMSU who have paid the ASNMSU supporting fees shall be members of the ASNMSU.

1-2-2. GOVERNMENTAL STRUCTURE

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

1-2-3. LIMITATION OF POWER

The ASNMSU shall not have the power to enact any law 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. SENATE MEMBERSHIP QUALIFICATIONS AND OFFICERS

The Senate shall be composed of Senators elected by the ASNMSU members of the several undergraduate colleges and the graduate school, hereafter referred to collectively as the "colleges." Senators shall be elected for a term of one (1) year and shall take office at the last Senate meeting of the semester of their election. No person shall be a Senator who is not, when elected and while in office, a member of the ASNMSU not suffering disability by academic or disciplinary probation and a member of the college by which they are elected. No Senator shall hold an additional elected office or appointed position of the ASNMSU except as may be provided by law. The members of the Senate shall be apportioned among the several colleges in direct proportion to their respective enrollments as determined by the current official fall semester enrollment figures from the NMSU registrar; but each college shall have at least two (2) Senators. Amendments to the apportionment shall be passed by a vote of three-fourths of the Senate membership present and voting. When a vacancy occurs in the Senate, the college council of the college of the vacated position may select an interim Senator to serve the remainder of the unexpired term. The Vice President of the ASNMSU shall be President of the Senate but shall have no vote unless the Senate is equally divided. 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 shall exercise the office of President of the ASNMSU.

1-3-3. POWERS AND DUTIES

The Senate 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 by law. The Senate may levy such fees as may be necessary to support the ASNMSU upon the consent of the ASNMSU. The Senate 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-quarters vote of those present and voting. The Senate shall have the sole power to try any member of the judiciary in matters of alleged nonfeasance, misfeasance, and if guilt be found by three-quarters 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 shall be prescribed by the Senate. The Senate shall be the judge of the elections, returns and qualifications of all ASNMSU elected officials and may delegate these duties as prescribed by law.

1-3-4. ENACTMENT AND VETO OF BILLS

Every bill having passed the Senate shall be presented to the ASNMSU President before being enacted into law. If the president approves, the bill shall be enacted by the president's signature. If the president does not approve, the president shall return the bill together with a written message of objections to the Senate. The Senate may then reconsider the bill; should two-thirds of the Senators present vote in the affirmative upon the bill, it shall be enacted into law. Should the president fail to return a bill to the Senate within two weeks after it shall have been presented and the bill shall be enacted into law as though the president had signed it, provided the Senate, 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 Vice President of Student Success of NMSU within forty-eight hours of enactment into law. The President of NMSU or designee shall have the power to nullify the annual general appropriations bill within two weeks after it shall have been presented to them.

1-3-5. MEETINGS AND RULES OF PROCEEDINGS

The Senate shall convene no less than once every two weeks during the fall and spring semesters. A regular meeting may be omitted by two-thirds vote of the Senate. 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 shall keep a journal of the proceedings of all meetings in which shall be entered the affirmative and negative votes upon any document or matter of record. The proceedings of the meeting shall be made available to the public. The Senate may determine the rules of its proceedings. All meetings of the Senate, whether the body be sitting in whole or in part, shall be open to the public. All persons in attendance shall be subject to the rules of the Senate.

1-4. EXECUTIVE

1-4-1. EXECUTIVE POWER AND ELECTION

The executive power shall be vested in a President of the ASNMSU who shall affect the execution of all laws and policies of the ASNMSU not specifically required of the other branches. A President and a Vice President shall be elected by a majority vote of those ASNMSU members casting ballots in an election to be conducted for that purpose 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 semester 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 installation of the successor.

1-4-2. ORDER OF SUCCESSION

In such event the President shall resign from their office, shall be removed from their office or in some other manner be rendered unable to fulfill the duties and discharge the powers of office, all powers, authorities, responsibilities and duties of the office of the President shall fall upon the Vice President. In the event that such disability be removed, all powers, authorities, responsibilities and duties of the office of President shall revert to the President upon their declaration of fitness to serve. The Senate may by law provide for the order of succession of executive responsibility in the event that both the President and Vice President suffer disability or in some manner become incapacitated.

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

The President shall from time to time give to the Senate information of the state of the ASNMSU and recommend to their consideration such measures as they shall judge necessary and expedient.

1-4-4. APPOINTIVE POWERS

The President shall nominate and, with the consent of the Senate, shall appoint members of the ASNMSU to fill executive offices which may be established by law. The Senate may, by law, invest the President with the power to make specified appointments at their sole discretion. The President shall have the authority to appoint such executive assistants as deemed necessary.

1-5. JUDICIAL

1-5-1. SUPREME AND INFERIOR COURTS

The judicial power of the ASNMSU shall be vested in the ASNMSU Supreme Court and in inferior courts ordained and established by the Senate. The Supreme Court shall be composed of one (1) Chief Justice and four (4) Associate Justices nominated by the ASNMSU President and be confirmed by the ASNMSU Senate. The four (4) Associate Justices shall be nominated with the consent of the ASNMSU Chief Justice. All justices shall be members of the ASNMSU, and no person shall be nominated or appointed a justice of the ASNMSU Supreme Court who has not been a member of the ASNMSU for the spring or fall semester prior to their appointment. The Chief Justice and two (2) Associate Justices shall be nominated by the outgoing President and be confirmed at the last Senate meeting of the spring semester. The term of the remaining two (2) Associate Justices shall be confirmed at the last Senate meeting of the Fall semester. All the Supreme Court justices shall serve a one (1) year term. When a vacancy occurs within the Supreme Court, the President, with the consent of the Senate shall appoint a qualified member of the ASNMSU to fill the remainder of the unexpired term. The four (4) Associate Justices shall be nominated with the consent of the ASNMSU Chief Justice. A majority of the justices shall constitute a quorum to render a decision.

1-5-2. JUDICIAL POWER

The judicial power shall extend to all cases, in law and equity, arising under this constitution, statutory enactments, legislative resolutions or executive order of the ASNMSU. Both the Supreme and inferior courts 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. The Supreme Court 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 LAW BOOKS

All contents in the ASNMSU Law Books shall henceforth be considered the Law of the ASNMSU.

1-6-1. CERTIFICATION

- A. The ASNMSU Law Book shall be certified in accordance with NMSU Policy and Procedures at the beginning of every fiscal year by the NMSU Vice President of Student Success. Should the contents of the ASNMSU Law Book fail to be certified at any point all ASNMSU employees shall cease all operations. Exempt employees shall include;
- i. The ASNMSU Advisors
 - ii. Any full-time employees
 - iii. Employees considered essential by the ASNMSU Advisors and confirmed by the passing of a simple resolution.

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

1-7. AMENDMENTS

Amendments to this constitution shall be passed by a vote of two-thirds of the Senate membership, approved by a majority of those ASNMSU members 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 Election Code is to secure both the secrecy of the ballot and the purity of elections, to guard against the abuse of the elective franchise, and to provide for efficient administration and conduct of elections.

2-2-1. DEFINITIONS

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

- A. "Voter" means any student of NMSU who a member of ASNMSU is and is eligible to vote in an ASNMSU Election;
- B. "Unofficial Results" are the number of votes secured by ICT prior to the filing of all necessary forms to the Chief Elections Officer and the resolution of any contested elections;
- C. "Official Results" are the total number of votes secured by ICT for candidates in question after all necessary forms have been filed to the Chief Elections Officer, and all contested elections resolved;
- D. "General elections" are the elections held in the spring or fall semester of each academic year for the purpose of electing ASNMSU senators and executive officers;
- E. "Internet Voting" is the process by which members of ASNMSU may cast their ballot online in any General Election, Runoff Election, Constitutional referendum, special referendum, and any other time voting is necessary by ASNMSU;
- F. "Internet Voting Instructions" are the written instructions informing Voters of the proper manner in which to vote using their NMSU login;
- G. "Run-off elections" are any elections following an election, in case of a tie, for the purpose of obtaining the legally required votes to fill an ASNMSU elected office or to pass judgment on any referendum;
- H. "Constitutional referendum" means a vote taken by the members of ASNMSU concerning a proposed ASNMSU constitutional amendment;
- I. "Special referendum" means any vote taken by the members of ASNMSU concerning any question relating to the levying of ASNMSU supporting fees or any other questions;
- J. "Election official" means the individual members of the ASNMSU Election Board, the Chief Officer, and the Deputy Elections Officer, poll workers, poll watchers;
- K. "Official candidate" means any member of ASNMSU who has met the requirements for candidacy as prescribed by the Election Code and has been certified by the Election Board;
- L. "Write-in candidate" means any member of 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;

- M. "Polling place" means any area designated for use in an ASNMSU election by the ASNMSU Election board;
- 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;
- O. "Contestee" means one against whom a written notice of the contest of an ASNMSU election has been filed;
- 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 can be used by the general student population for voting in the ASNMSU elections;
- Q. "Wireless-capable area" is any area that a wireless connection is available to any wireless-capable device which can be used by the general student population for voting in the ASNMSU elections;

2-3. ELECTION BOARD

An ASNMSU Election Board shall be composed of the Chief Elections Officer and a representative appointed by each college council. The Chief Elections Officer shall serve as Chair of the Board and shall not vote except in the event of a tie.

- R. The ASNMSU Attorney General and Deputy Election Officers shall be ex-officio members of the Election Board. A minimum twenty-four hours (24) hour notice will be given to the Attorney General's office 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, shall:

- A. Be an ASNMSU fee paying member;
- B. Not be an official candidate for any ASNMSU elected office;
- C. Not be a justice for any ASNMSU court;
- D. Not be a currently serving member of the ASNMSU Executive Staff or the ASNMSU Senate;
- E. Maintain ethical conduct throughout the entire election process in accordance with the NMSU Student Code of Conduct;
- F. Complete training set forth by the Chief Elections Officer; and
- G. Be subject to the academic and disciplinary requirements during their time as a member of the Election Board.
- 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 is up to the 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.
- I. If at any time any of the Representative of the College Councils is unable to or unwilling to discharge their duties on the Election Board, (the College Council)

shall appoint one (1) sufficient replacement from their college council consistent with the qualifications enumerated in [Qualifications of Members](#).

- J. If a College Council does not exist, 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 Chief Elections Officer in the administration of the Election Code;
and
- B. Meet at least one (1) week prior to the general election;
- C. Obtain and maintain uniformity in the application and operation of the Election Code;
- D. Designate polling places as prescribed in the Election Code;
- E. Formally approve polling places;
- F. Act as immediate judge for all contests; and
- G. Retain its powers and responsibilities until after the final resolution of all contests;
- H. Certify official candidates for ASNMSU office at least ten (10) days prior to the general election; and
- I. Attend all Election Board meetings set by the Chief Elections Officer.
 - i. Failure to attend set meetings will result in a fine of five percent (5%) of the current Fiscal year's GAA Council Appropriation to be levied on that Election Board member's College Council. This fine will increase by an additional five percent (5%) with each additional meeting missed (e.g., One (1) meeting missed is a fine of five percent (5%) of that fiscal year's GAA appropriation, the second meeting missed will result in a total fine of ten percent (10%) of that fiscal year's GAA appropriation etc.);
 - 1. This fine will be levied by the Comptroller of ASNMSU who will instruct the ASNMSU Fiscal Advisor to affect the transfer from the College Council's account and deposit it into the ASNMSU Club Endowment Account;
 - 2. Once the money is extracted, the Chief Elections Officer must be notified by the comptroller of ASNMSU who shall in turn notify the college council in writing. If they feel the need to do so, Councils may seek a redress of their grievances before the ASNMSU Supreme Court who will adjudicate all disputes arising;
- J. Penalties against any candidate during an official election will be at the discretion of the Election Board.

2-3-4. REMOVAL FROM ELECTION BOARD

- A. No member of the election board shall be removed, unless there is a three-quarters (3/4) majority vote of the election board present. Reasons for removal shall be concurrent with the Qualifications of Members of the election board, as set forth in the Election Code;

- B. The decision of the election board regarding a member's removal is final. There is no avenue for appeal; and
- C. If a member of the 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 Chief Elections Officer on the first day of each academic school year.
- B. The Chief Election officer shall prepare a packet that includes all necessary documents for candidates, which shall at least include the following:
 - i. Formal Letter
 - ii. Available Positions
 - iii. Important Dates
 - iv. Biography Instructions
 - v. Freedom of Expression Policy/CCSU Campaign Regulations
 - vi. NMSU Housing Policy Campaign Regulations
 - vii. Poster/Flyer Information
 - viii. Petition of Candidacy/Binding to ASNMSU Election Code (Chapter 2 of Law Book)
 - ix. Qualification/Check Release
 - x. Financial Disclosure Form
 - xi. Social Media/List Serve Form
 - xii. Official Violation Form
 - xiii. ASNMSU Code of Ethics
 - xiv. Any other document deemed necessary at the discretion of the Chief Elections Officer
- C. Run-off elections shall be held one (1) week immediately after the election for which they are required.
 - i. If the date for the run-off election is inappropriate, the 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 Chief Elections Officer in conjunction with the ASNMSU Election Board shall give notice of:
 - i. The election
 - ii. Any offices to be voted for
 - iii. Any Constitutional or special referendum or other questions to be voted for
 - iv. The requirements for any office at stake; and
 - v. Including the application process for selecting ASNMSU Election Board Members
 - vi. Voting Instructions and locations.
 - vii. The same information shall be released regarding any run-off elections within twenty-four (24) hours after the run-off election is determined to be necessary

- E. Elections should commence no fewer than five (5) weeks before the last day the semester.

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

- A. The 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.
 - i. 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:
 - i. 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 Law.
 - ii. There must be a petition signed by no fewer than ten percent (10%) of fee-paying members of ASNMSU submitted to the 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 of the ASNMSU members voting.

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 Election Board.

- A. Each ASNMSU Senate candidate must be enrolled in the college in which they are seeking election.
 - i. The college must be listed as the candidate's primary college at the time of the election. This will be determined by the NMSU Registrar's Office.
- B. Candidates for ASNMSU President and Vice President may be enrolled in any college.
- C. On the affidavit each candidate shall print or type their:
 - i. Full name
 - ii. Address
 - iii. NMSU email
 - iv. Telephone number
 - v. Primary College at the time of the election, as determined by the NMSU Registrar's Office
 - vi. 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 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 the ASNMSU President or Vice President shall submit a petition of candidacy signed by no fewer than one hundred (100) members of ASNMSU who wish to nominate the candidate.
 - i. No member of ASNMSU shall sign more than one (1) petition of candidacy for the President and no more than one (1) petition of candidacy for the Vice President during the one (1) academic year.
- E. Individuals seeking the office of ASNMSU Senator shall submit their petition of candidacy signed by no fewer than twenty-five (25) ASNMSU members of the candidate's primary college who wish to nominate the candidate.
 - i. No member of ASNMSU shall sign more petitions of candidacy than number of positions to be voted on for senator from that college at the general election.
- 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 Chief Elections Officer or be officially excused from the same.
- G. Any other elected positions as may exist within ASNMSU shall follow the same pattern as the President and Vice President, with the exception 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 Chief Election Officer:
 - i. A Petition of Candidacy/Binding to the Election Code
 - ii. An ASNMSU qualification check release/ authorization
 - iii. A Social Media/List Serve Form
 - iv. A Financial Disclosure Form
- B. Candidates conducting a write-in campaign shall meet with the Chief Election Officer within one (1) business day of submission of the petition of candidacy:
 - i. Candidates may send a representative to meet with the Chief Elections Officer, should they not be available;
 - ii. Poll workers and other candidates shall be informed by the Chief Elections Officer of a write-in candidate.
- C. Candidates conducting a write-in campaign shall be subject to campaign rules.
- D. Should a candidate unknowingly win, the Chief Elections Officer shall attempt to contact the write-in candidate within three (3) business days and request the submission of the documentation mentioned above. The write-in candidate shall

then have five (5) business days after being contacted to turn in the required documentation.

2-5-2. BENEFITS OF OFFICIAL CANDIDACY

Official candidates shall receive the following benefits:

- A. At the expense of the Election Board and if the candidate so desires, a photograph and a written statement printed in a voter guide prior to the general election; and
 - i. The Chief Elections Officer shall be responsible for arranging a photo session and collecting written statements; and
 - ii. The written statement shall not exceed two hundred (200) words.
- B. An official candidate may designate, with the Chief Elections Officer approval, a representative to attend necessary candidate meetings.

2-5-3. CANDIDATE EXCEPTIONS

As verified by the Chief Elections Officer:

- A. A sitting ASNMSU Supreme Court Chief Justice or Associate Justice shall not run for ASNMSU office or campaign for any ASNMSU candidate before resigning from current position.;
 - i. Participation in any general election may be allowed after the submission of a resignation letter.
- B. Official ASNMSU members currently in an elected or appointed position may seek a different office within ASNMSU during an official election.
 - i. Upon being elected the individual must submit a resignation letter effective upon assuming the elected office to his or her superior terminating the current position.

2-5-4. POSITIONS AVAILABLE AND TERM LIMITS

A. Number of senators in each college = $\frac{\text{ASNMSU College Enrollment}}{(\text{University Enrollment}/30)}$

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

- i. ACES --1, 17, 23,
- ii. ARTS & SCIENCES -- 2, 7, 12, 15, 16, 18, 24, 28, 30
- iii. BUSINESS -- 3, 8, 25
- iv. ENGINEERING -- 4, 9, 20, 26
- v. GRADUATE -- 5, 10, 14, 21, 27, 29
- vi. HEALTH, EDUCATION & SOCIAL TRANSFORMATION -- 6, 11, 13, 19, 22

- 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.
- D. All seats numbered sixteen through thirty (16-30), inclusively, shall be elected in the spring semester and serve a term of one (1) year.
- E. Seat changes shall be made based on the fall actual enrollment figures.
- F. No college shall have less than two (2) senate seats at any given time and shall be determined annually by the Attorney General.

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

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:
 - i. There will be one (1) polling station located at Corbett.
 - ii. There will be at least two (2) other physical polling stations.
- B. At the discretion of the Election Board, more physical polling station locations may be added.
- C. Any electronic device with access to Internet that has been approved by the Chief Elections Officer shall be considered polling places and fall under the jurisdiction of the Election Code.
- D. With Internet Voting, temporary voting locations are to be considered official polling places when an Internet accessible device is set up, which is accessible by the general student population, and used as a public poll. It will be necessary to mark the boundaries of the temporary location 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.
- 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.
 - i. Campaigning in a computer lab shall be allowed at the discretion of the Chief Election 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 and/or additional Internet voting sites for the purpose of an ASNMSU election shall make a request to the Chief Elections Officer, who will then decide if an additional site is needed or required.
- B. No candidates may setup temporary or additional Internet voting sites themselves but must make the request to the Chief Elections Officer for handling to ensure impartial officials handle the site.
- C. No parties shall setup temporary or additional voting sites without the direct consent of the Chief Elections Officer for the purpose of voting in the ASNMSU elections.
- D. No candidates may use a wireless-capable device in a wireless capable area to induce, abet, or procure votes for themselves.
- 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 Chief Elections Officer for setup.
- F. Candidates are not allowed to be involved in the use or administration of additional and/or temporary Internet voting sites.
 - 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.
 - H. Areas that have campaign materials setup cannot be used as temporary or additional areas for setup of devices used for voting in the ASNMSU elections by the general student population until 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. All polling stations must open starting at 8:00 am on the first day of elections and ending at 5:00 pm on the last day of elections.
 - i. The election shall begin on a weekday and last a minimum of five (5) days
 - ii. The last day of voting must end on a weekday.

2-6-4. POLL WORKERS

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

- A. All Election Board members shall be poll workers.
- B. At least two (2) poll workers will be appointed for each polling station.
- C. The poll workers will be entrusted with the designated mobile devices used for internet voting.
- D. Every ASNMSU employee, elected official, and ASNMSU intern shall be eligible to be appointed as an official poll worker unless running for a position.
- E. If any poll worker fails to attend the appointed poll at the specified time, the Chief Elections Officer shall appoint a qualified person to fill the vacancy.
- F. Poll workers shall submit in writing to the Chief Elections Officer any violation of the Election Code, using the violation forms.
- G. Poll workers shall be allowed to assist ASNMSU members who find it hard to vote on their own accord.

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.
 - i. Campaign materials include, but are not limited to:
 - 1. Advertisements in any printed publication
 - 2. Advertisements on any radio or television station

3. Handbills, flyers, posters, placards, buttons, stickers, banners, chalking, shirts, paid websites, social networking sites, or the like
 4. Any items and/or services reasonably perceived as being used with the purpose of 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 inside the ASNMSU office.
 - C. Campaigning shall begin no earlier than two (2) weeks before the start of the ASNMSU general election date in which they are running.
 - i. Petitioners are allowed to inform individual students from whom they are seeking signatures as to why that student should sign their election petition, but it is illegal for candidates to use the term “vote”.
 - D. Placement of campaign materials on campus shall abide by all NMSU rules and regulations.
 - E. Candidates for the offices of Senate, Vice President, and President shall be allowed to campaign by utilizing electronic sources to include:
 - i. List serves
 - ii. Online forums
 - iii. Public web sites
 - F. Candidates are responsible for being granted access to specific list serves by the appropriate individual(s) responsible for the list serve.
 - G. Candidates shall be allowed to utilize online forums to include social media websites.
 - H. No person shall be denied entrance into a candidates’ online forum or online community.
 - 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.
 - J. No person shall destroy or deface posters, pamphlets, or other campaign material.
 - K. No person shall disrupt or prevent the legal and orderly campaign of any person.
 - 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.
 - M. No candidate shall be allowed the use of any ASNMSU resources for the purpose of an election campaign or petition for candidacy.
 - N. Regarding the use of chalk:
 - i. Use of chalk shall not be allowed within ten (10) feet of the entrance of any building on the NMSU campus
 - ii. Use of chalk shall not be allowed within twenty-five (25) feet of the entrances of Corbett Center Student Union
 - iii. Use of chalk shall be restricted to concrete walkways
 - iv. All chalk used must be of a temporary or removable nature. Permanent chalk, such as surveyor's chalk, shall not be used under any circumstances

- O. Candidates for the office of Senate, Vice President, and President shall not be permitted to campaign together, and the following shall be considered illegal instances of coordination when carried out by candidates:
 - i. Posting of campaign materials, social media activity or list serves that advocate for more than one candidate
 - ii. Any sharing of budgets or splitting of costs for resources between candidates

- P. It is unlawful for anyone to:
 - i. Vote or offer to vote in the name of any other person
 - ii. Vote or offer to vote with the knowledge of not being a qualified voter
 - iii. Vote or offer to vote more than once in the election
 - iv. Induce, abet, or procure a person known not to be a qualified voter to vote
 - v. Induce, abet, or procure a person who has voted previously in an election to vote again
 - vi. Fraudulently deceive or mislead any voter or election official
 - vii. Pay or cause to be paid directly or indirectly, any money or other valuable consideration to any student for the purpose of inducing any student to vote or to refrain from voting
 - viii. Pay or cause to be paid, directly or indirectly, any money or other valuable consideration to any person for the purpose of inducing 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
 - ix. Accept a bribe
 - x. Induce or attempt to induce fear in any student, election official, and/or voter by threats of any sort
 - xi. Obtain elections results prior to online polls closing except for the Chief Elections Officer, appropriate advisors and technical support

- Q. All candidates shall submit:
 - i. The list serve form by five (5:00) pm the final day of voting
 - ii. Financial disclosure forms by five (5:00) pm on the final day of voting
 - iii. The Violation form at the discretion of the Chief Elections Officer, to the office of the Chief Elections Officer.

- R. All candidates shall submit the Qualification/Check Release form, at the discretion of the Chief Elections Officer, to the office of the Chief Elections Officer.

2-7-2. FINANCIAL RULES

- A. Total campaign expenditure limits for each candidate for the general election shall not exceed:
 - i. Seventy-five dollars (\$75) for senators
 - ii. Three hundred dollars (\$300) for President and Vice President
 - i. Candidates for other elected offices shall be limited as a senator with respect to campaign expenditures

- B. Any electronic campaign material purchased must be included in the total campaign expenditures.
- C. All official candidates shall submit a statement of campaign expenditures to the Election Board before the closing of the polls at 5:00 pm on the last day of the election.
 - i. All expenses along with the donation of goods and services must be declared in the statement.
 - ii. Expenses must be accompanied by receipts.
 - iii. Donations of goods and services must be accompanied by a letter from the donor showing fair market value of the donation.
 - iv. In the event no expenses are incurred, an expense report shall be submitted which will reflect no expenditure.
- D. Write-in candidates shall be informed in the timeliest manner possible by the Chief Elections Officer that they must turn in a statement of campaign expenditures.
 - i. The write-in candidate shall then have twenty-four (24) hours after notification to comply with these requirements.
- E. Candidates who fail to submit their statement of campaign expenditures within the required time limit shall be disqualified at the discretion of the Election Board.
- F. Candidates declaring campaign expenditures and donations at less than a reasonable value shall be disqualified at the discretion of the Election Board.
- G. Candidates shall have the right to a hearing with the Election Board prior to disqualification and shall have 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 by the Friday of elections week at 5:00 pm to the Chief Elections Officer in the ASNMSU Office or online as outlined by the Official Electronic Violation Filing Form instructions.
 - i. Violations will be considered by the Elections Board on a schedule determined by the Chief Elections Officer during campaigning and elections weeks.
- B. If someone has filed a violation against a candidate, the person submitting such violation:
 - i. Will be given the opportunity to speak about their reasoning for filing the alleged violation
 - 1. Before the meeting, they will be given a minimum of 24-hour notice via email.

- ii. May request to stay anonymous and not appear before the Election Board.
 - iii. Meetings about a filed violation form can be done solely through the Chief Elections Officer, and other ASNMSU members as deemed necessary including the Attorney General and their assistant, and the Deputy Election Officer(s).
1. The person filing a violation may appoint someone to speak on their behalf as approved by the Chief Elections Officer or may answer all necessary questions about the violation via email.
- C. If a violation has been filed against a candidate, the candidate:
 - i. Will be given notice of the violation and its contents via email.
 - ii. A 24-hour minimum notice of a meeting in front of the Election board or Chief Elections Officer, and other ASNMSU members as deemed necessary including the Attorney General and their assistant, and the deputy Election Officer(s).
 - iii. 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 Election Board.
 - D. If necessary, the Election Board will meet both weekends of the two weeks that campaigning and elections will be conducted. The Elections Board will hear the case from the person who submitted the violation and from the person who the violation is against. During this meeting, a decision about 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.
 - 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 Chief Justice and Associate Justices will assist.

2-8-2. ELECTION BOARD VIOLATION HEARING PROCEDURE

- A. The Election Board shall hear testimony in a session open to the public and shall deliberate on the judgment in a closed session.
 - i. Dates of Election Board meetings should be posted on the appropriate ASNMSU media accounts.
- B. All members of ASNMSU shall have the right to submit a violation form against any candidate in the ASNMSU elections.
- C. The candidate against whom a violation is filed and the ASNMSU member filing the violation, both must be given an opportunity to present their points.
 - i. ASNMSU members filing the violation may request to stay anonymous and not appear for the Election Board meetings.
 - ii. ASNMSU members must file their violation directly to the Chief Elections Officer and maintain communication if necessary.
- D. The Election Board shall render its decision and rationale immediately after the meeting.

- E. Candidate against whom violation is filed and the ASNMSU member filing the violation, both must be informed of the Election Board's decision along with the appeal process.

2-8-3. ELECTION CODE PENALTIES

Any person or election official who has been found to have committed a violation of the election may be:

- A. Prohibited (if an official candidate) from having their name on the ballots
- B. Disqualified as an official candidate
- C. Disqualified from assuming office
- D. Subject to such (other) penalties as may be prescribed by an ASNMSU court, ASNMSU official, ASNMSU Elections Board or disciplinary body having authority to impose such penalties.
 - i. Decisions of the Election Board to disqualify or remove votes from a candidate will automatically trigger an appeal through the ASNMSU Supreme Court.
 - 1. It shall be the responsibility of the Chair of Elections Board, to inform the candidate and ASNMSU Supreme Court of such decision immediately after the ASNMSU Elections Board meeting at which the decision was made.
 - 2. Candidate shall have the option of canceling the appeal. This request will have to be filed directly with 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 Supreme Court.
- B. The appeal procedure is to be used when a member of ASNMSU wishes to have the Supreme Court review the decision of the Election Board, believing that the Election Board violated the law while making the decision, or when a party has been harmed as a result of the law of ASNMSU, and not because of the actions of another person or party.
- C. All members of ASNMSU shall have the right to one (1) appeal of a lower court's decision.
- D. Upon the Supreme Court agreeing to hear an appeal, no additional evidence or witnesses shall be heard.
- E. In its review on appeal, the Supreme Court may affirm, modify, reverse or set aside the judgment or order from which the appeal is taken.
- F. All appeal proceedings will be commenced and adjudicated in accordance with the Rules of Procedure for the ASNMSU Courts.

2-10. ELECTION PROCEDURES

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

2-10-1. VOTING PROCEDURE

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

2-10-2. COUNTING THE VOTE PROCEDURES

- A. With Internet Voting, the voting results must be collected by at least three (3) Elections Board representatives, including either the Chief Elections Officer or the Chief Elections Officer's appointed representative and two (2) other voting members of the Elections Board within one (1) hour from the official close of the polls. This deadline may be extended in the case of technological problems beyond human control, or when three (3) Election Board members are not present. In such cases, the deadline will be extended one (1) hour, and the Chief Elections Officer will be responsible for finding a replacement, who is not involved in the election, for the absent Election Board members.
- B. The Chief Elections Officer shall set forth in writing 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 Chief Elections Officer and not fewer than two (2) 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 Chief Elections Officer.
- C. Regarding announcing the results, the Chief Elections Officer shall by proclamation announce the results of the election as follows:
 - i. At the closing of polls, the Election Board and any individuals they deem necessary will have a closed session to compile and certify the results prior to announcing the results.
 - ii. With Internet Voting, the unofficial results of the elections shall be posted no later than 11:00 pm of the Election Day unless there is a problem which 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.
 - iii. Official Results shall be posted no later than ten (10) business days following the closing of the polls.
 - iv. In the event of a contested result, the results will be posted upon tabulation of votes.
 - v. Election results, unofficial and official, shall be posted in the following areas:
 1. On the door of the Office of ASNMSU
 2. A copy of the official election results will be sent to student media outlets by the Chief Elections Officer within one (1) week of any general
 3. The ASNMSU website within one (1) week of any general.
 - vi. A copy of the official results will be sent to the President and Vice President of ASNMSU.

- vii. The Chief Elections Officer shall keep on file both the official results and the original certification of results.
- D. Regarding voting records, the 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.
- E. Regarding the elections of 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:
 - i. 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, then 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 two (2) candidates who are tied. 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.
- G. It is unlawful for anyone, except the Chief Elections Officer, to obtain the election results prior to online poll closing.

2-10-3. ELECTION CONTENTION PROCEDURES

- A. Regarding recount of vote, 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 Chief Elections Officer by 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 Chief Elections Officer.
- B. Regarding contention of 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 5:00 pm the following business day of the announcement of the unofficial results of the general election.
 - i. The notice of contest shall be filed with the ASNMSU Attorney General and the Chief Elections Officer. Copies of the notice of contest shall be immediately furnished to all concerned candidates and officials.
 - ii. 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 contestee, 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 law and fact shall be investigated by the ASNMSU Office of the Attorney General in conjunction with the Election Board and the Chief Elections Officer. It shall be the duty of the Attorney General to hear such issues without delay as speedily as possible and to report those findings and opinions to the Election Board. At this time, the Election Board shall render any necessary preliminary judgment. If in the

judgment of the Election Board, such error or fraud has been committed which is of such extent to render the legal results of the election to be indeterminable, the Election Board may order a new election.

- i. The Election Board shall render its written decision by 5:00 pm on the second (2nd) business day following their meeting.
 - ii. The Chair of the Election Board shall verify that a copy of the written decision of the board is delivered by mail or hand to each party involved.
- D. Regarding appeal of contest, any decision of the Election Board may be appealed by 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.
- iii. 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.
 - iv. 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

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 Chief Elections Officer and the Executive Director of Activities.
- B. Candidates for Homecoming Court shall be exempt from the limitations on campaigning together outlined in the Campaign Rules.
- C. The top two (2) candidates, regardless of gender identity, shall be crowned Homecoming Royalty.

3. EXECUTIVE BYLAWS

3-1. OATH OF OFFICE FOR THE PRESIDENT AND VICE PRESIDENT

Before taking office, the ASNMSU President and ASNMSU Vice President are required to swear the following oath or affirmation before assuming their respective office. This oath shall be administered in a public place by the ASNMSU Chief Justice of the Supreme Court.

- A. "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; the State of New Mexico; and 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"

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 Pro Tempore of the Senate, provided that the President Pro Tempore is qualified under the ASNMSU Constitution to hold the office of the ASNMSU President.
- i. The President Pro Tempore shall, before assuming the office of President, resign from all other elected or appointed offices of the ASNMSU in which they may occupy to the Chief Senate Clerk and the Advisors.
1. In the event the President Pro Tempore is not qualified to hold the office of President, or shall not accept the office of President, the Senate shall elect, from its own membership, an acting ASNMSU President who shall be qualified under the ASNMSU Constitution to hold the office of President.
- a. Before assuming the office of President, the elected Senator shall resign from all other elected or appointed office of the ASNMSU in which they may occupy to the Chief Senate Clerk and the Advisors.
- B. The Senate shall elect, from its own membership, an acting Vice President who shall be qualified under the ASNMSU Constitution to hold the office of Vice President.
- i. Before assuming the office of Vice President, the elected Senator shall resign from all other elected or appointed office of the ASNMSU in which they may occupy to the Chief Senate Clerk and the Advisors.

3-3. INFORMATION TO BE PROVIDED TO THE SENATE

The President shall from time to time give to the Senate information of the state of the ASNMSU and recommend to them consideration of such measures as they shall 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 designation of the NMSU staff position authorized to take appropriate administrative action necessary to comply with university policies, rules and procedures including:
 - i. Director of Student Involvement & Leadership Programs
 - ii. Program Coordinators
 - iii. Business Manager I
- B. The ASNMSU Advisors shall:
 - i. Offer their opinion for consideration to the officer or body that they have been appointed to advise
 - ii. Provide necessary and useful information which might aid in making the best possible decisions
 - iii. Serve as a communications link between the administration and faculty of NMSU and ASNMSU
 - iv. Promote continuity in the administration of the affairs of ASNMSU.
- C. The ASNMSU Advisors shall not have the power or authority to:
 - i. Establish ASNMSU law or policy.
 - ii. Vote on any matter under the consideration of an ASNMSU deliberative body.
 - iii. Direct or order any officer or body of 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 Advisor upon the assumption of office.
- B. The information to be released from the Office of ASNMSU includes:
 - i. Membership in ASNMSU, in which the student must be an activity fee-paying student at NMSU.
 - ii. Academic standing, in which the student must be in good standing or probation.
 - iii. Disciplinary standing, in which the student must be in good standing or probation.
 - iv. College of enrollment.
 - v. Cumulative Grade Point Average.
 - vi. Semester Grade Point Average.
- C. The procedure for checking shall be as follows:
 - i. The ASNMSU Advisor shall prepare a list of ASNMSU Senators, Directors, Assistant Directors and Justices, together with the qualifications for these offices.

- ii. This list shall, together with the information release forms, be submitted to the Office of ASNMSU
- iii. The office of ASNMSU shall notify the ASNMSU Advisor if any Senator, Director, Assistant Director or Justice does not meet the qualifications for office. The Vice President will be responsible for requesting a release of disqualified senators and legislative officers to be recorded by the end of the first week of every month.
- iv. The ASNMSU President, Vice President or Chief Justice 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.
- v. 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.
- vi. The same procedure shall be followed for anyone assuming office in the middle of the semester.
- vii. If any ASNMSU member suspects that a person no longer meets the qualifications for the office, they may confer with the ASNMSU Program Coordinator who will then proceed with the procedure for the qualifications check.

3-6. ASNMSU STUDENT ADMINISTRATIVE ASSISTANT

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

- A. Performs typing and clerical work of some difficulty.
- B. Make appointments for superiors, including:
 - viii. The ASNMSU President, the ASNMSU Vice President, ASNMSU Administrative Assistant.
- C. Receive and screen visitors.
- D. Answer and makes phone calls.
- E. Receive, sort, and distribute mail.
- F. Post bookkeeping information.
- G. Maintain confidential records.
- H. Assemble and organize materials used by superiors in completing work assignments.
- I. Answers routine student questions in academic departments.
- J. Runs errands.
- K. Act as the primary receptionist.
- L. May operate word processing, spreadsheet, duplicating and copying equipment.
- M. Performs related work as assigned.
- N. Hold regular, daily office hours, except for university holidays.
- O. Prepare a procedural guide of operations for their successor.

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

- A. The ASNMSU Program Coordinator shall post an announcement of up to two (2) positions of vacancy online.
- B. The minimum qualifications necessary for the position of the ASNMSU Student Administrative Assistant are:
 - i. Education:
 - 1. Applicants shall have been an ASNMSU fee paying member for at least one (1) previous semester and will continue to be and ASNMSU fee paying member for their term.
 - 2. Passed three (3) credit hours of English Composition, two hundred (200) level or above.
 - 3. Passed three (3) credit hours of math, one hundred (100) level or above
 - ii. Skills:
 - 1. Applicants shall be able to type thirty (30) words per minute.
 - 2. Any other qualifications outlined in the NMSU Human Resources Services Position Classification Description.

3-7. 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 law or adopt any policy on behalf of ASNMSU.
- B. From time to time, address issues on behalf of the ASNMSU President.
- C. Be expected to perform the following duties, upon request of the President of ASNMSU:
 - iii. Serve as coordinator of all meetings held between the ASNMSU President and any other organization.
 - iv. Provide support staff for any intermediate projects under consideration by ASNMSU.
 - v. Serve as official coordinator of ASNMSU for any ASNMSU activity held on the campus of NMSU.
- D. Aid the President of ASNMSU in preparing and documenting material for presentation to the Board of Regents of NMSU.
- E. Aid the President of ASNMSU in coordinating the ASNMSU Executive Staff. Perform all other tasks as assigned by the ASNMSU President.
- F. Shall work with the ASNMSU President to approve all executive procedural guides prior to the last Senate meeting of the year.
- 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.
 - i. During these weekly Staff meetings, the ASNMSU Chief of Staff shall inform Executive Directors, of Senate amendments.

- ii. A copy of the amendments shall be submitted to the ASNMSU Chief of Staff by the Chief Senate Clerk immediately after the bill becomes law.
- H. Hold regular, daily office hours, except for university holidays.
- I. Prepare a procedural guide of operations for their successor.

3-7-1. HIRING OF THE CHIEF OF STAFF

- A. The ASNMSU President is granted the authority to hire a Chief of Staff.
- B. Any ASNMSU member hired to the Office of Chief of Staff must meet the qualifications set out in Executive Student Leader Qualifications Act.
- C. The ASNMSU Chief of Staff shall serve at the discretion of the President of ASNMSU.
 - i. The ASNMSU President shall be the Chief of Staff's Direct Supervisor.
 - ii. The ASNMSU Chief of Staff shall be the Direct Supervisor to the Executive Cabinet.

3-7-2. REMOVAL FROM OFFICE OF THE ASNMSU CHIEF OF STAFF

The ASNMSU President shall have the sole authority to remove the 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 in the form of a procedural resolution, censure the Chief of Staff for disorderly behavior or unprofessional conduct. This resolution will include the specific reasons for censure.

3-8. EXECUTIVE CABINET

- A. The President and Chief of Staff with the help of the hiring committee will hire and fill the Executive Director positions, which include the following:
 - i. Attorney General
 - ii. Comptroller
 - iii. Director of Activities
 - iv. Director of Community Outreach
 - v. Chief Elections Officer
 - vi. Director of Governmental Affairs
 - vii. Director of Public Relations
 - viii. Director of Services
- B. The Executive Cabinet shall be the Direct Supervisor of their respective assistants.
- C. All Executive Directors and Assistant Directors shall meet the following criteria upon assuming their respective positions:
 - i. Hold regular, daily office hours, except for university holidays.
 - ii. Prepare a procedural guide of operations for their successor.

3-8-1. EXECUTIVE STUDENT LEADER HIRING COMMITTEE

There shall be a hiring committee to consider and interview applicants for all Executive Student Leader positions. This committee shall only include:

- A. One (1) ASNMSU Advisor
- B. The ASNMSU President
- C. The ASNMSU Vice President
- 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 Program Coordinator of updates to open/vacant ASNMSU Executive student official positions. The ASNMSU Program Coordinator shall then post the position descriptions and application(s) online. Qualifications listed in the Executive Student Official Qualifications act must be included within 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 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.
- 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.
- B. Applicants for Director positions, Attorney General, Comptroller and Chief of Staff shall have been ASNMSU fee-paying members for one (1) fall or spring semester prior to their official start date.
- C. Applicants shall meet the minimum qualifications set forth in the current NMSU Student Employee Handbook with regards to GPA, academic and disciplinary probation.
- D. Waivers on academic progress or GPA shall be decided in accordance with the current NMSU Student Employee Handbook.
- E. Any other qualifications outline in the NMSU Human Resource Services Position Classification Description.

3-8-6. TEMPORARY APPOINTMENT OF EXECUTIVES

- A. Should an Executive Director position or the ASNMSU Comptroller position become vacant during the term, the ASNMSU Comptroller 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.

- B. Should an Assistant Director position become vacant during the term, the 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.
- C. Should the office of the 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

The hiring of Assistant Directors and Assistant Comptroller positions shall be done by the respective Executive Directors. Only the respective Executive Director, Chief of Staff, and an ASNMSU Advisor will be present for the interview and consideration of applicants.

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.
 - i. Should the ASNMSU Supreme Court or the ASNMSU President determine that the Attorney General has a personal or pecuniary interest in the case, the ASNMSU President is responsible for appointing counsel to represent ASNMSU.
 - ii. Should the ASNMSU Supreme Court decide that the 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 advisor on the ASNMSU law 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
- C. Give an opinion, in writing, on any question of the ASNMSU law submitted to the Attorney General by any member of ASNMSU.
- D. Keep a register of all opinions rendered by the office of the ASNMSU Attorney General.
- E. Act, if requested, as an advisor of discipline policy for any student of NMSU in the event such person is charged with violating university regulations, provided the Attorney General is qualified under the stated policy of NMSU to render such assistance, and provided such assistance is rendered in accordance with the stated discipline policy of NMSU.
- F. Act as the official custodian and trustee for ASNMSU of the current and past versions of the ASNMSU Law Book and other related materials from other university and college student governments, all bills enacted into law, all resolutions and memorials passed by the Senate, and all other ASNMSU public records which in the opinion of the Attorney General, are of legal or historical

- value to ASNMSU and which are transferred to the Attorney General from any ASNMSU office or from any other source.
- G. During the regular performance of their custodial and trustee duties with regards to the current ASNMSU Law Book, the Attorney General may identify grammatical, spelling, or minor formatting errors in the Law Book and, upon majority consent of the Senate Rules Committee, correct these errors in their respective sections so long as:
 - i. The corrections do not alter or confuse the meaning, application, or legislative intent of the section or statute in which they are contained.
 - ii. During the Senate recesses, any minor corrections proposed by the Attorney General must be consented upon by a majority vote of the voting members of the ASNMSU Law Book 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.
 - H. Perform all other duties required by the ASNMSU law.
 - I. Appoint, if desired, a Deputy Attorney General.
 - i. The ASNMSU Deputy Attorney General shall hold office at the pleasure of the ASNMSU Attorney General.
 - ii. The Deputy Attorney General shall, subject to the direction of the Attorney General, have equal power and authority as the Attorney General but shall be subordinate to the Attorney General.
 - J. Attend all regular meetings of the ASNMSU Senate and serve ex-officio, non-voting member of the Senate Rules Committee.
 - K. To ensure that all portions of the ASNMSU Law Book and proposed legislation fit within the scope of the ASNMSU Constitution, New Mexico State laws and appropriately corresponds with ASNMSU rules and regulations.
 - L. To serve on the ASNMSU Law Book Committee.
 - M. Determine each fall the number of Senate seats apportioned to each college as specified in the Election Code of the ASNMSU Law Book and make available all appropriate changes in the form of a memorandum.
 - N. Report to Senate the First and Final Senate meeting of each semester, at all meetings immediately following the issuing of an official opinion is issued from their office, and whenever requested by the President of the Senate.
 - O. Serve as an ex officio, non-voting member of the ASNMSU Elections Board.

3-8-9. ASNMSU COMPTROLLER

The duties and responsibilities of the Comptroller are as follows:

- A. Maintain a financial review process on a monthly basis by meeting with the Executive Directors of ASNMSU to determine how they are spending ASNMSU funds.
- B. Prepare an annual report for the ASNMSU President concerning all ASNMSU material and monies unaccounted for.
- C. Provide an analysis on the utilization of NMSU student activity fees by:

- i. Reporting monthly on the ASNMSU Senate distribution of activity money to recognized ASNMSU/NMSU student organizations, and their uses.
 - ii. Advising the ASNMSU Senate as to the appropriate changes that further the welfare of the NMSU student body.
 - iii. 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.
 - E. Serve as the chair of the ASNMSU Appropriations Board.
 - F. Serve as a voting member of the ASNMSU Finance Board and coordinate the process of preparing the annual General Appropriations Act.
 - G. Serve as an ex-officio member of the Senate Budget Committee.
 - H. Prepare an audit of ASNMSU or any of the ASNMSU funded organizations upon the request of the:
 - iv. ASNMSU Finance Committee.
 - v. ASNMSU Finance Board.
 - vi. ASNMSU President.
 - I. Attend meetings of the ASNMSU Senate Finance Committee at the request of the chair of the Senate Finance Committee.
 - J. Attend all meetings of the Continuing Diversity Board or designate an Assistant Comptroller who will attend meetings for the full term as a member.
 - K. Review and process the digital Financial Procedures Workshops.
 - L. Conduct an in person Financial Procedure Workshop upon request.
 - M. Supply the ASNMSU Vice President and Fiscal Specialist monthly reports of the accountability of all provided funds to organizations which will then be made available to the Senate through the Vice President.
 - N. Complete and process reimbursement vouchers for any ASNMSU funded club or organization.
 - O. Ensure that all expenditures of ASNMSU funds have been properly authorized by the ASNMSU Senate or the College Councils.
 - P. Meet with the Senate of ASNMSU once a month during a scheduled meeting of the Senate to provide reports on the financial position of ASNMSU.

3-8-10. ASNMSU ASSISTANT COMPTROLLER

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

- A. Maintain records of all expenditures.
- B. Prepare for the Executive Directors, in cooperation with the ASNMSU Comptroller, policies and procedures for the expenditures of the ASNMSU Base Programs.
- C. Maintain an updated record of the ASNMSU organization, policies and procedures for the acquisition of funds from the ASNMSU Senate.
- D. Serve as a member of the ASNMSU Appropriations Board.
- E. Serve as an ex-officio member of the ASNMSU Finance Board.

- F. Prepare a procedural guide of operations for the successors to the offices of the ASNMSU Assistant Comptroller.
- G. Establish a file system that would include:
 - i. A record of all Senate and College Council appropriations to student organizations.
 - ii. Running balance ledgers for the student organizational accounts.
- H. Hold regular office hours except for university holidays.
- I. 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 Comptroller, in addition to the qualifications outlined in the Executive Student Leader Qualifications Act, shall have completed:
 - i. At a minimum 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 Assistant Comptroller, in addition to the qualifications outlined in the Executive Student Leader Qualifications Act, shall have completed:
 - i. At a minimum 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. Be the chief administrative officer to the ASNMSU Activities Department and, as such, shall provide the necessary leadership for the achievement of purposes, responsibilities and duties as called for by the department.
- B. Serve as chair of the ASNMSU Special Events Board.
- C. Contact and determine involvement with cosponsors of previous programs within thirty (30) days of being appointed by the ASNMSU President.
- D. Be responsible for maintaining accurate and current accounts of all income and expenditures for the Department of the ASNMSU Activities. Such accounts shall be documented and available for confirmation by the ASNMSU Comptroller at any time.
- E. Responsible for the planning and execution of homecoming, including the bonfire and parade.
- F. Meet with the President of ASNMSU weekly to provide reports on upcoming and scheduled events.
- G. Meet with the Senate of ASNMSU during a scheduled meeting of the Senate monthly to provide reports on upcoming events, scheduled events, job progress, and current budget at the discretion of the ASNMSU President. If the Executive

Director cannot attend, the Executive Director of Activities can send the Assistant Director of Activities to provide the report.

- H. Supervise and review the functioning of publicity, speakers, special projects, films and homecoming, and assist as necessary to ensure that the performance in accordance with the Articles of Operation and the ASNMSU Law Book.
- I. To work with other departments and organizations in the planning, preparation, and delivery of events such as Crimson Crush, Spring fling, or “The Burning of the Lobo”.
- J. Appoint two individuals to fill the position of the Assistant Director of Activities for Special Events and the Assistant Director of Activities for Athletic Relations to work at the discretion of the director.
- K. Shall maintain communication and relations with the Director of the NMSU Foundation.
- L. Perform all other duties related to activities that may be requested by the ASNMSU President.
- M. Be responsible for maintaining accurate and current accounts of all income and expenditures for of the special events and performances hosted by ASNMSU.
- N. Act as the official liaison between ASNMSU and the entertainment community.
- O. Meet regularly with the ASNMSU President or Chief of Staff to provide reports on upcoming and scheduled events.
- P. Plan and organize concerts, publicity, and cultural events on behalf of ASNMSU.
- Q. Shall supervise these events and assist in their implementation as necessary to ensure that they operate in accordance with NMSU Policy and ASNMSU Law.
- R. Shall not promise to any performer more payment then the ASNMSU Senate has appropriated for the purposes of concerts and event planning in that fiscal year’s General Appropriations Act.
- S. Serve as the principal contact between the NMSU Athletic Department and ASNMSU.
- T. Work in conjunction with the NMSU Athletic Department to coordinate ASNMSU tailgating activities.
- U. If necessary, appoint a member of the ASNMSU to serve as ASNMSU Tailgate Chair.

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

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

- A. Assist with the planning and execution of Homecoming and Spring Fling.
- B. Assist with scheduling of Films and Speakers.
- C. Interact with the Executive Director of Activities to discuss current and upcoming projects.
- D. Perform any other duties assigned by the Executive Director of Activities.
- E. Assist with the planning and staging of performances at NMSU and in surrounding area.
- F. Submit a regular report regarding the activities of the ASNMSU Special Events Board.

- G. Serve as vice-chair of the ASNMSU Special Events Board.
- H. Perform other departmental duties as assigned by the Executive Director of Activities.

3-8-14. ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES (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.
- B. Assist the Executive Director of Activities in the planning of ASNMSU tailgates.
- C. Serve on the NMSU Athletic Committee if such a duty is delegated to them by the Executive Director of Activities.
- D. Perform other departmental duties as assigned by the Executive Director of Activities.
- E. Assist with staging and execution of Homecoming and Spring Fling.

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

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

- A. Maintain contact with the NMSU Foundation.
- 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.
- C. Prepare for all student organizations and members of 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 Comptroller's Financial Procedure Workshops.
- D. Maintain a list of organizations in the community that consistently provide opportunities for student organizations to complete their community service requirements.
- E. Coordinate the Big Event Community Service Project.
 - i. The Big Event will be an off-campus community service event to be organized in the spring semester.
 - ii. The Executive Director for Community Outreach will organize the Big Event with local, regional, or national nonprofit organizations (for example, United Way).
 - iii. Organize the Keep State Great Community Service Project.
 - 1. The Keep State Great Community Service Project will be an on-campus event intended to prepare the campus for homecoming events.
 - 2. The Executive Director of Community Outreach will organize Keep State Great to be organized prior to Homecoming in the fall semester.

3. The event can be coordinated with the Executive Director of Activities and can include campus beautification projects which are homecoming themed.
 - iv. Serve as supervisor of the Roadrunner Program; this will include recruiting during the summer orientation programs.
- F. Serve as an ex-officio non-voting member of the ASNMSU Senate Credentials and Archives Committee as requested by the committee chair.
- G. Meet with the ASNMSU Senate monthly during a scheduled meeting of the Senate to provide reports on upcoming events, scheduled events, job progress, and current budget at the discretion of the ASNMSU President. If the Executive Director cannot attend, the Executive Director of Community Outreach can send the Assistant Director of Community Outreach to provide the report.
- H. Act as the liaison of ASNMSU within the communities of Las Cruces, Dona Ana County, and Southern New Mexico.
- I. Meet with local community, business, and government leaders on a regular basis to advise them of the initiatives ASNMSU is undertaking and to foster a working relationship with these leaders.
- J. Perform any other duties as assigned by the ASNMSU President.
- K. Focus on sustainability awareness and education throughout the NMSU Campus and Las Cruces Community.
 - i. Coordinate an Earth Day Event in Conjunction with the Office of Sustainability and related student organizations.
 - ii. Become a source of sustainability information for student organizations.
 - iii. Become an information base for student organizations.
 - iv. Focus on one (1) initiative each year which can include but is not limited to recycling, bio-waste, energy, and transportation.

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

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

- A. The Assistant Director for Community Outreach will serve as the liaison and to the Department of Student Involvement and Leadership Programs.
- B. Plan leadership workshops throughout the semester.
- C. Travel to high schools statewide and regional with the intent of recruiting students into the ASNMSU Roadrunner program.
- D. Help with daily office activities, set forth by the ASNMSU Director of Community Outreach.
- E. Help with the planning, coordination, and execution of projects set forth by the Director for Community Outreach.

3-8-17. 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 Election Code.
- B. Generally, supervise all ASNMSU elections.
- 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.
- D. Attend every other scheduled meeting of the Senate to provide reports on upcoming events, scheduled events, job progress, and current budget at the discretion of the ASNMSU President.
 - i. If the Chief Elections Officer cannot attend, the Chief Elections Officer may send the Deputy Elections Officer or a representative from ASNMSU to provide the report.
- E. Prepare instructions for the Chief Elections Officer successor and election officials in accordance with ASNMSU law.
- F. Advise the election officials as to the proper methods of performing their duties as prescribed by the Election Code.
- G. Administer the Election Code, investigate potential violations, and report violations immediately to the ASNMSU Election Board.
 - i. The Chief Elections Officer must notify the ASNMSU Senate and the 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 Election Code, enough copies of the Election Code as needed, including any amendments.
- I. Prepare and furnish instructions to explain clearly how voters may cast their ballots.
 - i. 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.
- K. Approve a representative of an official candidate prior to a required candidates meeting if the candidate is unable to attend a meeting.
- L. Automatically refer an official candidate to the Election Board for further review for failure of the candidate or an approved representative of the candidate to attend a required candidates meeting, if the candidate had at least twenty-four (24) hours' notice of the meeting.
- M. Check each poll worker during each election to ensure that the individuals working the polls are the individuals approved as poll workers.
- N. Where appropriate consult with the Attorney General regarding the legal interpretation of the Election Code.
- O. Take requests from candidates and other parties as to the setting up of additional and/or temporary Internet voting sites and render decisions as to the necessity of those sites.

- 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.
- 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.
- R. Appoint, if desired, one (1) Deputy Elections Officer and as many volunteers, as the office of ASNMSU Chief Elections Officer shall require. All such assistants shall hold office at the discretion of the ASNMSU Chief Elections Officer. The Deputy Elections Officer shall remain subordinate to the ASNMSU Chief Elections Officer and shall exercise powers and authorities subject to the discretion of the Chiefs Election Officer.
 - i. The Deputy Elections Officer shall not have the authority or power to view the election results prior to their posting.
- S. Provide training to the Elections Board at least one (1) week prior to the start of official campaigning, but not more than three (3) weeks prior. 1. Training pertaining but not limited to the ASNMSU Elections Code.
- T. Act as the official custodian and trustee for the ASNMSU elections results and records which shall be kept for historical value to ASNMSU.
 - i. 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.
- U. Establish and submit a procedural elections guide to the ASNMSU Senate, as outlined in section 4-10, no later than four (4) weeks prior to the general election. Upon approval from the ASNMSU Senate, the Chief Elections Officer shall present the procedural guidelines to the Elections Board which would include but is not limited to:
 - i. Previous decisions regarding the penalties for violations.
- V. Conduct official ASNMSU polls and surveys of opinion on the NMSU student body.
 - i. A poll or a survey may be requested of the Chief Elections Officer at any time during the academic year, except for General Election weeks and the seven (7) days preceding and following said elections.
 - ii. The following officials may request polls or surveys:
 - 1. The ASNMSU President
 - 2. The ASNMSU Vice President
 - 3. Executive Directors of ASNMSU
 - iii. Polls and surveys shall remain open for a period of no less than five (5) business days.
 - iv. Polls and surveys shall be made available to the student body electronically, with the choice of platform being at the discretion of the Chief Elections Officer.

- v. Results of polls and surveys shall be compiled by the Chief Elections Officer.
 - vi. At the end of their term, the Chief Elections Officer shall deliver the compiled results of that year's polls and surveys to the office of the Attorney General so that they may be archived.
- W. Prepare a packet that includes all necessary documents for candidates, which shall include the following:
- i. Formal Letter
 - ii. Available Positions
 - iii. Important Dates
 - iv. Biography Instructions
 - v. Freedom of Expression Policy/CCSU Campaign Regulations
 - vi. NMSU Housing Policy Campaign Regulations
 - vii. Poster/Flyer Information
 - viii. Petition of Candidacy/Binding to ASNMSU Election Code
 - ix. Qualification/Check Release
 - x. Financial Disclosure Form
 - xi. Social Media/List Serve Form
 - xii. Official Violation Form
 - xiii. Campaign Rules from the ASNMSU Election Code
 - xiv. Code of Ethics
 - xv. Any other document deemed necessary at the discretion of the Chief Elections Officer
- X. Organize and schedule a public debate for the presidential and vice-presidential candidates that shall take place during the campaign period.
- Y. Call a required poll watchers' meeting as needed.
- Z. Inform candidates of the appeal of contest process immediately after the decision of the Election Board is rendered.
- AA. The Chief Elections Officer shall not:
- i. Violate any qualification for the Election Board membership.
 - ii. Commit any actions concerning voter fraud or may be deemed unethical.

3-8-18 ASNMSU DEPUTY ELECTIONS OFFICER

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

- A. Assist the Chief Elections Officer in the duties and responsibilities of the Chief Election Officers office.
- B. Assist in the planning and staging of the ASNMSU Elections.
- C. The ASNMSU Deputy Elections Officer shall serve, at the discretion of the Chief Elections Officer, for a period not to exceed the term of office of the Chief Elections Officer, unless otherwise provided for by law.

3-8-19. ASNMSU EXECUTIVE DIRECTOR OF GOVERNMENTAL AFFAIRS

The duties and responsibilities of the 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.
- B. Coordinate all activities within the office of the ASNMSU Executive Director of Governmental Affairs.
- C. Represent ASNMSU in any other state or national student coalitions deemed to have relevance to governmental affairs.
- D. Coordinate governmental affairs with any important city, county, state, or national levels of governance.
- E. Maintain contacts with City Council of Las Cruces, County of Dona Ana, State Legislature, NM Senators and Representatives, and other important levels of governance.
- F. Report any important issues regarding governmental affairs to the Executive and Legislative branches.
- G. Reports to the Legislative Branch will be given during a scheduled meeting of the Senate to provide reports on upcoming events, scheduled events, job progress, and current budget at the discretion of the ASNMSU President.
 - i. If the Executive Director cannot attend, the Executive Director of Governmental Affairs can send the Assistant Director of Governmental Affairs to provide the report.
- H. Be present at the Campus Affairs Committee meetings and report any legislative related finding to the ASNMSU Senate.
 - i. If the ASNMSU Director of Governmental Affairs cannot be present they may send the ASNMSU Assistant Director of Governmental Affairs.
- I. Chair the Student Advocacy Board and ensure the submission of ASNMSU's Legislative Priorities to the ASNMSU Senate no later than the fifth Senate meeting of the fall semester.
- J. The legislative priorities shall be introduced into first readings in the form of a procedural resolution by the fifth Senate meeting in the Fall semester.
 - i. It shall be authored by the ASNMSU Senate Representative on the Student Advocacy Board.
- K. ASNMSU's Legislative Priorities shall go through all of the Senate standing committees and shall not be seen in the Committee of the Whole.
 - i. If the Senate Representative on the Student Advocacy Board is unable or unwilling to represent the resolution the President Pro-Tempore of the ASNMSU Senate shall represent the resolution.
- L. Special projects assigned by the ASNMSU President.
- M. Serve as an ex-officio member on the ASNMSU Executive Advisory Committee.

- N. Schedule a meeting with the ASNMSU Fiscal Advisor, Executive Secretary, and Chief of Staff to discuss the logistical plans or the upcoming legislative session between November 15th and December 15th.

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

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

- A. Serve as the Vice Chair of the Student Advocacy Board.
- B. Lobby the New Mexico State Legislature on issues concerning ASNMSU.
- C. Inform the New Mexico State Legislature of the issues concerning ASNMSU.
- D. Maintain records containing Information on how to:
 - i. contact various legislatures, committees, offices, and others.
 - ii. Information regarding advocacy activities, meetings including pertinent legislation on a national and statewide basis.
- E. Report any important issues regarding governmental affairs to the executive and legislative branches.
- F. Coordinate ASNMSU Voter Registration drives.
- G. Act as a liaison amongst New Mexico State University Government, the State of New Mexico Government, Associated Students of New Mexico, and any other national student organizations as deemed necessary by the Director of Governmental Affairs and/or the ASNMSU President.
- H. Special projects assigned by the ASNMSU President.

3-8-21. ASNMSU EXECUTIVE DIRECTOR OF PUBLIC RELATIONS

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

- A. Be responsible for the efficient operation of the Department of Public Relations and is hereby granted the authority to appoint individuals to aid this office in its purpose and in accordance with procedures set forth by the ASNMSU Law Book.
- B. Coordinate with the ASNMSU Outreach Program, which will involve members of the Executive, Legislative, and Judicial branches speaking to student groups on a regular basis.
- C. 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.
- D. Meet with the Senate of ASNMSU once a month during a scheduled meeting of the Senate to provide reports on upcoming events, scheduled events, job progress, and current budget at the discretion of the ASNMSU President. If the Executive Director cannot attend, the Executive Director of Public Relations can send the Assistant Director of Public Relations to provide the report.
- E. Appoint two people to fill the position of Assistant Director of Public Relations who will assist with the management of social media, Student Email LISTSERV, assist with the construction of ads, posters, and brochures dealing with ASNMSU sit on the University Communications Committee and the

Continuing Diversity Board, as well as perform other responsibilities under the direction of the director.

- F. Contact and determine involvement with cosponsors of previous programs within thirty (30) days of appointment by the ASNMSU President.
- G. Create flyers, posters, and social media graphics for ASNMSU events, activities, etc.
- H. Order and buy promotional items.
- I. Create and manipulate logos or images at any given time of said promotional items.
- J. Work in conjunction with the ASNMSU President to release ASNMSU's response to national and international crises.
- K. Manipulate, update, and modify the ASNMSU website.
- L. Other projects assigned by the ASNMSU President.
- M. Serve on Continuing Diversity Board as a voting member.
- N. Maintain all social media accounts of ASNMSU.
- O. Upkeep and update the ASNMSU Website or designate one of their Assistants to ensure that all information presented is still relevant.

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

The duties and responsibility of the ASNMSU Assistant Director of Public Relations are as follows:

- A. To assist the Executive Director of Public Relations with the production of advertisements for the department and the rest of ASNMSU.
- B. Assist the Executive Director of Public Relations with the production of advertisements for the department and the rest of ASNMSU.
- C. Should the Executive Director of Public Relations may have a conflict of interest in this matter, the Assistant Directors shall be fully responsible for producing such ads.
- D. To develop ASNMSU Outreach presentations as needed by the Executive Director of Services and the Executive Director of Community Outreach.
- E. To perform any other duties assigned by the Executive Director of Public Relations.
- F. To be responsible for drafting and/or creating all press releases concerning ASNMSU, ASNMSU sponsored events, and other projects deemed appropriate by the ASNMSU Director of Public Relations, ASNMSU Chief of Staff, or the ASMSU President.
- G. All Las Cruces and surrounding areas shall receive press releases as deemed necessary by the Director of Public Relations, ASNMSU Chief of Staff, or the ASMSU President.
- H. To serve as the liaison with NMSU University Communication.
- I. To be responsible for collecting Student Hotline Submissions and sending to the Student Hotline list-serve.
- J. To assist in upkeep and updating the ASNMSU Website.
- K. To assist in managing and updating all ASNMSU social media accounts.

3-8-23. SPECIFIC QUALIFICATIONS FOR EXECUTIVE DIRECTOR AND ASSISTANT DIRECTOR OF PUBLIC RELATIONS

Applicants for the positions of Executive Director or Assistant Director of Public Relations, in addition to the qualifications outlined in the 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®,
- B. Applicants should be proficient in all platforms of social media.
- C. Applicants should have background knowledge in website development and maintenance using software such as WordPress™, and Cascade.

3-8-24. 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 Executive and Legislative Branches of ASNMSU to promote, establish, and maintain all services provided for the members of ASNMSU.
- B. Be responsible for the efficient operation of the following programs and services, and is hereby granted the authority to appoint individuals to aid this office in its purpose and in accordance with procedures set forth by the ASNMSU Law Book:
 - i. ASNMSU Pete's Pick-Up.
 - ii. ASNMSU Discount Program.
 - iii. ASNMSU Crimson Cab.
 - iv. ASNMSU Crimson Coach.
 - v. Other projects assigned by the ASNMSU President.
- C. To serve as the official ASNMSU spokesperson for the aforementioned programs.
- D. Contact and determine involvement with cosponsors of previous programs within thirty (30) days of appointment by the ASNMSU President.
- 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.
- F. Meet with the Senate of ASNMSU once a month during a scheduled Senate meeting to provide reports on upcoming events, scheduled events, job progress, and current budget at the discretion of the ASNMSU President. If the Executive Director cannot attend, the Executive Director of Services can send the Assistant Director of Services to provide the report.
- G. Administer the ASNMSU Crimson Cab program.
- H. Control access to the ASNMSU Golf Carts.

3-8-25. ASNMSU ASSISTANT DIRECTOR OF SERVICES

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

- A. Serve as the Pete's Pick-Up Director.

- B. Assist the Executive Director of Services with the organization and implementation of any services as directed by the Executive Director.
- C. Submission of all monthly payroll for all employees of Pete's Pick-Up.
- D. Assist the Executive Director in the organization and implementation of the Crimson Cab Program and Crimson Coach Program.
- E. Assist the Executive Director of Services in the organization and implementation of the Discount Program.

3-9. EXECUTIVE REMOVAL AND IMPEACHMENT ACT

- A. Before the ASNMSU Senate can refer the President or Vice President to the Supreme Court for impeachment proceedings, a resolution must be introduced into the Senate.
 - i. This resolution will include the specific reasons for referral.
- B. After the introduction of the resolution, the Chief Senate Clerk will notify the President or Vice President in writing within two (2) days of any meeting where the person's position is being officially discussed.
 - i. The 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 Committee of the Whole.
- D. Following the passage of the resolution, a copy of the resolution shall be presented to the Supreme Court Chief Justice within two (2) days by the Chief Senate Clerk.
- E. Before the Supreme Court can consider the impeachment of the ASNMSU President or Vice President the ASNMSU Chief Justice of the Supreme Court will notify, in writing within two (2) days after receiving the resolution, the person who is to be impeached and the charges against this person.
 - i. 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 Vice President, the President Pro Tempore of the Senate shall preside over the Senate to resolve the matter of the impeachment proceedings.
- 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.
- H. Any ASNMSU Executive Director, may be removed from office if an act of impeachment is brought against said official by a three-quarters (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.
 - i. A resolution will be introduced to the Senate, detailing the specific reasons for impeachment.
 - ii. The Chief Senate Clerk will notify, in writing within two (2) days of the introduction of the resolution, the person who is to be impeached and the charges against this person.

- iii. The person who is charged will be allowed to speak at any meeting where that person's position is being officially discussed.
- iv. No impeachment resolution will be allowed to go through Committee of the Whole unless the person who is to be impeached has been notified by the Chief Senate Clerk within two (2) days of the meeting where the resolution of impeachment will be introduced by the Senate to the Committee of the Whole.
- v. ASNMSU Executive Directors, Comptroller, Advisors, or Attorney General 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.

3-10. 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.
 - i. Acceptable alternatives include department heads, professional assistants, or by order of succession.
- B. Written notice of temporary delegation of signature authority by the department head must be given to the ASNMSU Advisor, Comptroller, and Fiscal Advisor.

3-11. AMENDMENTS

Amendments to the Executive Branch may be made by a simple majority of the ASNMSU Senate in the form of a legislative bill.

- A. The Chief Senate Clerk shall make available copies of the above amendments to the ASNMSU Chief of Staff immediately after it becomes law.
- B. The Chief of Staff shall inform the Executive Directors, Attorney General, or the Comptroller of the above amendments during weekly staff meetings.

4. JUDICIAL BYLAWS

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 judgement from the ASNMSU Court.
- B. A 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 courts with original jurisdiction can only be reviewed through the appeals process.
- C. A Court has “appellate jurisdiction” over a certain type of case when it has the authority to review the decision made by a lower court concerning such a case. Courts of appellate jurisdiction have the power to uphold, overturn, amend or otherwise modify the decisions and/or sentences handed down from lower courts so long as such modifications do not violate ASNMSU law.
- D. A Court has “sole jurisdiction” over a certain type of case if it is the only court with the authority to hear that type of case.

4-1-2. ESTABLISHMENT OF JURISDICTION

- A. The Court shall not initiate case proceedings listed under Chapter 5 or Appendix A unless a case is first filed with the Court.
- B. The ASNMSU Supreme Court shall have jurisdiction over all cases arising under the ASNMSU Constitution, statutory enactments, legislative resolutions or executive order of ASNMSU in accordance with 1-5-2.
- C. Chapter 5 shall supersede Appendix A of the ASNMSU Law Book.
- D. The Supreme Court shall have original jurisdiction over all these cases unless otherwise provided for by law.
- E. The Supreme Court may allow a temporary lower court or tribunal to decide a particular case by appointing a Special Master to act as judge of this inferior court in accordance with 5-9 and the Rules of Procedure for the ASNMSU Courts.
- F. The Supreme Court shall have sole appellate jurisdiction in all cases involving the review of a decision made by an inferior court.

4-1-3. CIVIL ACTION

The ASNMSU Supreme Court shall have original jurisdiction over all cases involving civil action unless otherwise provided for by law.

- A. Civil action shall be defined as a judicial proceeding brought by one (1) party against another. A party may commence civil action against another party for an alleged violation of the ASNMSU Law Book, in order to prevent a legal violation from occurring, or for the protection of a guaranteed under ASNMSU law.
- B. 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.

- C. All ASNMSU Fee Paying Member shall have the right to commence civil action in the ASNMSU Courts in accordance with 1-2-1 and 7-1-2.
- D. Civil Action shall be commenced, adjudicated and appealed in accordance with the Rules of Procedure for the ASNMSU Courts as outlined in Appendix A.

4-1-4. APPEALS

The ASNMSU Supreme Court shall have sole appellate jurisdiction over all cases originating from an inferior ASNMSU Court.

- A. The Supreme Court shall convene to hear an appeal when an ASNMSU Fee Paying Member requests to have the Supreme Court review the decision of a lower court or tribunal. An individual may petition the Supreme Court for an appeal if they believe that the inferior court violated the ASNMSU law while making their decision, or when a party has been harmed as a result of ASNMSU law, and not because of the actions of another person or party.
- B. All ASNMSU Fee Paying Members shall have the right to one (1) appeal of a lower court's decision.
- C. Cases in which the Supreme Court exercised original jurisdiction shall not be subject to appeal.
- D. If the Supreme Court reviews a decision that an Associate Justice made while serving as a Special Master, that Justice must recuse themselves from the appeal.
- E. Upon appeal to the Supreme Court, no additional evidence shall be introduced, and no new witnesses called.
- F. All appellate proceedings will be commenced and adjudicated in accordance with the Rules of Procedure for the ASNMSU Courts as outlined in Appendix A.

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 Senate, the Chief Justice shall convene a Court of Impeachment. The Court of Impeachment shall consist of the entire Supreme Court or quorum thereof. The Chief Justice will notify the person to be impeached, in writing within five (5) days of receiving the Resolution of Impeachment.
- B. The Court of Impeachment will convene within five (5) days of sending the aforementioned notification.
- C. Impeachment proceedings against ASNMSU Senators for attendance reasons are only initiated by the ASNMSU Supreme Court in accordance with the ASNMSU Senate Rules.
- D. All impeachment trials shall be held in the Court of Impeachment, with the Chief Justice presiding. All impeachment proceedings will be held in accordance with the Rules of Procedure for the ASNMSU Courts.

- E. Upon conclusion of the trial, a majority vote by the Court of Impeachment removes said person from office. The Court may also prohibit said person from holding or seeking an ASNMSU office for a set amount of time not to exceed four (4) years.
 - i. 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 ASNMSU Senate shall have the sole power to propose changes to the jurisdiction of any court within the ASNMSU Judiciary so long as such a change does not violate 1-5. Jurisdictional changes shall be in the form of a 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 in the form of a constitutional resolution proposing amendments to section 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 Law Book Committee may formally recommend changes, but their adoption will be at the discretion of the Supreme Court. The Rules of Procedure shall be posted in Appendix A of the ASNMSU Law Book and shall carry the force of law. The Supreme Court shall not adopt any rule that violates an ASNMSU statute or deprives an ASNMSU Fee Paying Member of a right guaranteed under ASNMSU law. 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 for unforeseen circumstances.

4-2. ASNMSU SUPREME COURT JUSTICES

4-2-1. JUSTICES QUALIFICATIONS

The ASNMSU Program Coordinator shall post the qualifications for the offices of the ASNMSU Supreme Court Associate Justice or Chief Justice in the announcement of position vacancy.

- A. Applicants for the position shall be ASNMSU fee paying members.
- B. Applicants for the positions of Supreme Court Associate Justice or Chief 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.
- C. Applicants for the position of Supreme Court Associate Justice or Chief Justice shall not be on probation for academic progress, GPA or disciplinary reasons.
 - i. Waivers on academic progress, GPA or disciplinary probation will not be permitted for individuals applying for the positions of Supreme Court Associate Justice or Chief Justice.
- D. If hired, individual shall not be on either academic or disciplinary probation

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, found in section 5-2-2-A before assuming their respective office.

- A. "I (state your name) do solemnly swear (or affirm) that I will support and interpret the laws 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 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 ASNMSU Supreme Court Associate Justice.

4-2-4. DISMISSAL OF THE ASNMSU SUPREME COURT JUSTICES

- A. If, at such time, an ASNMSU 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.
- B. After the Justice is confirmed, the Chief Justice will keep record of the qualifications and request a written letter of resignation if a Justice is placed on probation for academic progress, GPA or disciplinary reasons.
- C. If the Chief Justice of the Supreme Court fails to meet the qualifications for the position, the senior Associate Justice will be responsible for asking for the resignation of the Chief Justice.
 - i. At such time the senior Associate Justice shall assume the responsibilities of Chief Justice until the President makes a permanent appointment.
- D. The ASNMSU Chief Justice and Associate Justices 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.

4-2-5. RESIGNATION OF THE ASNMSU SUPREME COURT JUSTICES

Any ASNMSU Supreme Court Associate Justice or Chief Justice may resign. The ASNMSU Supreme Court Chief Justice shall submit a letter of resignation to the ASNMSU President with copies sent to the ASNMSU Senior Associate Justice and ASNMSU Vice President. The ASNMSU Supreme Court Associate Justices shall submit a letter of resignation to the ASNMSU Chief Justice with copies sent to the ASNMSU President and Vice President.

4-2-6. 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.
 - i. Written notification of the allegations, along with a factual description of the grievances, must be delivered to the Justice so charged, the President, Vice President and the Chief Justice within five (5) academic days after the Senate action. The impeachment proceedings will be scheduled no earlier than five (5) academic days after the notification is served upon the defendant. The Justice and the Justice's counsel, if any, will be allowed to speak in the Justice's defense at the proceedings.
 - 1. In such case that the Supreme Court Chief Justice is up for impeachment, written notification of the allegations, along with a factual description of the grievances, must be delivered to the Senior Associate Justice within five (5) academic days after the Senate action.
- B. The Senate may adjourn to a closed meeting for final deliberation of the charges, but the vote for impeachment must be taken in open meeting.
- C. The impeachment vote in the Senate must carry a three-quarters (3/4) majority for the defendant to be found guilty of the charges made against the Justice.
 - i. If the 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.

4-2-7. IMPEACHMENT PROCEDURE

A resolution will be introduced into the Senate. This resolution will include the specific reasons for impeachment. The Chief Senate Clerk will notify, in writing within two (2) days of the introduction of the resolution, the person who is to be impeached and the charges against this person. The person who is charged will be allowed to speak at any meeting where that person's position is being officially discussed. No impeachment resolution will be allowed to go through Committee of the Whole unless the Chief Senate Clerk has notified the person who is to be impeached within two (2) days of the meeting where the Senate to the Committee of the Whole will introduce the resolution of impeachment.

4-3. DUTIES AND RESPONSIBILITIES

4-3-1. DUTIES OF THE ASNMSU CHIEF JUSTICE

The ASNMSU Chief Justice shall perform the following duties:

- A. Act as the administrator and custodian of records and decisions for the Judicial Branch of ASNMSU. This will include managing the finances of the Judiciary.
- B. Preside over all court hearings and meetings.
- C. Administer the oath of office for the ASNMSU President, the ASNMSU Vice President and all ASNMSU Senators.
- D. Hold a minimum of four (4) regular office hours per week excluding university holidays.
- E. Be familiar with the laws of ASNMSU and be able to interpret them.

- F. Prepare a transition manual for the successor to the office of the ASNMSU Supreme Court Chief Justice.
- G. Oversee all programs under the jurisdiction of the Judicial Branch. These include:
 - i. The ASNMSU Attorney Referral Program
 - 1. The 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.
 - 2. Attorneys in the program shall fill out a contract agreeing to the terms of the program for up to three (3) academic years.
 - 3. The Court is responsible for keeping track of this contracts and ensuring that the information on the ASNMSU website about the attorneys in the program is up to date.
 - ii. The ASNMSU Renter's Handbook
 - 1. The Renters' Handbook shall be a guide to renting a house or apartment in the Las Cruces area.
 - 2. The 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.
 - 3. Oversight of this program will include administration and finances.
 - iii. Parking Appeals
 - 1. The Court shall work in conjunction with the NMSU Parking Department to hold appeals for anyone who receives a parking citation on campus.
 - 2. These appeals shall be held either biweekly or monthly during the school year. This is at the discretion of the NMSU Parking Department and Chief Justice.
 - iv. It's On Us Campaign
 - 1. The Court shall work with the Office of Institutional Equity and the Aggie Health and Wellness Center to hold a campaign that brings awareness to sexual assault issues on campus.
 - 2. This program shall take place in April of every school year and last anywhere from one day to a one week of programming.
 - v. Legal Speaker Series
 - 1. The Court shall host talks by local attorneys and NMSU professors regarding the legal profession.
 - 2. This event shall take place at least once every academic year.
 - vi. Monitor the attendance of the Justices.

4-3-2. DUTIES AND RESPONSIBILITIES OF THE ASNMSU SUPREME COURT ASSOCIATE JUSTICES

The ASNMSU Associate Justices shall perform the following duties:

- A. Be familiar with the laws of ASNMSU and be able to interpret them
- B. Attend all court proceedings, hearings and meetings required by the Chief Justice
- C. Hold a minimum of four (4) regular office hours per week
- D. In the event of the absence of the Chief Justice, the senior Associate Justice will preside
- E. Perform those projects and duties assigned by the ASNMSU Chief Justice.

4-3-3. COMPENSATION LIMIT FOR THE ASNMSU SUPREME COURT JUSTICES

ASNMSU Supreme Court Justices shall receive compensation as outlined in the most current General Appropriations Act.

4-4. ASNMSU CODE OF JUDICIAL CONDUCT

An independent and honorable judiciary is indispensable to Justice within 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

A 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. A Justice shall not allow their social or other relationships influence their judicial conduct or judgement. The Justice shall not lend the prestige of their office to advance the private interest of others.

5-4-2. A JUSTICE SHALL PERFORM THE DUTIES OF OFFICE IMPARTIALLY AND DILIGENTLY

In the performance of judicial duties, a Justice shall apply the following standards:

- A. Adjudicative responsibilities
 - i. A Justice should maintain order and decorum in judicial proceedings.
 - ii. A Justice should be patient, dignified and courteous while in the Justice's official capacity, and should require similar conduct of others subject to the Justice's direction and control.
 - iii. A Justice shall accord to every person who is legally interested in a proceeding, or the person's counsel, full right to be heard according to law. Except as authorized by law, a Justice shall neither initiate nor consider ex parte or other communications concerning a pending or impending proceeding. A Justice may obtain the advice of a disinterested expert on the law applicable to a proceeding before the Justice.
 - iv. All cases decided by an opinion of an appellate court shall be by a collegial opinion. Before an opinion is placed in final form, the participating Justices shall attempt to reconcile any differences between them. Each Justice on

- each panel is charged with the duty of carefully reading and analyzing the pertinent submitted material on each case in which the Justice participates.
- v. A Justice should abstain from public comment about a pending proceeding in any court and should require similar abstention on the part of court personnel subject to the Justice's direction and control. This sub paragraph does not prohibit Justices from making public statements in the course of their official duties or from explaining for public information the procedures of the court.
 - vi. A Justice shall not permit media personnel and equipment in the courtroom unless they are approved by both parties.
- B. Administrative responsibilities
- i. A Justice should diligently discharge the Justice's administrative responsibilities and maintain professional competence in judicial proceedings.
 - ii. A Justice shall observe the standards of confidentiality, fidelity and diligence that apply to the Justice.

4-4-3. DISQUALIFICATION

- A Justice is disqualified and shall recuse themselves in any proceeding in which:
- A. A Justice has a personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceeding.
 - B. A Justice acted in their official capacity in any inferior court or as Special Master.
 - C. Their spouse, or a person by blood, marriage or other relationship to them:
 - i. Is a party to the proceeding, or an officer, director or trustee of a party.
 - ii. Is acting as representative counsel in the proceeding.
 - iii. Is known by the Justice to have an interest that could be substantially affected by the outcome of the proceeding.
 - iv. Is to the Justice's knowledge likely to be a material witness in the proceeding.
 - v. A party to the proceeding is an employee of the court whether assigned to the 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, except as required by law
- B. A 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
- C. A 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 provided for by ASNMSU law:
 - i. No Justice of the Supreme Court, 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 Justices of the Supreme Court, and Justices/Special Masters of any inferior courts.

4-5. CONTEMPT

A Justice has jurisdiction to punish for contempt only for disorderly behavior or breach of the peace, which interrupts or disturbs a judicial proceeding in progress before the Justice or for disobedience of any lawful order or process of the court.

4-5-1. CONTEMPT OF COURT

The Court may order any of the following judgments if a party is found guilty of contempt of court:

- A. Order dismissing action pending before the court if said party filed the action.
- 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 conclusion of a case.

4-7. JUDGEMENTS

4-7-1. PRE-TRIAL JUDGEMENTS

The Court may issue any of the following judgments or perform any of the following actions before a trial:

- A. Issue a judgement freezing the accounts of an ASNMSU Base Program or a recognized NMSU student organization or program funded through ASNMSU.

4-7-2. POST TRIAL JUDGEMENTS

The 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 law void if it is found to be in violation of the ASNMSU Constitution.
 - i. It shall be the responsibility of the Chief Justice of the Supreme Court to provide copies of such opinions as well as any previously overlooked opinions to the Law Book 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.

- i. Individual or Individuals failing to complete 5-7-2-B as per 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:
- i. Organizations failing to complete 5-7-2-C as per 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 Chief Justice, a Special Master may be appointed to perform business before the Supreme Court.

- A. The Special Master shall be an Associate Justice of the Supreme Court.
- B. The Special Master shall act as judge of a lower court and shall follow the procedure outlined previously of lower courts and tribunals.
- C. If a Special Master presides over a case, they are to docket any appeal to the Supreme Court.
- D. If a Justice has acted as a Special Master, on a lower court decision, the Justice will recuse themselves if the case is appealed to the Supreme Court.

4-10. AMENDMENTS

Amendments to Judicial Branch may be made by a simple majority of the ASNMSU Senate in the Form of a legislative bill.

- A. The Chief Senate Clerk shall make available copies of the above amendments to the ASNMSU Chief Justice immediately after it becomes law.
- B. The Chief Justice shall inform the Associate Justices of the Senate Amendments to Chapter 5 of the ASNMSU Lawbook
- C. The Chief Justice shall inform the Executive Directors, Attorney General, or the Comptroller of the above amendments during weekly staff meetings.

5. LEGISLATIVE BYLAWS

5-1. ASNMSU OPEN MEETING ACT

An act establishing an open meeting policy for the ASNMSU policy-making bodies.

5-1-1. DEFINITIONS

As used in the ASNMSU Open Meeting 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 or the delegated authority ASNMSU, but not limited to the ASNMSU Senate Committees, the Student Advocacy Board, the Continuing Diversity Board and the ASNMSU Senate.
- B. "Public notice" means causing to be posted at least forty-eight (48) hours prior to any meeting, the date, time, place and purpose of such meeting.
- C. "Meeting" means any gathering of a quorum of members of a policy-making body at which policy related to the body is discussed.
- D. "Broadcasting" means any live or recorded audio, visual, or textual transmissions streamed or published through any media outlet.
- E. "Recording" means any audio, visual, or textual documentation that is saved for personal use or publication.
- F. "Publication" means any broadcasting or recording made available to another person besides oneself.
- G. "No Affiliation Disclosure" means a public agreement stating that ASNMSU is not liable and responsible for the publication of the broadcast or recording.
- H. "Session" means a set of Senate meetings that take place twelve (12) or more times in a given academic year, (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 public notice is given by:

- A. The Public Relations Department is responsible for giving public notice of the policy-making body.
- B. The ASNMSU Vice President is responsible for creating and releasing the ASNMSU policy-making schedule.

5-1-3. OPEN ATTENDANCE OF MEETINGS

No person shall be denied admission to any meeting of any ASNMSU policy-making body.

5-1-4. CLOSED DELIBERATION

Any ASNMSU policy-making body may discuss personnel matters in closed session, but all decisions must be made public in open session.

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 law.

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 Emergency Meeting of the ASNMSU Senate. The request must be submitted to the ASNMSU Vice President, and the ASNMSU Advisor; in the absence of the ASNMSU Vice President the ASNMSU Advisor may receive requests for and emergency meeting. 1. In their request ASNMSU Senators must propose a time and place for the Emergency Meeting, and the subject matter to be discussed at the Emergency Meeting.
- B. Quorum, as outlined in Section 8-9-E of the ASNMSU Law Book, must be achieved for any business to be transacted at any Emergency Meeting.
- C. The Chief Senate Clerk shall execute their duties as prescribed by section 8-5 of the ASNMSU Law Book at any Emergency Meeting.
 - i. In the event that the Chief Senate Clerk is unable to attend the Emergency Meeting, the Deputy Senate Clerk shall assume the responsibility for the duration of the Emergency Meeting. If the 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 Chief Senate Clerk until such time as the Chief Senate Clerk can resume their duty or is appointed in accordance with section 8-5 of the ASNMSU Law Book.
- D. The ASNMSU Senate shall abide by all procedural rules outlined in section 8 of the ASNMSU Law Book. Only the business for which the Emergency Meeting was convened may be discussed.
- E. The Presiding Officer of an Emergency Meeting shall be the ASNMSU Vice President.
 - i. If the ASNMSU Vice President is unable or unwilling to preside over the Emergency Meeting, the President Pro Tempore of the ASNMSU Senate shall serve as the Presiding Officer.
 - ii. If the ASNMSU Senate President Pro Tempore is unable or unwilling to serve as the Presiding Officer of the Emergency Meeting, the ASNMSU Senate President Pro Tempore shall designate a Senator to preside.
- F. The Chief Senate Clerk or Senator acting as the Chief Senate Clerk must notify the Dean of Students in writing at least twenty-four (24) hours prior to an Emergency Meeting being convened.
- G. The ASNMSU Vice President or Presiding Officer of the Emergency Meeting and the Chief Senate Clerk or acting Chief Senate Clerk of the ASNMSU Senate shall sign and date the Journal of the Emergency Meeting and submit it to the ASNMSU Advisor with a signed and dated letter explaining the need for

the Emergency Meeting and what, if any, actions were undertaken or ordered during the Emergency Meeting.

- i. The ASNMSU Advisor 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 Advisor may, with proper and due cause, request that the ASNMSU Senate review any actions undertaken or ordered during an Emergency Meeting at the next regularly scheduled ASNMSU Senate meeting.
- I. The actions undertaken or ordered during an Emergency Meeting of any ASNMSU Senate may be appealed to the ASNMSU Supreme Court.
 - i. The ASNMSU Supreme Court may render illegal or improper actions and decisions undertaken or ordered by the ASNMSU Senate during an Emergency Meeting null and void and may prescribe such remedy as is proper and just under the law.
 - ii. Any review of an Emergency Meeting of the ASNMSU Senate undertaken by the ASNMSU Senate and subsequent decision of the ASNMSU Senate shall not exclude the actions or decisions undertaken or ordered during an Emergency Meeting of the ASNMSU Senate from being appealed to the ASNMSU Supreme Court.
- J. The ASNMSU Senate may choose to review any actions undertaken or ordered by any policy making body of ASNMSU in an Emergency Meeting and may overturn any action or decision undertaken or ordered by any policy making body of ASNMSU.

5-1-7. BROADCASTING AND RECORDING

- A. Any guest attending a public policy making body's meeting may legally record at any point throughout the duration of the meeting.
- B. Any guest, official, or entity broadcasting or recording a public policy making body's meeting will be requested to sign a no affiliation agreement as well as include a no affiliation disclosure in their publication of a broadcast or recording. The sergeant of arms and vice-chair of any committee will be responsible for enforcing this section.
- C. 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.
 - i. Provide a no affiliation disclosure in the publication of the broadcast or recording.
 - ii. Provide a public notice that the broadcast or recording was not affiliated with ASNMSU.
- D. Permissible areas of broadcasting and recording shall be from the senate gallery.
- E. At the time of recording and/or broadcasting, the chairman of the meeting must make an announcement to the guests informing them of the broadcast and/or recording.
- F. Any device causing audio distraction will be removed from the premise.

5-2. SENATE VACANCY ACTS

An act relating to vacancies in the senate; defining a college council and prescribing the manor for filling vacancies in the senate.

5-2-1. DEFINITIONS As used in the Senate Vacancy Act:

- A. "Colleges" means the existing undergraduate colleges and the graduate school of NMSU.
- 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 Dean of the College with whom the council is affiliated. A "College council" shall consist of no less than ten (10) members of the college elected or appointed to such council in accordance with the respective council's constitution. No college shall be recognized by ASNMSU as having more than one (1) council nor shall any council be recognized by ASNMSU which represents two (2) or more colleges.
- C. "Recall" means the removal from official office of an ASNMSU Senator by the College Council of the College that Senator represents.

5-2-2. CAUSES OF VACANCY

A vacancy in the Senate shall be caused by:

- A. The failure to elect a Senator at the time prescribed by law.
- B. The failure of a person elected to the office of Senator to meet the constitutional qualifications for holding such office.
- C. The death or resignation of a Senator.
- D. Expulsion of a Senator in accordance with the Rules of the Senate.
- E. Recall of a Senator in accordance with the ASNMSU law.

5-2-3. RESIGNATION OF SENATORS

Any member of the ASNMSU Senate may resign the Senator's office by filing a written statement of resignation with the President of the ASNMSU Senate. Upon the absence of any Senator from four (4) consecutive regularly scheduled meetings of the Senate, such Senator shall be considered to have resigned.

- A. Any ASNMSU Senator that changes their major out of the college that they represent must submit a written statement of resignation.

5-2-4. PRESCRIBING A RECALL ELECTION

A Senator shall be recalled when:

- A. A recall petition containing signatures of students within that senator's college, equivalent to at least twenty-five percent (25%) of the total number of votes cast by students in the senator's college during the election in which that senator was elected to their current term is presented to the college council of the Senator's college.
- 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 by-laws of the college council.

- C. The ASNMSU members of the Senator's college express a “no-confidence” by a two-thirds (2/3) vote supervised by the college council.
- D. The Senator must have held office at least during three (3) meetings of the Senate prior to the college's vote on the recall petition.
- E. The ASNMSU Senate judges the election results.

5-2-5. OCCURRENCE OF VACANCY

Upon the failure to elect a Senator, the failure of a person elected to the office of Senator to meet the qualifications of office, death, resignation, or pending resignation of a graduating Senator, or the expulsion or recall of a Senator, the office of 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 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 Senate in the representation of their respective council's college.
- B. That the council may select an interim Senator from the membership of the council's college to serve the remainder of the unexpired term.
- C. Of the qualifications for holding the office of Senator.
- D. Of the provisions of the Senate Vacancy Act for appointing an interim Senator.

5-2-7. VALIDITY OF APPOINTMENT

For an appointment of an interim 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 council's constitution and by-laws
 - i. The approved interim Senator must submit to the ASNMSU Vice President the Qualification/Check Release form, to be sworn in.
- B. Submit to the Senate a written statement by the Dean of the council's college certifying that the body making the appointment is a college council within the meaning of the Senate Vacancy Act.
- C. Submit to the Senate a written statement signed by the presiding officer and the advisor of the council certifying that the college council of the vacated position has appointed a member of the council's college to the office of Senator in accordance with the provisions of the ASNMSU Constitution and the provisions of the Senate Vacancy Act.

5-2-8. DEAN APPOINTMENTS

In the case where no college council exists according to the ASNMSU definitions, the Dean of the college may appoint students to fill the vacant 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 day of the fall semester and one retreat within nine (9) weeks of the first day of the spring semester, and both shall be mandatory for Senators to attend. A senator may be excused at the discretion of the 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. ASNMSU shall be responsible for all expenses incurred in developing and producing the ASNMSU fall and spring retreats.
- B. Retreat expenses shall be appropriated through the account of the ASNMSU Vice President during the General Appropriations Act.

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 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 ASNMSU: defining the membership, powers and duties of the board; prescribing the procedure by which the annual ASNMSU general appropriations 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 of the Senate and the Chair of the Senate Finance Committee. If the Chair of the Senate Finance Committee is also the President Pro Tempore of the Senate, the Vice Chair of the Senate Finance Committee shall assume the President Pro Tempore's place on the board. The advisors of ASNMSU, the Fiscal Advisor of ASNMSU or their

designated representative, and ASNMSU Assistant Comptroller, may serve as ex-officio, nonvoting members of the board. The Chair of the 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 laws governing the finances and operation of all the ASNMSU departments, boards, committees and other agencies or subdivisions of ASNMSU and recommend changes in such laws if any changes are deemed desirable.
- 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 Senate on or before April 1 of the current academic year and make the report available to the Senate Budget Committee, the ASNMSU President, the ASNMSU Vice President and each member of the Senate. The report must include:
 - i. A summary and justification of current annual expenses for each department.
 - ii. A summary and justification of current inter-departmental transfers and funds.
 - iii. A projected prioritized list of departmental expenses for the following academic year.
 - iv. The total tuition and fees collected for the prior academic year.
 - v. 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.
- B. Require any ASNMSU department, board, committee, or other agency or subdivision of 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.
- 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.
- D. Appoint administrative and faculty advisors as non-voting members of the board.

5-5-5. REPORT

The Finance Board and the ASNMSU Senate will receive a financial report of ASNMSU, and all organizations funded by ASNMSU the sixth and sixteenth 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 board may call a meeting of the ASNMSU Finance Board. The board shall meet

to begin consideration of the budget appropriations requests no later than February 15 of each year. A majority of the voting members of the Board shall constitute a quorum to do business.

5-6. SENATE BUDGET COMMITTEE ACT

The Senate Budget Committee shall review and consider the report and recommendations of the ASNMSU Finance Board and shall draft and submit to the Senate an annual General Appropriations Bill. Neither the Senate Budget Committee nor the Senate shall be bound to the recommendations of the ASNMSU Finance Board. The annual General Appropriations Bill shall be enacted into law in accordance with the requirements prescribed by the ASNMSU Constitution. This 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 of the Senate and the Chairs and Vice-Chairs of the Senate Community Affairs, Rules, and Finance Committees. The Senate Budget Committee shall be chaired by the Senate Finance Committee Chair. If the Chair of the Senate Finance Committee is also the President Pro Tempore of the Senate, the Parliamentarian of the Senate shall assume the President Pro Tempore’s place on the board. The Comptroller and Chief Senate Clerk shall serve as an ex-officio member. The advisors of ASNMSU, the Fiscal Advisor of Advisor or their designated representative, and ASNMSU Assistant Comptrollers, may serve as ex-officio, nonvoting members of the board.

5-6-3. DUTIES OF THE SENATE BUDGET COMMITTEE

The ASNMSU Senate Budget Committee shall:

- A. Review and analyze the report of the Finance Board.
- B. Write and present the General Appropriations Act to the ASNMSU Senate.

5-6-4. POWERS OF THE SENATE BUDGET COMMITTEE

The ASNMSU Senate Budget Committee shall have power to:

- A. Conduct hearings.
- B. Require any ASNMSU department, board, committee, or other agency or subdivision of 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.

- C. 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 board may call a meeting of the ASNMSU Senate Budget Committee. The board shall meet to begin consideration of the budget appropriations requests no later than March 1 of each year. A majority of the voting members of the Board shall constitute a quorum to do business.

5-7. ASNMSU LAW BOOK ACT

An act creating the ASNMSU Law Book committee; defining its powers and duties and establishing the general contents of the Associated Students of New Mexico State University Law Book.

5-7-1. DEFINITIONS

As used in the Law Book Act:

- A. "Committee" means the ASNMSU Law Book Committee.
- B. "Law Book" means the ASNMSU Law Book.

5-7-2. LAW BOOK COMMITTEE - CREATED

The committee shall consist of the ASNMSU Vice President who shall act as Chair of the Committee, the ASNMSU Chief Senate Clerk who shall act as secretary of the committee, the Chief Justice of the ASNMSU Supreme Court, the Chairs of the ASNMSU Senate Standing Committees, the ASNMSU Attorney General, the ASNMSU Comptroller, Deputy Senate Clerk, and any other members of ASNMSU the Vice President may deem necessary.

- A. The Voting Members shall consist of:
 - i. 1. The Vice President (in the event of a tie)
 - ii. 2. The Pro Tempore.
 - iii. 3. Chair of the Standing Committees.
 - iv. 4. Any current Senator of ASNMSU.

5-7-3. POWERS AND DUTIES OF THE COMMITTEE

The ASNMSU Law Book Committee is hereby authorized to:

- A. A. Provide an official, annotated compilation of the ASNMSU Law Book each academic year; to determine the contents of the Law Book each academic year; to determine any formatting considerations and all other things pertaining to the publication of the Law Book.
- B. Determine whether the requirements of the Law Book have been met in accordance with ASNMSU laws, rules and regulations of NMSU and to file a certificate with the Vice President of Student Affairs of NMSU when the foregoing provisions have been met to the effect that the Law Book shall be recognized as the official law of ASNMSU as of the date of publication.

- C. Adopt any system of codification deemed necessary or useful.
- 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 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 Law Book Committee shall propose the introduction of legislation to enact the corrections.
 - i. The Chair of Rules Committee must present to the ASNMSU Senate any grammatical or formatting changes done by the ASNMSU Attorney General by the next Senate meeting after the changes are made.

5-7-4. ORIGINAL ACT TO GOVERN

The published version of the ASNMSU Law Book on the ASNMSU website shall serve as the official Law Book for all rules and decisions. In the event the official law book becomes corrupt or inaccessible, the ASNMSU Attorney General, who is the official custodian, shall maintain an official print copy of the official ASNMSU Law Book.

5-7-5. CONTENTS OF LAW BOOK

The ASNMSU Law Book shall contain:

- A. The ASNMSU Constitution as amended at the date of publication.
- B. A synopsis of all written decisions of the ASNMSU Supreme Court.
- C. All the laws (acts) of a general and permanent nature in force at the date of publication.
- D. The following shall be published on the ASNMSU website:
 - i. All acts making an appropriation enacted since the last publication of an ASNMSU Law Book and any other acts making an appropriation as the ASNMSU Law Book Committee deems necessary or useful.
 - ii. All the ASNMSU Senate resolutions enacted since the last publication of the Law Book.
 - iii. All the ASNMSU Senate memorials enacted since the last publication of the Law Book.
- E. The rules of the Senate as amended at the date of publication.
- F. The rules and procedures of the ASNMSU Supreme Court as amended at the date of publication.
- G. An index of the contents of the Law Book.
- H. Any other documents that the ASNMSU Law Book 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 Law Book except as enacted into law 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 Senate shall review and approve the Procedural Elections Guide submitted by a majority vote of the Senators present.

A. A copy of the Procedural Elections Guide shall be given to all the senators one week prior to such review by the Chief Senate Clerk.

5-9. SENATE SPECIAL COMMITTEE ON EDUCATION

5-9-1. SENATE SPECIAL COMMITTEE ON EDUCATION

A senate special committee on education is hereby created.

5-9-2. MEMBERSHIP

The Committee shall consist of one (1) Senator from each college appointed by each college council. It is the duty of the President of the Senate to notify each council of their responsibility. If a college does not have a qualified Senator, the President of the Senate shall appoint another qualified 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, ASNMSU Chief Justice, ASNMSU Director of Governmental Affairs, ASNMSU Advisors, and a Faculty Senate Representative shall serve as ex-officio members.

5-9-3. QUORUM

Quorum shall consist of a simple majority of the voting membership of the Committee.

5-9-4. DUTIES

The Special Committee on Education shall meet at the discretion of the ASNMSU Vice President.

- A. The Special Committee on Education shall:
- i. Discuss and review educational issues affecting the members of ASNMSU.
 - ii. Provide recommendations and solutions in regard to the issues discussed, in the form of a resolution introduced to the Senate.
 - iii. Should the resolution pass, the ASNMSU Chief Senate Clerk shall provide a copy of the resolution to the Faculty Senate, the President of ASNMSU, the NMSU Provost, the Deans of every college, and other parties outlined by the resolution.

5-10. 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 Chief Senate Clerk shall make available copies of the above amendments to the ASNMSU Chief of Staff immediately after it becomes law.
- B. The Chief of Staff shall inform the Executive Directors, Attorney General, or the Comptroller of the above amendments during weekly staff meetings.

6. RULES OF THE SENATE

6-1. OATH OF OFFICE

- A. Before any Senator enters into the execution of office, that 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 laws 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 Chief Justice or Associate Justice.
 - i. Exceptions to 8-1-B shall be made at the discretion of the ASNMSU Vice President. Senators needing such accommodations shall submit an explanation, in writing, to the Vice President, who will determine the date and time of their respective swearing in.
- C. A Senator shall have until the second regularly scheduled meeting of their elected term to get sworn in. Should a senator not fulfill this expectation, that senator shall be considered to have resigned.

6-2. OFFICERS OF THE SENATE

The ASNMSU Vice President shall be the President of the Senate but shall vote only when the Senate is equally divided. The other officers of the Senate shall be the Chief Senate Clerk, Deputy Senate Clerk, President Pro Tempore, Parliamentarian and Sergeant-at-Arms and such other clerical help and employees as deemed necessary by the Senate. Compensation for these employees of the Senate shall be fixed by the Senate at the beginning of each session. All such officers and employees shall serve at the pleasure of the Senate except when otherwise provided by the Constitution. The Parliamentarian may not be elected to or assume the duties of the presiding officer of the Senate.

6-3. LEGISLATIVE QUALIFICATIONS ACT

- A. The Legislative Qualifications Act shall be in order for all salaried officers of the ASNMSU Senate.
- B. Officers shall be ASNMSU fee-paying members and continue to be so throughout the term of their employment.
- C. Officers shall have been ASNMSU- fee-paying members for the fall or spring semester prior to their election or hiring.
- D. Officers shall meet the minimum qualifications set forth in the current NMSU Student Employee Handbook with regards to GPA, academic and disciplinary probation.
 - i. Waivers on academic progress or GPA shall be decided in accordance with the current NMSU Student Employee Handbook

- E. Officers shall meet any other qualifications outlined for their position by the NMSU Human Resource Services Position Classification Description.

6-4. COMPENSATION LIMITS

- A. Salaried officers shall receive compensation, not to exceed the amount outlined in the current General Appropriations Act, including the ASNMSU wage adjustment factor.
 - i. The adjustment factor for the ASNMSU Vice President and Chief Senate Clerk shall be for a 0.5 Full-time equivalent
 - ii. The adjustment factor for the 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 Senate.
- B. It shall be the duty of the ASNMSU Vice President to faithfully and adequately perform the following:
 - i. Have extensive knowledge of the latest edition of Robert's Rules of Order and the ASNMSU Law Book.
 - ii. Preserve order and decorum during all Senate meetings
 - 1. In cases of disturbance or disorderly conduct in the meeting, the ASNMSU Vice President may cause the same to be cleared or direct the Sergeant-at-Arms to do so
 - iii. Decide all questions of order.
 - iv. Schedule at least six (6) Senate meetings and all standing committee meetings each semester for the entirety of their elected term by June 5 of each academic year.
 - v. Assign one (1) senator per standing committee to serve as Chair of each Standing Committee by July 1 of each academic year.
 - vi. The ASNMSU Vice President must create and distribute Chair applications to interested Senators.
 - 1. If an appointed Chair resigns from the position, the Vice Chair shall become interim Chair until the ASNMSU Vice President decided upon a replacement
 - vii. Inform the Legislative and Executive Branches of ASNMSU of scheduled Senate and standing committee meetings by July 1 of each academic year.
 - viii. Assign each senator to serve on a standing committee and inform all senators of their standing committee appointments by August 1, prior to the fall semester, and January 1, prior to the spring semester.
 - 1. Assignments shall be made based on Senator preference when possible

- 4- If a senator must resign from their appointed committee, the ASNMSU Vice President must assign them to another standing committee
- ix. Be responsible for calling an Emergency Session of the Senate according to the ASNMSU Open Meeting Act.
- x. Schedule the ASNMSU Fall and Spring Retreat according to the ASNMSU Fall and Spring Retreats Act.
- xi. Ensure that each Senate Special Committee has an appointed senator for the entirety of the Vice President's elected term.
- xii. Assign points to senators according to the grievances defined in the Point System Act and notify College Councils when any Senator from their college accumulates five (5) points.
- xiii. Serve as the Chair of the Committee of Committees.
- xiv. Serve as an ex-officio member on the Council of Councils.
- xv. Serve as the Vice-Chair of the Continuing Diversity Board in accordance with the Continuing Diversity Board Act.
- xvi. Attend meetings as assigned by the ASNMSU President.
- xvii. Create and maintain a Transition Manual to be delivered to the newly elected ASNMSU Vice President by the last Senate meeting of the current Vice President's elected term.

6-5-2. DUTIES OF THE CHIEF SENATE CLERK

- A. The Chief Senate Clerk shall be hired by the ASNMSU and serve as an officer of the Senate and the official custodian of all legislation, papers, documents and all other records of the Senate. The 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 committee to which the same has been referred.
- B. It shall be the duty of the Chief Senate Clerk to faithfully and adequately perform the following:
 - i. Attend every Senate meeting, call roll and make record of the Senators present, excused, or unexcused as provided by rule.
 - ii. Read all legislation, amendments, and all papers ordered to be read by the Senate or by the Presiding Officer of the Senate.
 - iii. Prepare and furnish a copy of the agenda which shall include all legislation upon the general order and upon special order.
 - 1. The Chief Senate Clerk shall ensure that all legislation upon general and special order is acted upon by the Senate in the order in which they were reported and stand upon the calendar unless otherwise ordered by a majority vote of the Senate.
 - iv. Insert the correct Senate Action date on all legislation.
 - v. Supervise all copying and work to be done for the Senate.
 - vi. Transmit to the ASNMSU President all legislation requiring Presidential signature for passage.

- vii. Certify, for each piece of legislation, the fact and date of passage.
- viii. Deliver all legislation pending review by each Standing Committee to the Standing Committees no later than two hours before the start of their respective meetings.
- ix. Prepare a list, which shall be included in the Journal, showing the status of legislation for consideration by the Senate.
- x. Attend emergency meetings.
- xi. Perform any other duty as assigned by the ASNMSU Vice President or requested by the ASNMSU Senate as allowed by rule.
- xii. Create and maintain a transition manual to be delivered to the newly hired Chief Senate Clerk upon their selection by the ASNMSU Vice President.

6-5-3. DUTIES OF THE DEPUTY SENATE CLERK

- A. The Deputy Senate Clerk shall be hired by the Chief Senate Clerk and serve as an officer of the Senate and the official custodian of Senate and standing committee meeting minutes.
- B. It shall be the duty of the Deputy Senate Clerk to faithfully and adequately perform the following:
 - i. Attend all Senate and standing committee meetings and any special meetings of the Senate or standing committees.
 - ii. Attend emergency meetings.
 - iii. Take and publish minutes for every Senate, Special, Emergency or Committee meetings.
 - iv. File and make available all voting records taken during Senate meetings in electronic and/or hard copy.
 - v. Assist the Chief Senate Clerk in maintaining the order, integrity, and organization of the ASNMSU Senate.
 - vi. Assume the duties of the Chief Senate Clerk if the Chief Senate Clerk is absent or unable to perform their duties.
 - vii. Create and maintain a transition manual to be delivered to the newly hired Deputy Senate Clerk upon their selection by the ASNMSU Chief Senate Clerk.

6-5-4. DUTIES OF THE PRESIDENT PRO TEMPORE

- A. The President Pro Tempore shall be elected by the Senate to serve as an officer of the Senate.
- B. It shall be the duty of the President Pro Tempore to faithfully and adequately perform the following:
 - i. Have extensive knowledge of the latest edition of Robert's Rules of Order and the ASNMSU Law Book.
 - ii. Serve as the Presiding Officer of the Senate or designate a senator to serve as the Presiding Officer in the absence of the ASNMSU Vice President.
 - iii. Preside over the impeachment proceedings for the ASNMSU Vice President, should the event arise.

- iv. Serve as an ex-officio member of the ASNMSU Council of Councils and the ASNMSU Appropriations Board.
- v. Serve as a voting member on the ASNMSU Finance Board, the Senate Budget Committee and the ASNMSU Law Book Committee.
- vi. Serve on the ASNMSU Senate Committee of Committees.
- vii. Preside over Committee of the Whole.
- viii. Gather lists of recognized organizations from College Council presidents no later than the fourth week of the spring semester according to the Main Provisions of the College Council Funding Act.
 - 1. The President Pro Tempore shall verify these organizations with Campus Activities prior to submitting the list to the ASNMSU Finance Board.
- ix. Maintain exclusive control over the use of all electronic and public address equipment installed in the Senate Chamber.
- x. Create and maintain a transition manual to be delivered to the newly elected President Pro Tempore at the last Senate meeting of their current term.

6-5-5. DUTIES OF THE PARLIAMENTARIAN

- A. The Parliamentarian and Vice Parliamentarian shall be appointed, without objection from the Senate, by the ASNMSU Vice President to serve as officers of the Senate.
- B. It shall be the duty of the Parliamentarian and Vice Parliamentarian to faithfully and adequately perform the following:
 - i. Have extensive knowledge of the latest edition of the Robert's Rules of Order and the ASNMSU Law Book.
 - ii. Maintain the parliamentary procedures of the Senate and dispute matters arising therein.
 - iii. Keep track of time lapsed during debate or discussion on any motion on the Senate floor.

6-5-6. DUTIES OF THE SERGEANT-AT-ARMS

- A. The Sergeant-at-Arms shall be elected by the Senate to serve as an officer of the Senate.
- B. It shall be the duty of the Sergeant-at-Arms to faithfully and adequately perform the following:
 - i. Be in constant attendance, unless duly excused, to every Senate meeting of their elected term.
 - ii. Aid the ASNMSU Vice President in enforcing order the during all regular and special meetings of the ASNMSU Senate.
 - iii. 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 Senate meeting in a manner consistent with the United States Flag Code 4 USC Ch. 1.

1. The Sergeant-at-Arms shall keep and maintain said flags during and after Senate meetings, and properly dispose of them, when necessary, in a manner consistent with United States Flag Code 4 USC Ch. 1 Section 8.
- iv. Verify the names of the 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.
- v. Control of the Open Forum Log public address system, when used, and use discretion in situations not directly addressed under the Rules of the Senate.
- vi. Execute the demands of the Senate, as allowed under rule, under the direction of the ASNMSU Vice President or Presiding Officer of the Senate.

6-6. OPEN FORUM

Any member of ASNMSU shall have the opportunity to speak at the regularly scheduled meetings of the Senate during the order of business known as Open Forum.

A. The rules for Open Forum, which shall be kept by the Sergeant-At-Arms, are as follows:

- i. There shall be no more than ten (10) speakers in each Open Forum.
- ii. 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.
 1. A speaker may only have their time increased once per Open Forum, and the motion to do so is non-debatable
- iii. Prior to speaking, the speaker must:
 1. Register themselves, either in hardcopy or electronically, in the Open Forum Log, no later than 5:00 PM the day of the scheduled Senate Meeting.
 - 5- Read, sign and abide by the rules and regulations of public address systems in the ASNMSU Senate.
 - 6- Be present with their NMSU 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.
- iv. A speaker is not required to answer questions from the ASNMSU Senate but may do so if they desire.
- v. The speaking order followed will be on a first come, first served basis.
- vi. No speaker substitutions will be allowed under any circumstance.
- vii. A speaker must be recognized by the Chair and asked to approach before speaking.

- viii. Speakers failing to comply with the rules of Open Forum will be penalized in the following manner:
 - 1. Failure to comply with sections 8-4-A-3-a and 8-4-A-3-c will result in the speaker's removal from the Open Forum Log and forfeiture of their opportunity to speak until the next scheduled Senate meeting.
 - 7- Failure to comply with section 8-4-A-3-b 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.
- ix. 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 Senators for unexcused absences to required meetings and breaches of decorum.

6-7-1. MAIN PROVISION

- A. Each Senator shall begin their term with zero (0) points.
- B. A senator shall receive zero (0) points for an excused absence from a required meeting.
- C. For the grievances defined in section 8-7, the following penalties are in order:

<u>Senate meeting (unexcused)</u>	<u>2 points</u>
<u>Standing Committee meeting (unexcused)</u>	<u>1 point</u>
<u>College Council meeting (unexcused)</u>	<u>1 point</u>
<u>Special Committee Meeting (unexcused)</u>	<u>1 point</u>
<u>Financial Procedures Workshop (late)</u>	<u>1 point</u>
<u>Retreat (unexcused)</u>	<u>1 point</u>
<u>First Breach of Decorum</u>	<u>verbal warning</u>
<u>Second Breach of Decorum</u>	<u>½ point</u>
<u>Senate Orientation (unexcused)</u>	<u>1 point</u>

6-7-2. POINT ACCUMULATION

- A. Neither the ASNMSU Senate nor the Senator's respective College Council shall have the right to decrease a Senator's points.
- B. Upon accumulation of five (5) points and any subsequent increase thereof, the Senator shall be referred to the Council of the college that the Senator represents. The Council shall decide whether to refer the Senator to the ASNMSU Supreme Court for impeachment proceedings.
 - i. A three-quarters (3/4) affirmative vote by those present and voting in the College Council is required to send a Senator to the ASNMSU Supreme Court for impeachment proceedings.
- C. If the College Council does not or is not able to refer the Senator to the ASNMSU Supreme Court upon the accumulation of the sixth (6) point, the Senator shall be referred to the ASNMSU Senate. The ASNMSU Senate shall

decide whether to refer the Senator to the ASNMSU Supreme Court for impeachment proceedings.

- i. A three-quarters (3/4) affirmative vote by those present and voting in the ASNMSU Senate is required to send a 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:
 - i. To recuse oneself in the event of personal conflict of interest or pecuniary interest on the question posed for review.
 - ii. To speak without fear of interruption on any question posed for review.
 - iii. To have the last debate if they are the main author of a motion or a piece of legislation.
 - iv. To be informed, upon request, of their total points accumulated.
 - v. To have thirty (30) seconds, immediately following their roll-call vote, to explain their vote.
 - vi. To send, with the majority consent of the Senate, the Sergeant-at-Arms to secure absent Senators in the event quorum is not present.
 - vii. To initiate, with majority consent of the Senate, procedures for censure or penalty as deemed necessary for Senators who do not render sufficient excuse for their absence of conduct.
 - viii. To enter into debate at least twice on any motion.
 - ix. A Senator may speak more than twice on a motion with a majority consent of the Senate.
 - x. To yield the floor for purposes of question, clarification or explanation.
- B. It shall be the duty of an ASNMSU Senator to faithfully and adequately perform the following:
 - i. Have extensive knowledge of the ASNMSU Law Book and the latest edition of Robert's Rules of Order.
 - ii. Serve as a link between the students of their respective college and ASNMSU.
 - iii. Attend all required meetings: Senate meetings, standing committee meetings, College Council meetings, Senate Orientations, Retreats, Special Committee meetings for which the Senator has been appointed to and any others set forth by the ASNMSU Vice President.
 - iv. Know the ASNMSU financial procedures and Senate legislative procedures.
 - v. Be familiar with the ASNMSU Base Programs and organizations that frequently approach Senate for funding.
 - vi. Complete a Financial Procedures Workshop prior to writing any legislation.

- i. Validity of a Financial Procedures Workshop completion shall be in effect for one (1) full term.
 - ii. Senators must complete a Financial Procedures Workshop by the second Senate Meeting of their elected term.
- C. Vote on each question under review by the Senate
 - i. Proxy voting will not be allowed under any conditions
- D. Submit excusal letters for approval for absences to required meetings.
 - i. Excusals shall be granted by a majority vote of Senators present.
 - 1. Any 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.
 - 8- Excusals of a personal nature may be granted by the Presiding Officer of the meeting and should not be read aloud.
 - ii. Excusal requests from Retreat shall be presented during the Senate meeting immediately preceding Retreat.
 - iii. For absences to College Council meetings, excusals shall be submitted to the Senior Senator for that college.
 - 1. Have one senator from each college give a College Council Report during each regular Senate Meeting

6-9. LEGISLATIVE IMPEACHMENT ACT

- A. Salaried officers of the 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.
- B. Any ASNMSU Senator shall be removed from office if the Senator is referred to the Supreme Court by a three-quarters (3/4) vote of the Senate or if the Senator is referred to the Supreme Court by their College Council upon the accumulation of penalty points as mentioned in the Point System Act and the Senator is found guilty of the charges made against them.

6-9-1. PROCEDURE

- A. Before the ASNMSU Senate can refer a Senator to the Supreme Court for impeachment proceedings, a resolution must be introduced into the Senate. This resolution will include the specific reasons for referral.
- B. Should the President Pro-Tempore of the ASNMSU Senate fail to fulfill their duties, they shall be removed by a two-thirds (2/3) majority vote of the Senate.
- C. Standing committee chairs shall not be removed without a two-thirds (2/3) majority vote of the Senate and standing committee vice chairs shall not be removed without a two-thirds (2/3) majority vote of standing committee members.

- D. After the introduction of the resolution, the Chief Senate Clerk shall notify the Senator in writing, within two (2) days of any meeting where the Senator's position is being officially discussed.
- E. The Senator who is charged will be allowed to speak at any meeting where their position is being officially discussed.
- F. No referral resolution will be allowed to go through Committee of the Whole.
- G. Before the Supreme Court can consider the impeachment of any ASNMSU Senator, the ASNMSU Chief Justice shall notify the Senator in writing, within (2) days, of the receipt of the resolution and the charges against the Senator.
- H. Any ASNMSU Senator will be impeached upon a majority vote of the Supreme Court.

6-10. LEGISLATION RECOMMENDATIONS

6-10-1. DEFINITIONS

- A. "Meeting" means either a Senate meeting or a standing committee meeting.

6-10-2. MAIN PROVISIONS

- A. The following recommendations are for legislation under review by the ASNMSU Senate:
 - i. "Do pass" if the majority looks favorable upon the bill, resulting in its movement to the next meeting or its final passage.
 - ii. "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.
 - iii. "Conditional do pass" if the legislation has not met its conditions but the majority votes to move it forward to the next standing committee, provided the condition is met by 12 PM on the Wednesday prior to the next Senate meeting.
 - iv. If the condition is not met, the legislation shall be retained in the committee that gave it the conditional do pass.
 - v. "Favorable recommendation" if the majority looks favorably upon the resolution or memorial, resulting in its movement to the next standing committee.
 - vi. "Unfavorable recommendation" if the majority looks unfavorably upon the resolution or memorial, resulting in its movement to the next standing committee.
 - vii. "Approval" if the majority look favorably upon the resolution or memorial, resulting in its final passage through the Senate.
 - viii. "Unapproved" if the majority look unfavorably upon the resolution or memorial, resulting in its death on the Senate Floor.
 - ix. "Retain or Table" if the majority has voted to stop the movement of the legislation.
 - 1. Legislation may only be untabled in the meeting it was originally tabled, unless it is being considered by Committee of the Whole.

- 9- Legislation may be tabled for lack of representation but may not be retained for reasons outside the scope of the committee in which the legislation is currently under review, however, a report with recommended changes may be made.
- x. “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.
 - 1. The same legislation can only be referred once. Once referred, and additional action has been taken by the committee, it must be sent to the next meeting.
- xi. “Consider as a block” if a senator believes the separate pieces of legislation should be considered as one singular piece of legislation.
 - 1. There is no limit to how many pieces of legislation may be considered as a block.
- 10- Appropriations considered as a block for the purpose of one (1) total appropriation are subject to section 8-15-U.

6-11. STANDING COMMITTEES

- A. The Rules Committee, Finance Committee and the Credentials and Archives Committee shall be the three ASNMSU Senate Standing Committees and they shall convene in that order.
- B. It shall be the duty of the standing committees to faithfully and adequately perform the following:
 - i. Hold regular meetings while the Senate is in session, once between each Senate meeting at a permanent time and location determined by the chair.
 - ii. Hold other meetings as announced in open session by the chair or as announced by a notice to all standing committees at least forty-eight (48) hours prior to the meeting.
- C. Every piece of legislation under Senate consideration shall be sent to all standing committees.
- D. Quorum shall be fifty percent (50%) of the committee membership plus one (1) member. No business shall be allowed to be conducted if quorum is not established.
- E. Any Senator whose name is on the byline for a piece of legislation shall be an author and may present it. Senators whose names are not on the byline are unable to present legislation unless a senator whose name is on the byline makes an amendment to add those Senators to the byline. Amendments must be made in person or by proxy.
 - i. This excludes senators who have graduated, been impeached, resigned, or were not re-elected. If this is the case, the following senator on the byline can pick that bill, resolution, or memorial up and claim it as their own.

- F. Any Senator presenting legislation before a standing committee other than the one they serve on will present first if they have an NMSU class that conflicts with the meeting time. Any Senator presenting legislation with guests in attendance will present second. All other legislation shall be discussed in numerical order unless an order change is approved by the standing committee.

6-11-1. RULES COMMITTEE

- A. The Rules Committee is established to keep the rules of the ASNMSU Senate up to date and ensure all legislation abides by ASNMSU Law.
- B. The Rules Committee shall have the following duties:
 - i. Examine all legislation to determine its compliance and effect to the ASNMSU Law Book.
 - ii. Review grammatical, spelling and formatting errors on all legislation.
 - iii. Ensure the introduced by and referred to dates are correct on all legislation.
 - iv. Review minor grammatical, spelling or formatting errors contained in the ASNMSU Law Book that are identified by the ASNMSU Attorney General and, upon majority consent of the committee, allow the 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.
 - 1. The Chair of the Rules Committee shall give a report specifying the exact nature of the errors and of the corrections made at the Senate meeting immediately following the grant of consent.
 - 11- The Senate may, with a two-thirds (2/3) majority vote, overturn a decision made by the Rules Committee in regard to the Attorney General's recommended changes.
 - v. Confirm chartering for organizations requesting appropriations from ASNMSU.
 - vi. Determine whether an appropriation is for an operating expense according to the Main Provisions of the ASNMSU Senate Appropriation Act.
 - 1. No Advisor letter shall be required for operating expense appropriations.
 - vii. Adopt the Drafting Manual.
 - viii. Give each piece of legislation one of the recommendations defined in Legislation Recommendations.
- C. The title of a piece of legislation, which shall be known as the intent of the bill, will be determined by the Rules Committee, and no legislation may be altered to change its intent once the legislation has been given a recommendation by the Rules Committee.
- D. The Chair of the Rules Committee, or their designee, shall examine and correct bills referred to them by the ASNMSU Vice President, Chair of a committee or by the Senate for the purpose of avoiding repetition and for ensuring accuracy in

the text. The Chair shall report, upon request, whether the object sought to be accomplished can be secured without a special act under existing laws or by the enactment of a general law.

6-11-2. FINANCE COMMITTEE

- A. The 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.
- B. The Finance Committee shall have the following duties:
 - i. Annually review budgets and appropriations requests and formulate a budget analysis with respect to such requests.
 - ii. Examine the laws governing the finances and operations of all the ASNMSU subsidiaries and recommend changes as needed.
 - iii. Verify the validity of Financial Procedures Workshop completion by organizations and clubs requesting ASNMSU funding.
 - 1. If a Financial Procedures Workshop has not been attended, the legislation may, under the discretion of the committee be retained in that committee.
 - iv. Give each piece of legislation one of the recommendations defined in Legislation Recommendations
- C. The Chair of the Finance Committee shall review formulas defined in the 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.
- D. ASNMSU Base Programs may approach the Finance Committee for additional funding and, upon receiving such a request, the Chair of the Finance Committee may approach a senator from the Finance Committee to draft an appropriation bill for said Base Program.

6-11-3. CREDENTIALS AND ARCHIVES COMMITTEE

- A. The Credentials and Archives Committee is established to review the validity of the community service presented by clubs and organizations.
- B. The Credentials and Archives Committee shall have the following duties:
 - i. Ensure all appropriation bill requests for student organizations satisfy community service requirements in the ASNMSU Financial Operations manual.
 - ii. Designate an organization as service-oriented according to the following procedure:
 - 1. The organization's university bylaws are presented to the committee.
 - 12- The purpose of the organization is primarily to provide services and resources to groups outside its membership and the majority of its activities are in goodwill nature.

- 13- An Advisor Letter is submitted, providing proof of the organization's service-oriented nature.
 - 14- The organization is chartered as Special Interest with the office of Student Involvement and Leadership Programs.
 - 14-1. This requirement may be omitted at the discretion of the committee.
 - 15- One (1) copy of the service activities completed in the previous year are submitted to the Chair of Credentials and Archives Committee
 - 16- If the organization is newly chartered, they must be active and engaged in community service for at least sixty (60) days before approaching the committee.
 - 17- The chair shall verify if the purpose of the organization is to be a service-oriented organization.
- iii. Determine the validity of community service completion by organizations requesting appropriations.
 - 1. If community service requirements have not been completed or if 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.
 - iv. Accept and verify Advisor Letters for travel prescribed in the ASNMSU Senate Appropriation Act.
 - v. 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.
 - vi. Accept international travel forms as required by International Border Programs for students and organizations travelling internationally.
 - vii. Give each piece of legislation one of the recommendations defined in the Legislation Recommendations.
- C. Any events hosted with the use of funds appropriated by Continuing Diversity Board to cultural student groups or funds appropriated by the ASNMSU Senate for Humanitarian Service Travel shall not count as community service.
 - D. 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.
 - E. Name of the organization on the community service form shall be the same as the name of the organization on the legislation.
 - F. 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.
 - G. Any community service that results in any monetary award for the club or organization will not be considered community service.

- H. In addition to required duties, the Chair of Credentials and Archives Committee shall:
 - i. 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.
 - ii. Maintain a current count of community service hours per organization including excess community service for on- and off- campus service forms.
 - iii. Confirm service hours with the head of the community service or non-profit organization that the community service was performed on behalf of.
 - iv. Appoint the aforementioned duties as needed
- I. All Credentials and Archives Committee documentation must be submitted to the Chair by noon the day before the committee meets.
 - i. At the discretion of the Chair, documentation not submitted by this deadline may be retained in the committee until the next scheduled meeting of the committee.

6-12. TEMPORARY SELECT COMMITTEES

- A. The ASNMSU Senate shall have the opportunity to create temporary select committees on issues it deems worthy of receiving greater attention.
- B. A temporary select committee can be created by doing one (1) of the following:
 - i. The ASNMSU Senate may, with a two-thirds (2/3) majority vote send a piece of legislation to a temporary select committee at any time after it has reached second readings.
 - ii. A resolution can be written and passed addressing an issue that the Senate deems worthy of investigation and research.
- C. The rules of a temporary select committee are as follows:
 - i. Each college shall appoint, at a minimum, one (1) senator to serve as a voting member on the committee but any senator may serve on the committee if they would like.
 - ii. The ASNMSU Vice President shall appoint a chair with the approval of the Committee of Committees.
 - 1. If no appointed Senator wishes to chair the select committee, the President Pro Tempore will act as chair.
 - iii. The ASNMSU Senate will be notified five (5) days prior to the first scheduled meeting.
 - iv. The Chair will prepare the agenda for each meeting.
 - v. All meetings will conform to the current ASNMSU Law Book and the latest edition of Robert's Rules of Order.
 - vi. The Chair shall give a report consisting of the committee's findings and decisions will be given during each of the Senate meetings that the select committee is in session.

- vii. At the conclusion of a select committee, if necessary, the committee will give written recommendations for legislation concerning the topic in question.

6-13. COMMITTEE OF THE WHOLE

- A. Committee of the Whole is established as the standing committee for all standing committees. A motion to dissolve into Committee of the Whole shall only be in order during Senate Meetings and shall include the specific legislation to be debated in Committee of the Whole.
- B. The following rules are for when the Senate shall dissolve itself into Committee of the Whole:
 - i. The President Pro Tempore or their designee shall act as chair and may not enter into debate nor vote except to break a tie.
 - ii. The rules of Senate shall be observed in the Committee of the Whole so far as they may be applicable; yeas and nays shall only be taken regarding the passage through Committee of the Whole.
 - iii. Whenever the Committee is engaged in the investigation of any charge against any of its members, the rules of the Senate will apply.
 - iv. There shall be an agenda on which shall be entered all legislation and papers referred to the Committee of the Whole.
 - v. 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 Senate may reconsider any section upon dissolving out of Committee of the Whole.
 - vi. A motion that the committee rise and report progress on any bill shall always be decided without debate.
 - vii. The ASNMSU Vice President shall be allowed to enter debate from the floor but may not vote therein.
 - viii. A motion to un-retain a piece of legislation from a standing committee and place it on the agenda of the Committee of the Whole shall be in order.
 - ix. Each piece of legislation under debate of the Committee shall be given one of the recommendations as defined in Legislation Recommendations.
 - x. The following motions are in order:
 - 1. Adjourn
 - 18- Appoint, authorize or discharge committees
 - 19- Take a roll call vote
 - 20- Call for the previous question

6-14. ORDER OF BUSINESS

The following shall be the order of business for Senate meetings:

- A. Roll call
- B. Reading and approval of the Journal

- C. Petitions and remonstrations
- D. Open Forum
- E. Reports of standing committees
- F. College council reports
- G. Reports from senate appointments on special committees
- H. Business on the President's desk
- I. First readings
- J. Second readings
 - xi. Legislation with guests in attendance.
 - xii. Remaining legislation.
- K. Unfinished business
- L. Adjourn

6-14-1. EXCEPTIONS TO THE ORDER OF BUSINESS

- A. Messages from the ASNMSU President and the Faculty Senate, communications and reports from the University Administration, reports concerning enrolling and engrossing or revision of the Journal, motions to resolve into the Committee of the Whole, and motions to rise and report progress shall be received at any time.

6-15. PARLIAMENTARY PROCEDURE

The 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.
- B. No law 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 Senate Rules Committee.
- 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.
- D. The enacting clause of all bills shall be: "BE IT ENACTED BY THE SENATE OF THE ASSOCIATED STUDENTS OF NEW MEXICO STATE UNIVERSITY."
- 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 laws. 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.

- i. Legislation considered as a block for the purpose of considering said block as one (1) total appropriation will be subject to Section 8-15-U.
- F. No law 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.
- G. If any bill makes an appropriation the fact shall be stated in the title.
- H. A Senator presenting a paper shall endorse the same if it is a petition, memorial, or report to the Senate, with a brief statement of the subject of its contents, adding that Senator's name; or if it is a notice of resolution, with that Senator's name; or if it is a report of a committee, a statement of such report with the name of the committee and the Senator making the same.
- 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 Senate shall direct otherwise.
- J. When a bill, resolution, or memorial shall be reported by a committee, 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.
- K. Committee reports and committee amendments to a bill, resolution or memorial shall be highlighted on the bill, resolution, or memorial on file.
- 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 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 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.
- M. Immediately after the passage of any bill, memorial, resolution or any substitute for legislation, it shall be enrolled and engrossed by the Chief Senate Clerk and thereupon shall be signed by the presiding officer of the Senate and the fact of such signing shall be entered in the Journal.
- N. Resolutions must pass with two-thirds (2/3) majority vote of the Senators present and voting, except for procedural resolutions, which shall require a simple majority vote of the Senators present and voting.
- O. The Chief Senate Clerk is not required to prepare legislation presented to that office less than thirty (30) hours prior to a regularly scheduled meeting.
- P. Upon resolution from the Committee of the Whole, the chair shall entertain a motion to adopt the entire Committee of the Whole report. Upon approval of the Committee of the Whole report, all legislation discussed will be entered into second readings.
- Q. A motion or proposition requesting information from any office of ASNMSU shall be in order at any time unless otherwise determined by a majority of the Senate and when adopted, the Chief Senate Clerk shall cause the same to be forwarded immediately to the President of ASNMSU.
- 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 Chief Senate Clerk. In the event of a tie vote, the name of the President of the Senate shall be called last.
- S. Substitutes may be offered at any time when a bill or resolution is open to amendment and when adopted, shall take place of the original bill or resolution and shall be open to amendment.
 - T. Any matter may be made the Special Order for any particular time or day by consent of a majority of the Senators elected.
 - 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:
 - i. 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.
 - ii. If said block meets the requirements of section 8-14-V-1, the timeframe of the travel must take place within fourteen (14) days unless travel is outside of the United States. If travel is outside of the United States, it must meet the requirements of section 8-14-V-3.
 - iii. If said block meets the requirements of section 8-14-V-1, and is travel outside of the United States, except for Mexico and Canada, the travel must be for the purpose of the same event.
 - iv. Any block of legislation that meets the guidelines of section 8-14-V will be considered as one (1) total appropriation and must adhere to section 7-4-3.
 - v. 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 a committee upon a bill, which shall not be considered at the time of making the same or laid on the table by vote of the Senate, shall stand upon the calendar with the bill and be entered upon the Journal.
 - W. A motion to un-table a piece of legislation from a standing committee and place it on the agenda of the Committee of the Whole shall be in order.
 - X. If a Senator is late entering the chambers and misses any roll call a motion to allow will be required for them to enter the chambers.
 - i. This motion is a privileged motion and takes precedence over the main motion, overall subsidiary and incidental motions, and over all privileged motions except those to adjourn and to fix the time which to adjourn.
 - ii. It is a non-debatable and non-amendable.
 - iii. It is out of order when another has the floor.
 - iv. Requires a majority vote.
 - v. Cannot be reconsidered.
 - vi. The general form of this motion shall be as follows: "I move to allow Senator (last name) onto the Senate floor."

- Y. The President Pro-Tempore of the ASNMSU Senate 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 Senator to call previous question.
 - i. When a new motion is created upon the main motion (a debatable secondary motion (ex. Amend, Postpone Indefinitely, etc.)), that motion may be debated for one-half (1/2) hour before previous question may be called.
 - ii. After a vote has been taken on the secondary motion, the time will resume on the bill or resolution being discussed.
- B. Previous question may not be used in committees, in accordance with the latest edition of Robert's Rules of order, except for Committee of the Whole.
- C. If at any time during the sessions of the Senate a question shall be raised by any Senator as to the presence of a quorum, the presiding officer shall forthwith direct the Chief Senate Clerk to call the roll and shall announce the results.
- D. A motion to "call a previous question" shall be followed by a roll call vote.

8-16. QUESTIONS OF ORDER

- A. The rules shall be in force from and after their adoption by the Senate and may be amended or suspended by a two-thirds (2/3) majority vote of the Senators elected at two (2) consecutive meetings and when such amendment or suspension is not inconsistent with the constitutional provision.
- B. Only persons who are members of the Senate, employees of the Senate or representatives of the media having official duties directly connected with the business of the Senate shall be admitted to the floor of the Senate during any session, provided that: a) any person may be admitted with the consent of the Senate and b) the public address system is not present or is not in operation.
- C. If permission is denied to any member of the ASNMSU community to appear before the Senate, that person has the right to file a typed statement of 100 words or less with the Chief Senate Clerk who shall place it in the Journal.
- D. The use and control of all electronic and public address equipment installed in the Senate Chamber shall be under the exclusive control of the President Pro Tempore.
- E. The Senate by a majority vote may exclude any representative of the media who abuses their privilege of admission to the Senate Chamber.
- F. The Rules Committee is designated as the committee to which a bill will be referred to determine whether the Senate can, under the Constitution, take action 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 question of referral be determined by the whole Senate.

- G. The Drafting Manual as adopted by the Rules Committee and subject to approval of the Senate shall be the standard authority as to 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 a senate meeting will be done by a roll-call response, show of hands, or other voting measure at the discretion of the Vice President. All senators present on the floor when a vote is called is 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, then the Chief Senate Clerk will call the name of each senator present. When a senator's name is called, they will respond in one of the following fashions:
 - i. "Yes" indicating a vote in favor of the motion, bill or resolution.
 - ii. "No" indicating a vote in the negative of the motion, bill, or resolution.
 - iii. "Abstain" indicating an abstaining vote. A 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.
 - iv. "Pass" indicating desire to vote after all other votes have been cast. Note that if a senator passes on their voting position they are still obligated to vote on the motion, confirmation, or legislation being considered.
 - v. "Recuse" indicating that a senator wishes to recuse their vote. A senator may recuse themselves from voting only if they have a conflict of interest concerning the motion, confirmation, or legislation to be voted on as defined by Appendix B-2-3-C.

21- A senator who recuses their vote shall not be accounted for in quorum to determine a majority or supermajority for the duration of the vote.

22- The President of the Senate will maintain the authority to determine whether a Senator's recusal is in order.

- B. All Voting Records shall be kept by the Deputy Chief Senate Clerk in electronic format.
- C. Records will be made available within one (1) week after each senate adjournment.

6-18. VIRTUAL MEETINGS ACT

- A. Meetings- The ASNMSU Senate and the 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 Chapter 6:

- i. Recognition – 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.
- ii. Voting – Any vote shall be taken as unanimous consent or a roll call vote.
- iii. Decorum – 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.
- iv. Technical issues – If any member has any technical issues another member can request through a point of privilege 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.
- v. Recording – All virtual meetings of the Senate shall be recorded and published online in a manner deemed plausible by the ASNMSU Chief Senate Clerk and the ASNMSU Director of Public Relations.