

CONSTITUTION OF THE ASSOCIATED STUDENTS OF NEW MEXICO STATE UNIVERSITY

PREAMBLE

The formulations of University policy are based upon the principle of appropriately shared responsibility and joint effort involving the administration, faculty and students. Shared responsibility in the formulation of policies affecting the University community requires that students have preponderance of responsibility for regulating their own affairs and a significant voice in shaping policy at all levels of the University. In accordance with these principles and in order to facilitate the expression of student opinion, to provide student activities and to establish and maintain a representative and orderly system of self-governance which shall be both the servant and agent of the student community, the students of New Mexico State University do ordain and establish, under the general procedures and regulations of the organizations and activities of New Mexico State University, this Constitution of the Associated Students of New Mexico State University.

1-1. NAME

The name of this student association shall be "The Associated Students of New Mexico State University," here after 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 right 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, the graduate school and the division of continuing education, hereafter referred to collectively as the "colleges." Senators shall be elected for a term of one 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 he is 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 one Senator. The apportionment of Senators shall be determined by the Senate. 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 also 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 assess the membership of the ASNMSU, upon their consent, such fees as may be necessary to support 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, or malfeasance 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.

1-3-4. ENACTMENT OF 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; the bill shall be enacted into law as though the President had signed it, provided the Senate, by its adjournment, shall not have prevented its return. All bills shall be transmitted to the office of the President of NMSU and the office of the Vice President of Student Affairs 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 him.

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 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 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 effect 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 suffering 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 at the last regular Senate meeting of the spring semester and terminating with the installation of the successor.

1-4-2. ORDER OF SUCCESSION

In such event the President shall resign from his office, shall be removed from his 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 devolve 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 his declaration of fitness to serve. The Senate may by law provide for the order of devolution 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 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 he 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 his 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 such inferior courts as the Senate may from time to time ordain and establish. The Supreme Court shall be composed of five judges appointed by the President and with the consent of the Senate. All judges 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 his appointment. The terms of three Supreme Court judges shall commence at noon of the final day of each spring semester of even numbered years. The terms of all Supreme Court judges shall terminate at 11:59 a.m. of the final day of the spring semester two years after commencement of their term. When a vacancy occurs in a Supreme Court position, the President, with the consent of the Senate shall appoint a qualified member of the ASNMSU to fill the remainder of the unexpired term. A majority of the judges 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. 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 his designee before such amendments shall become effective.

The ASNMSU Constitution was approved by the Sixteenth Senate on January 31, 1973; approved by membership of the ASNMSU on February 7, 1973; and adopted by the ASNMSU.

On February 14, 1973; an amendment to Article V was approved by the Seventeenth Senate on March 6, 1974; approved by the membership of the ASNMSU on April 3, 1974; and approved by the NMSU President Gerald Thomas on April 29, 1974.

An amendment to Article I was passed by the Thirty-Eighth Senate on March 30, 1995. It was approved by the membership of the ASNMSU of April 20, 1995, and approved by the NMSU Interim President William Conroy on May 10, 1995.

2. ELECTION CODE

2-1 ASNMSU ELECTIONS ACT

AN ACT RELATING TO THE ASNMSU ELECTIONS; ENACTING AN ELECTION CODE; AND PRESCRIBING THE MANNER IN WHICH ELECTIONS SHALL BE CONDUCTED.

2-1-1. SHORT TITLE

This act shall be known as the "Election Code."

2-1-2. PURPOSE OF ELECTION CODE

The purpose of the Election Code is to secure the secrecy of the ballot and the purity of elections and to guard against the abuse of the elective franchise. It is also the purpose of the Election Code to provide for efficient administration and conduct of elections.

2-1-3. DEFINITIONS

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

- A. "Voter" means any student of NMSU who has paid the ASNMSU activity fee and is present at the polls to vote in an ASNMSU Election;
- B. "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;
- C. "Internet Voting" is the process by which members of ASNMSU may cast their ballot in any General Election, Run-off Election, Constitutional referendum, special referendum, or any other time voting is necessary by ASNMSU;
- D. "Internet Voting Instructions" are the written instructions informing Voters of the proper manner in which to vote using their NMSU login;
- E. "Run-off elections" are any elections following a general election or following a run-off election for the purpose of obtaining the legally required votes to fill an ASNMSU elected office or to pass judgment on any referendum;
- F. "Constitutional referendum" means a vote taken by the members of the ASNMSU concerning a proposed ASNMSU constitutional amendment;"Special referendum" means any vote taken by the members of the ASNMSU concerning any question relating to the levying of ASNMSU supporting fees or any other questions;
- G. "Election official" means the individual members of the ASNMSU Election Board, the Chief Officer, and the Deputy Elections Officer, poll workers, poll watchers;
- H. "Official candidate" means any member of the ASNMSU who has met the requirements for candidacy as prescribed by the Election Code and has been certified by the Election Board;
- I. "Write-in candidate" means any member of the ASNMSU who is not an official candidate yet seeks an ASNMSU elected position and receives any write-in vote, which must include that person's full name, in an ASNMSU election;
- J. "Polling place" means any area designated for use in an ASNMSU election by the ASNMSU Election board;
- K. "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;
- L. "Contestee" means one against whom a written notice of the contest of an ASNMSU election has been filed;

- M. “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;
- N. “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;
- O. “Temporary Internet Voting site” is any site that is set up for a limited time for the general student population to use for voting in the ASNMSU elections.

2-2. CHIEF ELECTIONS OFFICER AND OFFICIALS

2-2-1. APPOINTMENT AND QUALIFICATIONS OF THE ASNMSU CHIEF ELECTIONS OFFICE

- A. An eleven (11) month office to be known as the “Office of Chief Elections Officer” is created within ASNMSU. The ASNMSU President, with the consent of the ASNMSU Senate, shall appoint a member of the ASNMSU to the position of Chief Elections Officer.
- B. The Chief Elections Officer shall receive a salary not to exceed the current minimum wage for sixty (60) hours per month while performing the duties of Chief Elections Officer.
 - 1. This salary shall be dispersed starting eleven (11) months prior to the last day of the academic school year, as outlined by the academic calendar in the AP&P Manual.
- C. The Chief Elections Officer shall manage with the budget for elections as designated by the previous year’s General Appropriations Act.
- D. The Chief Elections Officer shall not:
 - 1. Violate any qualification for the Election Board membership;
 - 2. Hold another office, appointed or elected within ASNMSU.
- E. The Chief Elections Officer shall serve a term commencing eleven (11) months prior to the last day of the following academic year and terminating at 11:59 a.m. of the final day of the succeeding spring semester.

2-2-2. QUALIFICATION FOR REMOVAL FROM OFFICE

- A. The Chief Elections Officer shall not be removed from office unless impeached by a three-quarters (3/4) majority vote of the ASNMSU Senate present, and shall not serve as a subordinate to any member of the Executive Branch of the ASNMSU, acting independently of any ASNMSU official.
- B. When a vacancy occurs in the office of the Chief Elections Officer, the ASNMSU President, with the consent of the senate, shall appoint a qualified member of the ASNMSU to fill the office for the remainder of the unexpired term.
- C. If the ASNMSU President is unable to fill the office of the Chief Elections Officer, the Deputy Elections Officer shall assume the responsibility and position of the office of Chief Elections Officer.

2-2-3. DUTIES OF THE CHIEF ELECTIONS OFFICER

The Chief Elections Officer shall:

- 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 the 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. If the Chief Elections Officer cannot attend, the Chief Elections Officer may send the Deputy Elections Officer to provide the report;
- E. Prepare instructions for the Chief Elections Officer successor and election officials in accordance with the ASNMSU law;
- F. Advise the election officials as to the proper methods of performing their duties as prescribed by the Election Code;
- G. Administer of the Election Code, investigate potential violations and report violations immediately to the ASNMSU Election Board;
- H. Publish and distribute to the election polls, to all official candidates and to any other ASNMSU member who requests one a sufficient number of copies of the Election Code as needed including any amendments;
- 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. Prepare and furnish instructions to explain clearly how voters may cast their ballots;
- K. Call required candidates meetings as needed, giving notice of their time and place to the student newspaper and all ASNMSU social media venues;
- L. Approve a representative of an official candidate prior to a required candidates meeting if the candidate is unable to attend a meeting;
- M. 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;
- N. Check each poll worker during each election to insure that the individuals working the polls are the individuals hired as poll workers;
- O. Where appropriate consult with the Attorney General regarding the legal interpretation of the Election Code;
- P. 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;
- Q. 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;
- R. Hire or approve an impartial body to administer at least two (2) additional and/or temporary Internet voting sites;
- S. Hire or approve 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;
- T. Appoint, if desired, a Deputy Elections Officer and as many other volunteers, as the business of the office of ASNMSU Chief Elections Officer shall require. All such assistants and employees shall hold office at the discretion of the ASNMSU Chief Elections Officer. The Deputy Elections Officer and volunteers shall, subject to the direction of the Chief Elections Officer, have equal power and authority as the ASNMSU Chief Elections Officer, but shall remain subordinate to the ASNMSU Chief Elections Officer;
- U. Provide training to the Elections Board at least one (1) week prior to the start of official campaigning, but not more than three weeks prior.
 - 1. Training pertaining but not limited to the ASNMSU Elections Code.

2-2-4. ASNMSU DEPUTY ELECTIONS OFFICER

- A. The office of the ASNMSU Deputy Chief Elections Officer is created within ASNMSU.
- B. The Chief Elections Officer shall appoint an ASNMSU member to the office of the ASNMSU Deputy Chief Elections Officer.
- C. The Chief Elections Officer shall post, with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Deputy Chief Elections Officer.
 - 1. Applicants for the position of the ASNMSU Deputy Chief Elections Officer shall be full-time or part-time students of NMSU.
 - 2. Applicants for the position of ASNMSU Deputy Chief Elections Officer shall have been members of the ASNMSU for one (1) previous semester.
 - 3. Preference in selection of the ASNMSU Deputy Chief Elections Officer should be given to those individuals who are familiar with or have been subject to the daily operations and procedures of ASNMSU general elections and the ASNMSU Election Code.
 - 4. Applicants for the position of the ASNMSU Deputy Chief Elections Officer shall not be on either academic or disciplinary probation.
 - a. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Deputy Chief Elections Officer.
 - b. Once appointed to the office of the ASNMSU Deputy Chief Elections Officer, the individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by the ASNMSU.
 - c. The ASNMSU Deputy Chief Elections Officer will be subject to the academic and disciplinary requirements throughout the term of office.
 - d. While working in the position, the ASNMSU Deputy Chief Elections Officer shall be a member of the ASNMSU.
- D. The duties and responsibilities that the ASNMSU Deputy Elections Officer shall be expected to perform are:
 - 1. Assist the Chief Elections Officer in the duties and responsibilities of the CEO's office;
 - 2. Assist in the planning and staging of the ASNMSU Elections.
- E. The ASNMSU Deputy Elections Officer shall receive a salary not to exceed \$750.00 each semester in the form of a stipend while performing the duties of the ASNMSU Elections Chair.
- F. 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.
- G. Should the office of the ASNMSU Deputy Elections Officer become vacant during the term, the Chief Elections Officer shall appoint a replacement to fill the position for the remainder of the term, providing that the replacement fulfills the qualifications for the office of the ANMSU Elections Chair.

2-3. ELECTION BOARD

2-3-1. ELECTION BOARD CREATION

An ASNMSU Election Board shall be composed of the Chief Elections Officer, the Deputy Elections Officer and the Vice President of 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.

2-3-2. ADDITIONAL MEMBERS

The ASNMSU Attorney General shall be an ex-officio member of the Election Board. In the event that the ASNMSU Attorney General cannot serve, the ASNMSU Deputy Attorney General shall be an ex-officio member of the Election Board.

2-3-3. QUORUM REQUIRED FOR MEETINGS

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

2-3-4. QUALIFICATIONS OF MEMBERS

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

- A. Be a member of the ASNMSU;
- B. Not be an official candidate for any ASNMSU elected office;
- C. Not be related by blood or marriage within the first degree to any candidate for any ASNMSU elected office;
- D. Not be a justice for any ASNMSU court;
- E. Maintain ethical conduct throughout the entire election process;
- F. 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 that College Council to fill that vacant seat as soon as possible with a qualified person from that College Council;
- G. If at any time any of the Vice Presidents of the College Councils is unable to or unwilling to discharge their duties on the Election Board, the Vice President shall notify the President of their College Council. The President shall inform the Chief Elections Officer and appoint a sufficient replacement from their college council consistent with the qualifications enumerated in Section 2-3-4;
- H. In the event that a College Council does not exist, the Chief Elections Officer shall, in writing, request the Dean of the College to appoint an appropriate student leader who meets all other qualifications;
- I. No member shall be a currently serving member of the ASNMSU Executive Staff or the ASNMSU Senate;
- J. Must complete said training set forth by the Chief Elections Officer.

2-3-5. POWERS AND DUTIES

The ASNMSU Election Board shall:

- A. Obtain and maintain uniformity in the application, operation and reasonable interpretation of the Election Code, including interpreting the Election Code as necessary prior to an ASNMSU election;
- B. Designate polling places as prescribed in the ASNMSU Election Code;
- C. Assist the Chief Elections Officer in the administration of the Election Code;
- D. Act as immediate judge for all contests;
- E. Retain its powers and responsibilities until after the final resolution of all contests;
- F. Meet at least once, three (3) weeks prior to the general election, formally approve polling places, as outlined in Section 2-5-2-A or 2-5-2-E of the ASNMSU Law Book, approve all referendums or other questions, and at least ten (10) days before the general election certify official candidates for ASNMSU office;
- G. Create a violation form for use in documenting alleged violations of the election code;

- H. Attend all Election Board meetings set by the Chief Elections Officer. 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 meeting missed is a fine of 5% of that fiscal year's GAA appropriation, the second meeting missed will result in a total fine of 10% of that fiscal year's GAA appropriation, and the third missed meeting results in a total fine of 15% of that fiscal year's GAA appropriation). This fine will be levied by the Comptroller of ASNMSU who will extract the amount from the College Council's account and deposit it into the ASNMSU Club Endowment Account. Once monies are 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 under this act;
- I. Penalties against any candidate during an official election will be at the discretion of the Election Board.

2-3-6. REMOVAL FROM ELECTION BOARD

- A. No member of the election board shall be removed, unless there is a three-quarters 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 in regard to member removal is final. There is no avenue for appeal.
- C. If a member of the election board is removed, it is the responsibility of that official's College Council to find a qualified member of the council to replace that official after being notified in writing of a vacancy by the Election Board.

2-3-7. NOTICE OF CONSTITUTIONAL OR SPECIAL REFERENDUMS AND OTHER QUESTIONS

- A. The Election Board shall publish in the student newspaper the full text of any proposed amendments or questions at least thirty (30) days prior to the 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. If the questions are not to be posed during a general election, notice of the special election must be made as if it were a general election according to the Election Code.
- B. In order for a referendum or other question to appear on the ballot for an election, be it regular or special election, then:
 - 1. It must be passed by the ASNMSU Senate in the form of a resolution at least four (4) calendar weeks before the election, and be in accordance with all other ASNMSU Law. Resolutions concerning Constitutional Referendums must be passed by a two-thirds (2/3) majority vote of the ASNMSU Senate or;
 - 2. There must be a petition signed by no fewer than fifteen percent (15%) of the members of ASNMSU submitted to the Chief Elections Officer no later than four (4) calendar weeks prior to the election.

2-4. PARTICIPATION IN THE ASNMSU ELECTION PROCESS

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;
- B. Official ASNMSU members currently in an elected or appointed position may seek a different office within ASNMSU during an official election. 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. ELECTION AND POLL INFORMATION

- A. General elections for both spring and fall shall be held on a date as set by the Chief Elections Officer at the beginning of each academic school year.
- B. Run-off elections shall be held one (1) week after the election for which they are required. 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.
- C. Constitutional and special referendums and other questions shall be held if possible in conjunction with the general elections, unless otherwise provided for by law.

2-5-1. NOTICE OF ELECTION

- A. At least four (4) calendar weeks prior to the general elections, the Chief Elections Officer in conjunction with the ASNMSU Election Board shall give notice of the election of the offices to be filled and the requirement for any offices at stake.
- B. At least two (2) weeks prior to the general election, the Chief Elections Officer in conjunction with the ASNMSU Election Board shall give notice of the election, the offices or questions to be voted for, the requirements for any offices at stake, the Internet Voting Instructions, the place for each poll, and the times and days that each poll shall be open to the student newspaper and the student radio station. 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.
- C. Elections should commence no fewer than five (5) weeks before the last day of school.

2-5-2. POLL INFORMATION

- A. The Chief Elections Officer shall be in charge of:
 - 1. Providing the information to the Office of Information and Communication Technologies (ICT) at least two (2) weeks prior to the beginning of voting;
- B. The Chief Elections Officer shall be in charge of closing each poll.
 - 1. With Internet Voting, the Chief Elections Officer will have Computing and networking close the polls by restricting access to the voting link after the poll is declared closed. Those voters in the process of voting will be allowed to complete the voting process, but further access to the link will be blocked.

2-5-3. DESIGNATION OF POLLING PLACES

- A. With Internet Voting, all computer labs consisting of three (3) or more computers established for use by the general student population and paid for by student fees, shall be considered polling places and fall under the jurisdiction of the Election Code.
- B. The Chief Elections' Officer must post a sign on the door of each lab stating, "This lab is an official Polling Place. No campaigning is allowed within twenty (20) feet of the lab."
- C. 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, with the exception of designated bulletin boards.

2-5-4. OPENING AND CLOSING OF POLLS

- A. With Internet Voting, the link to the poll shall be open for voting continuously (twenty-four [24] hours per day) during at least three (3) days. The election should begin on a weekday and last a minimum of five (5) days. The last day of voting must end on a weekday. Internet Voting should be available for voting by 8:00 a.m. on the first day of the election cycle and close at 5:00 p.m. on the last day.

2-5-5. EQUIPMENT FOR POLLS

- A. Internet Voting shall be used for casting of votes in both the fall and spring general elections and run-off elections.
- B. With Internet Voting, a computer lab established for students' use will be considered a polling place, and will be patrolled during the polling hours, in accordance with Section 2-5-6 of the ASNMSU Law Book.
- C. Preparation for the Internet Voting is as follows:
 - 1. The Chief Elections Officer will notify the Information and Communication Technologies (ICT) the day after the candidates are declared to be official candidates, not fewer than two (2) weeks before the election begins;
 - 2. The Chief Elections Officer will be responsible for testing the Internet Voting at least two (2) days prior to the opening of elections;
- D. In exigent circumstances, paper ballots may be used for any other election, run-off election or referendum if voting machines are not able to be attained.
 - 1. An alphabetical index of all persons currently enrolled in NMSU shall be obtained prior to each Election Day by the Chief Elections Officer. One (1) such index shall be provided for each poll.
- E. The Chief Elections Officer, in the case of paper ballot elections, or in the case of an emergency shall provide the following supplies for each poll:
 - 1. A table;
 - 2. Chairs;
 - 3. At least one voting machine or a ballot box with padlock;
 - 4. One index of all currently enrolled students;
 - 5. Sufficient ballots for each college;
 - 6. One poll book in which voters shall sign their names and colleges;
 - 7. Instructions to voters to be posted at the poll;
 - 8. A large sign stating "OFFICIAL ASNMSU POLL";
 - 9. Poll worker instructions;
 - 10. Copies of the Election Code;
 - 11. Copies of the violation form;
 - 12. Pens, ink, copies of any amendments or referendums and any other supplies that may be deemed necessary.

2-5-6. POLL WATCHERS

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

- A. With Internet Voting, a poll watcher will be appointed for each temporary voting site designated as an official polling place;

- B. All Election Board members shall be poll watchers. In addition, every ASNMSU employee, elected official, and ASNMSU Roadrunner shall be an official poll watcher unless running for a position;
- C. If any poll watcher fails to attend the appointed poll at the specified time, the Chief Elections Officer shall appoint a qualified person to fill the vacancy;
- D. Poll watchers shall submit in writing to the Chief Elections Officer any violation of the Election Code, using the violation forms created by the Election Board for that purpose;
- E. At all times while performing their duties, poll watchers shall wear identification badges, indicating “ASNMSU Poll Watcher”. The Chief Elections Officer shall furnish the badges.

2-6. ELECTION PROCEDURES

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

2-6-1. VOTING PROCEDURE

- A. With Internet Voting, the voter may log on to the ASNMSU Internet Voting site using a secure login method determined by ICT and may only vote one (1) time for any election. This will allow only registered students who are members of ASNMSU to vote. If a student has difficulty logging on by using their myNMSU confidential information, they may notify ICT.

2-6-2. COUNTING THE VOTE-ELECTION RESULTS

- A. With Internet Voting, the voting results must be collected from the official ICT representative 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 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 CEO will be responsible for finding a replacement, who is not involved in the election, for the absent Election Board members.
- B. No ballots shall be counted or tallied until all the polls are closed. 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. Portions of the ballot not marked as required by the Election Code or marked in such a manner that the intention of the voter cannot be fairly ascertained shall not be counted. For both Internet Voting and paper ballots, the Chief Elections Officer and not fewer than two (2) Election Board members, who were witnesses to the counting and tallying, shall sign a statement certifying the results of the election. The counting and tallying of ballots 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:
 1. With Internet Voting, the results of the elections shall be posted no later than eleven (11:00) p.m. of the Election Day unless there is a problem which would make Internet services unavailable. In the event of this happening, the results of the election will be posted within two (2) hours of receipt of the results;
 2. In the event of a contested result, the results will be posted upon completion of confirmation of tabulation of votes;
 3. Election results shall be posted in the following areas:
 - a. On the door of the Office of ASNMSU;
 4. A copy of the official results will be sent to the President and Vice President of ASNMSU;
 5. The Chief Elections Officer shall keep on file the original certification of results;

6. A copy of the official election results will be sent to *The Round Up* by the Chief Elections Officer within one (1) week of any general or run-off election.
- D. Regarding ballot storage, the Chief Elections Officer shall keep all ballots cast in the general election and in the run-off elections only in case of a contest and only until the contest is resolved.
 - E. Regarding the-President/Vice President run-off election, if no candidate receives a majority of the votes cast in the general election for ASNMSU President and Vice President, the two (2) candidates for President and two (2) candidates for Vice President receiving the most votes shall be placed in a run-off election until one (1) of the candidates for the contested office receives a majority of the votes cast.
 - F. 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:
 1. There is no tie between two (2) or more candidates from a college so that there are more candidates receiving the most votes than the number of positions to be filled; that is to say that there is no tie for the last seat up for contention;
 2. If the requirements above are not met, 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.

2-6-3. ELECTION CONTEST 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 five (5:00) p.m. 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 contest 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 five (5:00) p.m. the following business day of the announcement of the unofficial results of the general election. In the event of a run-off election, any action to contest the election shall be commenced by filing a written notice of contest by five (5:00) p.m. following business day of the announcement of the unofficial results of the run-off election. 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. 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 contest, 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.
 1. The Election Board shall render its written decision by five (5:00) p.m. on the second (2) business day following their meeting.
 2. 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 five (5:00) p.m. the following business day, after the decision has been rendered, to the ASNMSU Senate Special Committee on Elections. The appeal shall be filed with the Chief Senate Clerk. Should an appeal be submitted which may result in the penalty of being excluded from an election or run-off election, the election and/or run-off elections should not commence until a decision on the appeal is rendered. A contestant or contestee shall have the right to retain qualified ASNMSU members as student counsel for representation before any ASNMSU decision-making bodies.
- E. The formation of the Special Committee on Elections shall be structured according to section 4-8.
- F. Any decision of the ASNMSU Senate Special Committee on Elections may be appealed to the ASNMSU Senate, the appeal must be filed by five (5:00) p.m. the following business day after the decision has been rendered by the Special Committee on Elections.

2-6-4. FINANCIAL DISCLOSURES

- A. All official candidates shall submit a statement of campaign expenditures to the Election Board no later than five (5:00) p.m. the next business day following the official posting of election results. All expenses along with the donation of goods and services must be declared in the statement. Expenses must be accompanied by receipts. Donations of goods and services must be accompanied by a letter from the donor showing fair market value of the donation. In the event no expenses are incurred, an expense report shall be submitted which will reflect no expenditure.
- B. 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. The write-in candidate shall then have twenty-four (24) hours after notification in which to comply with the requirements in the section above for the statement.
- C. 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.
- D. Candidates declaring campaign expenditures and donations at less than a reasonable value shall be disqualified by the Election Board.
- E. 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 Senate Special Committee on Elections.

2-7. CANDIDACY AND POSITIONS AVAILABLE

2-7-1. SENATORIAL POSITIONS AVAILABLE

- A. Number of senators in each college =
$$\frac{\text{(ASNMSU College Enrollment)}}{\text{(550 Students)}}$$
- B. The seats of the ASNMSU Senate shall be numbered as follows:
 - 1. ACES --1, 23, 28
 - 2. A&S -- 2,8, 9, 14, 16, 22, 24, 29, 10
 - 3. BA & ECON-- 3, 17, 25
 - 4. ED -- 4, 11, 18
 - 5. ENG -- 5, 13, 19, 26
 - 6. GRAD -- 6, 12, 15, 20, 27, 30
 - 7. HSS -- 7, 21
- 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. All seats numbered sixteen through thirty (16-30), inclusively, shall be elected in the spring semester and serve a term of one (1) year.
- D. Seat changes shall be made based on the fall actual enrollment figures; however, no college shall have fewer than one (1) senate seat at any given time, and shall be determined annually by the Attorney

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

2-7-2. REQUIREMENTS FOR OFFICIAL CANDIDACY

For a candidate's name to be printed on the ballot, no later than two (2) calendar weeks prior to the general election, that candidate shall file in the ASNMSU office an affidavit petition (petition of candidacy) acknowledging candidacy for office and must be declared an official candidate by the Election Board.

- A. On the affidavit each candidate shall print or type their full name, address, telephone number, college and 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 member of the ASNMSU not suffering disability by academic or disciplinary probation and am qualified, as prescribed by the ASNMSU Constitution, to accept and run for the office for which I am a candidate.
- B. Individuals seeking the office of the ASNMSU President or Vice President shall submit an affidavit petition (petition of candidacy) signed by no fewer than one hundred (100) members of the ASNMSU who wish to nominate the candidate. No member of the ASNMSU shall sign more than one (1) petition of candidacy for the President or Vice President during any one (1) academic year.
- C. Individuals seeking the office of ASNMSU Senator shall submit together with their affidavit a petition (petition of candidacy) signed by no fewer than twenty-five (25) ASNMSU members of the candidate's college who wish to nominate the candidate. No member of the ASNMSU shall sign more petitions of candidacy than positions to be voted on for senator from that college at the general election.
- D. For a candidate's name to be placed on the official ballot, the candidate must attend at least one (1) candidates briefing as called by the Chief Elections Officer, or be officially excused from the same.
- E. Any other elected positions as may exist within the 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.

2-7-3. BENEFITS OF OFFICIAL CANDIDACY

Official candidates shall receive the following benefits:

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

2-8. CAMPAIGN RULES

In campaigning the following campaign rules shall be observed:

2-8-1 GENERAL RULES

- A. No person shall campaign, post any campaign material, or in any other way, attempt to induce any voter or other person to vote for any person or question within a twenty (20) foot radius of the areas of the polling place as defined in 2-5-3-B;
- B. No person shall solicit members of the ASNMSU to vote within the areas of the polling place;
- C. No person shall campaign earlier than two (2) weeks before voting in the ASNMSU general election in which they are running; however, petitioners are allowed to inform individual students from whom they are seeking signatures as to why that student should sign their election petition;

- 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 list serves, online forums and public web sites without charge against candidate campaign expenditures;
 - 1. Any electronic campaign material purchased must be included in the total campaign expenditures.
- 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 at the discretion of the Elections Board;
- 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. Total campaign expenditures for each candidate for the general election shall not exceed seventy-five dollars (\$75.00) for senators and two hundred dollars (\$200.00) for President and Vice President:
 - 1. In the event of a run-off election, each candidate may spend an additional amount equal to twenty percent (20%) of the general election limit;
 - 2. Candidates for other elected offices shall be limited as a senator with respect to campaign expenditures.
- N. It is unlawful for any person to:
 - 1. Vote or offer to vote in the name of any other person;
 - 2. Vote or offer to vote with the knowledge of not being a qualified voter;
 - 3. Vote or offer to vote more than once in the election;
 - 4. Induce, abet, or procure a person known not to be a qualified voter to vote;
 - 5. Induce, abet, or procure a person who has voted previously in an election to vote again;
 - 6. Fraudulently deceive or mislead any voter or election official;
 - 7. 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;
 - 8. 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 return or other election documents;
 - 9. Accept a bribe;
 - 10. Induce or attempt to induce fear in any student, election official, and/or voter by threats of any sort.
 - 11. Obtain elections results prior to online polls closing.

2-8-2. 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 Internet 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.

2-8-3. WRITE IN CANDIDACY

- A. Candidates conducting a write-in campaign shall be subject to the campaign rules as if they were official candidates;

2-9. ELECTION CODE PENALTIES

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

- 1. Prohibited, if an official candidate, from having their name printed on the ballots; or
- 2. Disqualified as an official candidate; or
- 3. Disqualified from assuming office; or
- 4. 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.

3. EXECUTIVE BRANCH

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

BEFORE TAKING OFFICE AFTER THE SPRING ELECTION, THE PRESIDENT AND VICE PRESIDENT ARE REQUIRED TO SWEAR THE OATH (OR AFFIRMATION) FOUND IN SECTION 3-1-1 BEFORE ASSUMING THEIR RESPECTIVE OFFICE. THIS OATH IS ADMINISTERED IN A PUBLIC PLACE BY THE ASNMSU CHIEF JUSTICE OF THE SUPREME COURT.

3-1-1. OATH

“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 (so help me God).”

3-2. DEVOLUTION OF EXECUTIVE

AN ACT PROVIDING FOR THE ORDER OF DEVOLUTION OF EXECUTIVE RESPONSIBILITY IN THE EVENT THAT BOTH THE PRESIDENT AND THE VICE PRESIDENT SUFFER DISABILITY OR IN SOME MANNER BECOME INCAPACITATED; AND PROVIDING FOR SUCCESSION TO THE PRESIDENT ELECT.

3-2-1. DEVOLUTION OF EXECUTIVE RESPONSIBILITY

In the event that both the President and the Vice President of the ASNMSU resign from the office or shall be removed from office or in some other manner are rendered unable to fulfill the duties and discharge the powers, authorities, responsibilities and duties of the office of President of the ASNMSU, all powers, authorities, responsibilities and duties of the office of the President of ASNMSU shall devolve upon the President Pro Tempore of the Senate, provided the President Pro Tempore is qualified under the ASNMSU Constitution to hold the office of President. The President Pro Tempore of the Senate shall, before assuming the office of President, resign from all other elected or appointed offices or positions of the ASNMSU which the President Pro Tempore may occupy. In the event that the President Pro Tempore of the Senate 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 President of the ASNMSU who shall be qualified under the ASNMSU Constitution to hold the office of President.

3-2-2. SUCCESSION TO THE PRESIDENT-ELECT

If, at the time fixed for the beginning of the term of the President of the ASNMSU, the President-Elect shall not accept the office of President or shall not be qualified to hold the office or in some other manner is unable to assume the office of President, the Vice President-Elect of the ASNMSU shall become President.

3-3. EXECUTIVE REMOVAL AND IMPEACHMENT ACT

AN ACT FOR THE PROCESS OF IMPEACHMENT OF THE PRESIDENT AND VICE PRESIDENT

3-3-1. MAIN PROVISION

The ASNMSU President or Vice President may be removed from office if referred to the Supreme Court 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 the President or Vice President by the ASNMSU Supreme Court.

3-3-2. PROCEDURE

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. This resolution will

include the specific reasons for referral. 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. The President or Vice President who is charged will be allowed to speak at any meeting where the person's position is being officially discussed. No referral resolution will be allowed to go through Committee of the Whole. 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.

- B. 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 of the receipt 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 the person's position is being officially discussed.
- C. The ASNMSU President or Vice President will be impeached upon a majority vote of the Supreme Court.
- D. In the event that 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.

3-4. EXECUTIVE SALARY ACT

AN ACT RELATING TO THE SALARY SCALE OF THE ASNMSU PRESIDENT, THE ASNMSU VICE PRESIDENT, AND EXECUTIVE STAFF.

3-4-1. SALARY LIMITATION FOR THE VICE PRESIDENT

The ASNMSU Vice President shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the US Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing the duties of the ASNMSU Vice President.

3-4-2. SALARY LIMITATION FOR THE PRESIDENT

The ASNMSU President shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the US Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing the duties of the ASNMSU President.

3-4-3. VICE PRESIDENT SALARY ACCOUNT

The ASNMSU Vice President shall be paid from the ASNMSU Vice President Account.

3-4-4. PRESIDENT SALARY ACCOUNT

The ASNMSU President, all Executive Directors, Comptrollers, Attorney General, Executive Secretary, Chief of Staff, Chief Elections Officer, and shall be paid from the ASNMSU Executive Account.

3-4-5. ASNMSU MINIMUM WAGE ADJUSTMENT FACTOR

ASNMSU Executive salary limits shall be computed using an ASNMSU Minimum Wage Adjustment Factor of four dollars and no cents (\$4.00). No executive salary shall exceed this amount under any circumstance.

3-4-6. SIGNATURE APPROVAL FOR PAYROLL

- A. The ASNMSU President, Vice President, and Executive Staff may not approve payments made to themselves, either as a reimbursement or through payroll. Executive Staff must seek the approval of the immediate department head. Department heads are the ASNMSU President, Vice President, and Chief Justice.

- B. All transactions for payroll and reimbursement will require the signature approval, manual or electronic, of the department head and the ASNMSU Advisor. In the event that the ASNMSU Advisor is unavailable, the Advisor may delegate their signature of approval to the ASNMSU Fiscal Specialist.
- C. The originator cannot be the same person as the approver.

3-4-7. 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. Acceptable alternates 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 Specialist.

3-5. PARTICIPATION IN THE ASNMSU ELECTION PROCESS

It is the duty of the Vice President to notify each college council of their responsibility to appoint one member among their qualified Senators to the Special Committee on Elections, four weeks prior to the start of the campaign period per 4-9.

3-6. ASNMSU EXECUTIVE SECRETARY

3-6-1. THE OFFICE OF ASNMSU EXECUTIVE SECRETARY CREATED

The office of the ASNMSU Executive Secretary is created within the Executive and Legislative Branches of the ASNMSU, and within the guidelines and policies and procedures of classified staff of NMSU.

3-6-2. APPOINTMENT OF THE ASNMSU EXECUTIVE SECRETARY

The ASNMSU President and the ASNMSU Vice President shall choose an Executive Secretary for ASNMSU. Should ASNMSU have an Executive Secretary in office, a review by the newly elected President and Vice President of the ASNMSU Executive Secretary shall be in order. The ASNMSU Executive Secretary shall serve at the discretion of the ASNMSU President and the ASNMSU Vice President. The ASNMSU Executive Secretary shall not be removed from office unless all policies, procedures and methods of removal, in accordance with the policies and procedures of NMSU classified staff, are complied with.

3-6-3. QUALIFICATIONS OF THE ASNMSU EXECUTIVE SECRETARY

The President shall post with the announcement of the position vacancy, those qualifications necessary for the office of ASNMSU Executive Secretary.

- A. Applicants shall have some knowledge of general office procedures and use and preventive maintenance of office machines, some knowledge of business communications, report writing, grammar and spelling, and some knowledge of commercial arithmetic.
- B. Applicants shall exhibit skill in the operation and preventive maintenance of a calculator, adding machine, transcribing equipment, word processing equipment, duplicating/copying equipment, and typing skills to enable applicant to type accurately 55 words per minute.
- C. Applicants shall meet the following educational requirements:
 1. High school graduation or equivalent GED certificate;
 2. Three (3) years of typing and clerical experience; and
 3. Any equivalent combination of education and experience.

3-6-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU EXECUTIVE SECRETARY

The duties and responsibilities of the ASNMSU Executive Secretary:

- A. General-
 - 1. Performs typing and clerical work of some difficulty.
 - 2. Work is varied requiring some discussion in determining the sequence and method of work and the use of a variety of office procedures and routines.
- B. Supervision received-
 - 1. Works under general supervision of an administrative supervisor.
- C. Supervision exercised-
 - 1. May exercise supervision over Secretary 1, the Assistant Executive Secretary, and other student employees as assigned.
- D. Examples of duties-
 - 1. Types drafts, letters, reports, forms and other material of some difficulty from notes or rough drafts.
 - 2. May take and transcribe dictation using shorthand or transcribing equipment.
 - 3. Make appointments for superiors, being the ASNMSU President and the ASNMSU Vice President, and the Student Legal Aid Attorney.
 - 4. Receives and screens visitors.
 - 5. Answers and makes phone calls.
 - 6. Receives sorts and distributes mail.
 - 7. Posts bookkeeping information.
 - 8. Maintains confidential record files.
 - 9. Assembles and organizes materials used by the superiors in completing work assignments.
 - 10. Answers routine student questions in academic departments.
 - 11. Prepares annual appointments and budget forms, periodic reports, class and office schedules.
 - 12. Runs errands.
 - 13. May act as receptionist.
 - 14. May operate word processing and duplicating/copying equipment.
 - 15. Performs related work as assigned. (Superiors is defined as the ASNMSU President, the ASNMSU Vice President, and the ASNMSU Student Legal Aid Attorney.)
- E. Shall hold regular, daily office hours during the summer months and both fall and spring semesters. The ASNMSU Executive Secretary shall adhere to the NMSU schedule of holidays and work days.
- F. Shall prepare a procedural guide of operations for the successor to the office of ASNMSU Executive Secretary.

3-6-5. EXECUTIVE SECRETARY SALARY LIMIT FOR THE ASNMSU EXECUTIVE SECRETARY

The ASNMSU Executive Secretary shall receive a salary equivalent to that of a NMSU Secretary, category of Secretary II. Grade levels within the Secretary II level will be negotiated by the ASNMSU President and the ASNMSU Vice President. Salary adjustments shall be made in accordance with the NMSU Employment Policies.

3-7. ASNMSU ASSISTANT EXECUTIVE SECRETARY

3-7-1. THE OFFICE OF ASNMSU ASSISTANT EXECUTIVE SECRETARY CREATED

The office of the Assistant ASNMSU Executive Secretary is created within the Executive and Legislative Branches of the ASNMSU, and within the guidelines and policies and procedures of student employees of NMSU.

3-7-2. APPOINTMENT OF THE ASNMSU ASSISTANT EXECUTIVE SECRETARY

The Executive Secretary shall post with the announcement of up to two positions of vacancy, those qualifications necessary for the office of ASNMSU Assistant Executive Secretary.

- A. Applicants shall have some general knowledge of general office procedures and use some preventative maintenance of office machines, some knowledge of business communications, report writing, grammar and spelling, and some knowledge of commercial arithmetic.
- B. Applicants shall exhibit some skill in the operation of a typewriter, calculator, adding machine, transcribing equipment, word processing equipment, spreadsheet equipment, duplicating/copying equipment, and typing skills to enable the applicant to type 30 words per minute.
- C. Applicants for the positions of ASNMSU Assistant Executive Secretary shall be full-time or part-time students at NMSU.
- D. Applicants for the positions of ASNMSU Assistant Executive Secretary shall have been members of the ASNMSU for one (1) previous semester.
- E. Applicants for the positions of the ASNMSU Assistant Executive Secretary shall not be on either academic or disciplinary probation.
 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individuals to apply for or work in the positions of the ASNMSU Assistant Executive Secretary.
 2. Once appointed to the offices of the ASNMSU Assistant Executive Secretary, the individuals shall maintain a semester GPA of at least 2.0. Failure to maintain the semester GPA will result in immediate dismissal from office by ASNMSU.
 3. The ASNMSU Assistant Executive Secretary will be subject to the academic and disciplinary requirements throughout their entire term of office.
 4. While serving in the position, the ASNMSU Assistant Executive Secretary shall be a member of the ASNMSU.
- F. Applicants shall meet the following educational requirements:
 1. Three (3) credit hours of English composition, 200 levels or above.
 2. Three (3) credit hours of 100 level math or above.

3-7-3. DUTIES AND RESPONSIBILITIES OF THE ASNMSU ASSISTANT EXECUTIVE SECRETARY

The duties and responsibilities of the ASNMSU Assistant Executive Secretary

- A. General-
 1. Performs typing and clerical work of some difficulty.
 2. Work is varied requiring some discussion in determining the sequencing and method of work and the use of the variety of office procedures and routines.
- B. Supervision received-

1. Works under general supervision of an administrative supervisor. (Superiors defined as the ASNMSU President, the ASNMSU Vice President, the ASNMSU Executive Secretary, and the ASNMSU Student Legal Aid Attorney.)
- C. Supervision exercised-
1. May exercise supervision over volunteers placed in their care.
- D. Examples of duties-
1. Types drafts, letters, reports, forms, and other material of some difficulty from notes or rough drafts.
 2. May take and transcribe dictation using shorthand and transcribing equipment.
 3. Make appointments for superiors, being the ASNMSU President, the ASNMSU Vice President, ASNMSU Executive Secretary, and the Student Legal Aid Attorney.
 4. Receives and screens visitors.
 5. Answers and makes phone calls.
 6. Receives, sorts, and distributes mail.
 7. Posts bookkeeping information.
 8. Maintains confidential records.
 9. Assembles and organizes materials used by superiors in completing work assignments.
 10. Answers routine student questions in academic departments.
 11. Runs errands.
 12. Shall act as the primary receptionist.
 13. May operate word processing, spreadsheet, and duplicating and copying equipment.
 14. Performs related work as assigned. (Superiors defined as the ASNMSU President, the ASNMSU Vice President, the ASNMSU Executive Secretary, and the ASNMSU Student Legal Aid Attorney.)
- E. Shall hold regular, daily office hours.
- F. Shall prepare a procedural guide of operations for the successor of the office of ASNMSU Assistant Executive Secretary.

3-7-4. SALARY LIMIT FOR THE ASNMSU ASSISTANT EXECUTIVE SECRETARY

The ASNMSU Assistant Executive Secretary shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing the duties of the ASNMSU Assistant Executive Secretary.

3-7-5. TERM OF OFFICE FOR THE ASNMSU ASSISTANT EXECUTIVE SECRETARY

The ASNMSU Assistant Executive Secretary shall serve for a period not to exceed one year unless re-appointed, commencing with the inauguration of the President and ending upon the next inauguration.

3-8. ASNMSU FISCAL SPECIALIST

3-8-1 THE OFFICE OF ASNMSU FISCAL SPECIALIST CREATED

The office of the ASNMSU Fiscal Specialist, also to be known as the ASNMSU Fiscal Advisor is created within the Executive Branch of the ASNMSU, and within the guidelines, policies, procedures and methods of removal, in accordance with the policies and procedures of the NMSU professional staff.

3-8-2 APPOINTMENT OF THE ASNMSU FISCAL SPECIALIST

The ASNMSU President and Vice President shall choose a Fiscal Specialist for the ASNMSU. The ASNMSU Fiscal Specialist 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.

3-8-3 QUALIFICATIONS OF THE ASNMSU FISCAL SPECIALIST

The President shall post with the announcement of the position vacancy, those qualifications necessary for the office.

- A. Successful applicants should have knowledge of University and Department policies and procedures; principles and practices of organization and administration; University environment; principles of supervision, training, and performance evaluation; accounting procedures; grant and contract accounting; applicable agency guidelines.
- B. Successful applicants should exhibit skill in short and long range planning; problem analysis and resolution; report preparation and presentation; public contact and relations; research methods.
- C. Successful applicants should demonstrate the ability to direct, evaluate, train and supervise the work of assigned personnel; communicate effectively in written and oral form; develop and maintain effective working relationships; maintain accurate and orderly records; use independent judgment and initiative; organize and direct several activities; analyze and evaluate information; operate a computer.
- D. Successful applicants should meet one of the following requirements:
 1. A Bachelor's degree in accounting or a related field.
 2. At least three years of experience in accounting or finance related field.

3-8-4 DUTIES AND RESPONSIBILITIES OF THE ASNMSU FISCAL SPECIALIST

The duties and responsibilities of the ASNMSU Fiscal Specialist:

- A. Supervises, directs, delegates, and evaluates work of assigned clerical and student staff.
- B. Provides assistance and direction for an accounting unit; helps develop procedures.
- C. Monitors funds expended through and for ASNMSU.
- D. Creates and maintains a fiscal database for financial activities in conjunction with the Comptroller.
- E. Prepares an end of the year review for the Comptroller's office.
- F. Answers fiscally-related questions from staff and other departments.
- G. Answers agency and University guideline questions.
- H. Reviews, approves, and tracks daily paper work.
- I. Resolves accounting problems for organizations.
- J. Along with the ASNMSU comptroller; instructs and trains in methods and procedures.
- K. Responds to complaints and grievances.
- L. Reviews and recommends changes in office fiscal policy and procedures.
- M. Performs related duties as required.

- N. Serve as an ex-officio member of the Finance Board.
- O. In the absence of the Comptroller, the Fiscal Advisor shall have signatory authority. (superiors are defined as the ASNMSU President and Vice President)

3-8-5. FINANCIAL SPECIALIST SALARY LIMIT

The ASNMSU Financial Specialist shall receive a salary equivalent to that of a NMSU Fiscal Specialist, category I. Salary adjustments shall be made in accordance with NMSU Employment Policies.

3-9. ASNMSU COMPTROLLER

3-9-1. THE OFFICE OF ASNMSU COMPTROLLER CREATED

The office of the ASNMSU Comptroller is created within the Executive Branch of the ASNMSU.

3-9-2. APPOINTMENT OF THE ASNMSU COMPTROLLER

The ASNMSU President, with consent of the ASNMSU Senate, shall appoint a member of the ASNMSU to the office of ASNMSU Comptroller. The ASNMSU Comptroller shall serve at the discretion of the President of the ASNMSU.

3-9-3. QUALIFICATIONS OF THE ASNMSU COMPTROLLER

The President shall post with the announcement of the position vacancy, those qualifications necessary for the office of the ASNMSU Comptroller.

- A. Applicants for the position of the ASNMSU Comptroller shall be a full-time or part-time student of NMSU.
- B. Applicants for the position of the ASNMSU Comptroller shall have been members of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Applicants for the position of the ASNMSU Comptroller shall not be on either academic or disciplinary probation.
 - 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Comptroller.
 - 2. Once appointed to the office of the ASNMSU Comptroller, the individual shall maintain a semester GPA of at least 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by the ASNMSU President.
 - 3. The ASNMSU Comptroller will be subject to the academic and disciplinary requirements throughout the entire term of office.
 - 4. While working in the position, the ASNMSU Comptroller shall be a member of the ASNMSU.
- D. Successful applicants for the position of the ASNMSU Comptroller shall have successfully completed at a minimum, six (6) hours of Accounting, 200 level or above.

3-9-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU COMPTROLLER

The duties and responsibilities that the ASNMSU Comptroller shall be expected to perform are:

- 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. Keep updated Personnel Action Files (PAF's) on all ASNMSU student employees;
- C. Authorize payroll payments for all of the student employees of ASNMSU;
- D. Prepare an annual report for the ASNMSU President concerning all of the ASNMSU material and monies unaccounted for;

- E. Provide an analysis on the utilization of NMSU student activity fees by:
 - 1. Reporting monthly on the ASNMSU Senate distribution of activity money to recognized ASNMSU/NMSU student organizations, and their uses;
 - 2. Advising the ASNMSU Senate as to the appropriate changes that further the welfare of the NMSU student body;
 - 3. Provide the ASNMSU Senate with year-to-date information concerning the financial history of the organization;
- F. Prepare for the ASNMSU Executive Directors, in cooperation with the ASNMSU Assistant Comptroller, policies and procedures for acquisition of funds from the ASNMSU;
- G. To create and manage a non-reverting account for maintenance of office equipment (computers, copy and fax machines, etc.) The Comptroller may also make capital asset purchases (as per the Comptroller Maintenance Account Act located in chapter eight (8));
- H. Serve as a voting member of the ASNMSU Finance Board, and coordinate the process of preparing the annual General Appropriations Act;
- I. Serve as an ex-officio member of the Senate Budget Committee;
- J. Prepare an audit of ASNMSU or any of the ASNMSU funded organization upon the request of the ASNMSU Finance Committee, the ASNMSU Finance Board, or the ASNMSU President;
- K. Hold regular office hours during the summer months and during both the fall and spring semesters;
- L. Prepare a procedural guide of operations for the successor to the office of the ASNMSU Comptroller;
- M. Attend all regular meetings of the ASNMSU Senate Finance Committee;
- N. Attend all meetings of the ASNMSU Publications and Communications Board or designate an Assistant Comptroller who will attend meetings for the full term as a member described in chapter six (6) of ASNMSU Law Book.
- O. Conduct at least three (3) Financial Procedures Workshops per semester that include methods and procedures for acquiring funding from the ASNMSU Senate;
- P. 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;
- Q. Complete and process reimbursement vouchers for any ASNMSU funded club or organization.
- R. Ensure that all expenditures of ASNMSU funds have been properly authorized by the ASNMSU Senate or the College Councils;

3-9-5. SALARY LIMIT FOR THE ASNMSU COMPTROLLER

The ASNMSU Comptroller shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing the duties of the ASNMSU Comptroller.

3-9-6. TERM OF OFFICE FOR THE ASNMSU COMPTROLLER

The ASNMSU Comptroller shall serve for a period not to exceed one year unless re-appointed, commencing with the appointment by the ASNMSU President, and ending near the end of each spring semester no later than May 31, unless otherwise provided for by law.

3-9-7. TEMPORARY APPOINTMENT OF THE ASNMSU COMPTROLLER

Should the office of the ASNMSU Comptroller become vacant during the summer, the President of the ASNMSU shall appoint someone to fill the position for the remainder of the summer providing that the

replacement fulfills the qualifications of this act. With the consent of the ASNMSU Vice President, the ASNMSU President may make a temporary appointment at the ASNMSU President's discretion.

3-10. ASNMSU ASSISTANT COMPTROLLER

3-10-1. THE OFFICE OF THE ASNMSU ASSISTANT COMPTROLLER CREATED

The office of the ASNMSU Assistant Comptroller is created within the Executive Branch of ASNMSU.

3-10-2. APPOINTMENT OF THE ASNMSU ASSISTANT COMPTROLLER

The ASNMSU Comptroller shall appoint a member of the ASNMSU to the office of the ASNMSU Assistant Comptroller. The Assistant Comptroller shall serve at the discretion of the ASNMSU Comptroller.

3-10-3. QUALIFICATIONS FOR THE ASNMSU ASSISTANT COMPTROLLER

The ASNMSU Comptroller shall post, with the announcement of vacancy, those qualifications necessary for the position of the ASNMSU Assistant Comptroller.

- A. Applicants for the positions of the ASNMSU Assistant Comptroller shall be full-time or part-time students at NMSU.
- B. Applicants for the positions of the ASNMSU Assistant Comptroller shall have been members of the ASNMSU for one (1) previous semester.
- C. Applicants for the positions of the ASNMSU Assistant Comptroller shall not be on either academic or disciplinary probation.
 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individuals to apply for or work in the positions of the ASNMSU Assistant Comptroller.
 2. Once appointed to the offices of the ASNMSU Assistant Comptroller, the individuals shall maintain a semester GPA of at least 2.0. Failure to maintain the semester GPA will result in immediate dismissal from office by ASNMSU.
 3. The ASNMSU Assistant Comptroller will be subject to the academic and disciplinary requirements throughout their entire term of office.
 4. While serving in the position, the ASNMSU Assistant Comptroller shall be a member of the ASNMSU.
- D. Preference in selection of the ASNMSU Assistant Comptroller should be given to those individuals who are familiar with or have been subject to the daily operations and/or procedures of the offices of the ASNMSU Assistant Comptroller.
- E. Applicants for the positions of the ASNMSU Assistant Comptroller shall have successfully completed at a minimum, six (6) credit hours of Accounting, 200 level or above.

3-10-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU ASSISTANT COMPTROLLER

The duties and responsibilities that the ASNMSU Assistant Comptroller is expected to perform as delegated to them by the ASNMSU Comptroller are:

- A. Keep copies of all purchase orders, travel requisitions and vouchers for ASNMSU Base Program Accounts;
- B. Maintain an accurate ledger for all WATS expenses and bookstore charges;
- C. Prepare for the ASNMSU Executive Directors, in cooperation with the ASNMSU Comptroller, policies and procedures for the expenditures of the ASNMSU Base Programs;

- D. Maintain an updated record of the ASNMSU organization, policies and procedures for the acquisition of funds from the ASNMSU Senate;
- 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:
 - 1. A record of all Senate and College Council appropriations to student organizations;
 - 2. Copies of all purchase orders, travel requisitions and vouchers for the 1-3 accounts of student organizations;
 - 3. Running balance ledgers for the student organizational accounts;
- H. Insure that expenditures are in accordance with ASNMSU law and with policies that may be set by the Publications and Communications Board;
- I. If so designated by the ASNMSU Comptroller as specified in 3-9-4-N, attend all meetings of the ASNMSU Publications and Communications Board and Finance Committee.

3-10-5. SALARY LIMIT FOR THE ASNMSU ASSISTANT COMPTROLLER

The ASNMSU Assistant Comptroller shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing duties as ASNMSU Assistant Comptroller.

3-10-6. TERM OF OFFICE FOR THE ASNMSU ASSISTANT COMPTROLLER

The ASNMSU Assistant Comptroller shall serve for a period not to exceed one year unless re-appointed, commencing with the appointment by the ASNMSU President, and ending near the end of each spring semester no later than May 31, unless otherwise provided for by law.

3-10-7. TEMPORARY APPOINTMENT OF AN ASNMSU ASSISTANT COMPTROLLER

Should the office of the ASNMSU Assistant Comptroller become vacant during the summer, the ASNMSU Comptroller shall appoint a replacement to fill the position for the remainder of the summer, providing that the replacement fulfills the qualifications of this act.

3-11. ASNMSU EXECUTIVE DIRECTOR OF MEDIA RELATIONS

3-11-1. THE OFFICE OF THE ASNMSU EXECUTIVE DIRECTOR OF MEDIA RELATIONS CREATED

The office of the ASNMSU Executive Director of Media Relations is created within the Executive Branch of the ASNMSU.

3-11-2. APPOINTMENT OF THE ASNMSU EXECUTIVE DIRECTOR OF MEDIA RELATIONS

The ASNMSU President, with consent of the ASNMSU Senate shall appoint a student member of the ASNMSU to the office of the ASNMSU Executive Director of Media Relations.

3-11-3. QUALIFICATIONS OF THE ASNMSU EXECUTIVE DIRECTOR OF MEDIA RELATIONS

The ASNMSU President shall post with the announcement of position vacancy, those qualifications necessary for the office of the ASNMSU Executive Director of Media Relations.

- A. Applicants for the position of the ASNMSU Executive Director of Media Relations shall be a member of the ASNMSU.
- B. Applicants for the position of the ASNMSU Executive Director of Media Relations shall have been members of the ASNMSU for the fall and spring semester prior to their appointment taking effect.
- C. Applicants for the position of the ASNMSU Executive Director of Media Relations shall not be on either academic or disciplinary probation.
 - 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Executive Director of Media Relations.
 - 2. Once appointed to the office of the ASNMSU Executive Director of Media Relations, the individual shall maintain a semester GPA of at least 2.0. Failure to maintain this semester GPA will result in immediate dismissal by the ASNMSU.
 - 3. While working in the position, the ASNMSU Executive Director of Media Relations shall be a full-time or part-time student and a member of ASNMSU.

3-11-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU EXECUTIVE DIRECTOR OF MEDIA RELATIONS

The duties and responsibilities that the ASNMSU Executive Director of Media Relations shall be expected to perform are to:

- A. Serve as the official spokesperson and chair for the ASNMSU Publications and Communications Board to the ASNMSU Executive, Legislative and Judicial Branches;
- B. Serve as the official spokesperson for the ASNMSU Executive Branch concerning any aspect of the media;
- C. Serve as the communication link between the ASNMSU Legislative and Judicial Branches and the ASNMSU media;
- D. Meet with the Senate of ASNMSU 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 Media Relations can send the Assistant Director of Media Relations to provide the report.
- E. Serve as the principal contact between the community and the ASNMSU media;
- F. Present to the ASNMSU Finance Committee and Finance Board financial matters that pertain to the ASNMSU media;
- G. Hold regularly scheduled office hours during the entire calendar year, excluding university holidays.
- H. Be responsible for writing press releases concerning ASNMSU, ASNMSU sponsored events, and other projects deemed appropriate by the ASNMSU President. All Las Cruces and surrounding areas shall receive press releases as deemed necessary by the Director of Media Relations;
- I. Chair the Visual Media Board to promote ASNMSU and Student Visual Media;
- J. Shall serve as the ASNMSU liaison with NMSU University Communications;
- K. Serve on the ASNMSU Continuing Diversity Board as a voting member;
- L. Appoint a person to fill the position of Assistant for Visual Media Board.

3-11-5. SALARY LIMIT FOR THE ASNMSU EXECUTIVE DIRECTOR OF MEDIA RELATIONS

The ASNMSU Executive Director of Media Relations shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing the duties of the ASNMSU Executive Director of Media Relations.

3-11-6. TERM OF OFFICE FOR THE ASNMSU EXECUTIVE DIRECTOR OF MEDIA RELATIONS

The ASNMSU Executive Director of Media Relations shall serve for a period not to exceed one year unless re-appointed, commencing with confirmation by the ASNMSU Publications and Communications Board and ending with successor's confirmation by the ASNMSU Publications and Communications Board near the end of each spring semester, unless otherwise provided by law.

3-11-7. TEMPORARY APPOINTMENT OF THE ASNMSU EXECUTIVE DIRECTOR OF MEDIA RELATIONS

Should the office of the ASNMSU Executive Director of Media Relations become vacant during the summer, the President of the ASNMSU shall appoint someone to fill the position for the remainder of the summer providing that the replacement fulfills the qualifications of this act. With the consent of the ASNMSU Vice President, the ASNMSU President may make a temporary appointment at the ASNMSU President's discretion.

3-12 ASNMSU VISUAL MEDIA ASSISTANT

3-12-1. THE OFFICE OF ASNMSU VISUAL MEDIA ASSISTANT CREATED

The office of the ASNMSU Visual Media Assistant is created within the Executive Branch of the ASNMSU.

3-12-2. APPOINTMENT OF THE ASNMSU VISUAL MEDIA ASSISTANT

The ASNMSU Executive Director of Media Relations shall appoint an ASNMSU member to the office of the ASNMSU Visual Media Assistant.

3-12-3. QUALIFICATIONS OF THE ASNMSU VISUAL MEDIA ASSISTANT

The ASNMSU Executive Director of Media Relations shall post with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Visual Media Assistant.

A. Applicants for the position of the ASNMSU Visual Media Assistant shall be a member of the ASNMSU.

B. Applicants must be a member of the Student Organization for Digital Artists (SODA).

C. Applicants for the position of the ASNMSU Visual Media Assistant shall have been a member of the ASNMSU for the fall or spring semester prior to their appointment taking effect.

D. Preference in selection of the ASNMSU Visual Media Assistant should be given to those individuals who are familiar with or have been subject to the daily operations and procedures relating to this position.

E. Applicants for the position of the ASNMSU Visual Media Assistant shall not be on either academic or disciplinary probation.

1. Waivers on academic process or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Visual Media Assistant.
2. Once the appointment to the office of the ASNMSU Visual Media Assistant, the individual shall maintain a semester GPS of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from the office by the ASNMSU.
3. The ASNMSU Visual Media Assistant will be subject to the academic and disciplinary requirements throughout the entire term of office.
4. While working in the position, the ANSMU Visual Media Assistant shall be a member of ASNMSU.

3-12-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU VISUAL MEDIA ASSISTANT

The duties and responsibilities that the ASNMSU Visual Media Assistant shall be expected to perform are:

- A. Serve as a liaison between ASNMSU Director of Media Relations and SODA.
- B. Assist with the checking in and out of the ASNMSU Film Equipment.
- C. Supervise equipment during filming when the ASNMSU Director of Media Relations is unable.
- D. Prepare a conclusive inventory of the equipment at the beginning of the fall and spring semesters.
- E. Serve as a member on the Visual Media Board.

3-12-5. SALARY LIMIT FOR THE ASNMSU VISUAL MEDIA ASSISTANT

The ASNMSU Visual Media Assistant shall receive a salary no to exceed five hundred dollars and no cents (\$500.00) per semester in the form of a stipend while performing the duties of the ASNMSU Visual Media Assistant.

3-12-6. TERM OF OFFICE FOR THE ASNMSU VISUAL MEDIA ASSISTANT

The ASNMSU Visual Media Assistant shall serve, at the discretion of the Executive Director of Media Relations, for a period not to exceed the term of office of the ANSMU Director of Media Relations, unless otherwise provided for by law.

3-12-7. TEMPORARY APPOINTMENT OF THE VISUAL MEDIA ASSISTANT

Should the office of the ASNMSU Visual Media Assistant become vacant during the term, the ASNMSU Executive Director of Media Relations shall appoint a replacement to fill the position for the remainder of the term, providing that the replacement fulfills the requirements of this act.

3-13 ASNMSU EXECUTIVE DIRECTOR OF ACTIVITIES

3-13-1. THE OFFICE OF ASNMSU EXECUTIVE DIRECTOR OF ACTIVITIES CREATED

The office of the ASNMSU Executive Director of Activities is created within the Executive Branch of the ASNMSU.

3-13-2. APPOINTMENT OF THE ASNMSU EXECUTIVE DIRECTOR OF ACTIVITIES

The ASNMSU President with consent of the ASNMSU Senate shall appoint a member of the ASNMSU to the office of the ASNMSU Executive Director of Activities. The ASNMSU Executive Director of Activities shall serve at the discretion of the President of the ASNMSU.

3-13-3. QUALIFICATIONS OF THE ASNMSU EXECUTIVE DIRECTOR OF ACTIVITIES

The President shall post with the announcement of position vacancy, those qualifications necessary for the office of the ASNMSU Executive Director of Activities.

- A. Applicants for the position of the ASNMSU Executive Director of Activities shall be a member of the ASNMSU.
- B. Applicants for the position of ASNMSU Executive Director of Activities shall have been members of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Preference in selection of the ASNMSU Executive Director of Activities should be given to those individuals who are familiar with or have been subject to the daily operations and procedures of the Department of the ASNMSU Activities.
- D. Applicants for the position of the ASNMSU Executive Director of Activities shall not be on either academic or disciplinary probation.
 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Executive Director of Activities.
 2. Once appointed to the office of the ASNMSU Executive Director of Activities, the individual shall maintain a semester GPA of at least 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by the ASNMSU.
 3. The ASNMSU Executive Director of Activities will be subject to the academic and disciplinary requirements throughout the entire term of office.
 4. While working in the position, the ASNMSU Executive Director of Activities shall be a member of ASNMSU.

3-13-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU EXECUTIVE DIRECTOR OF ACTIVITIES

The duties and responsibilities that the ASNMSU Executive Director of Activities shall be expected to perform are:

- 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. Be ultimately responsible for all activities procured, produced, and promoted by the Department of the ASNMSU Activities;
- C. Prepare and distribute a calendar of campus activities to the members of the ASNMSU;
- D. Contact and determine involvement with cosponsors of previous programs within thirty (30) days of being appointed by the ASNMSU President;
- E. 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;
- F. Hold regular office hours each week during the summer months and during the fall and spring semesters;
- G. Prepare a procedural guide of operations for the successor to the office of the ASNMSU Executive Director of Activities. This guide shall include job descriptions of each committee chairperson;

- H. Meet with the President of the ASNMSU weekly to provide reports on upcoming and scheduled events;
- I. 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.
- J. Supervise and review the functioning of publicity, speakers, special projects, films and homecoming, and assist as necessary to insure that the performance in accordance with the Articles of Operation and the ASNMSU Law Book;
 - 1. 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”.
 - 2. Chair the Homecoming Committee Review Board per 7-7
- K. Work with the American Indian Programs, Black Programs, Chicano Programs, the Sexual and Gender Diversity Resource Center, and International Programs to provide ethnic programs;
- L. Appoint a person to fill the position of the Assistant Director of Activities to work at the discretion of the director.
- M. Shall maintain communication and relations with the Director of the NMSU Alumni Association.
- N. Chair the Continuing Diversity Board and help to establish diversity program funding with the intent of stating new continuing diversity programs as per 7-1.
- O. Allocate reimbursement funding for all student organizations consisting of fee paying members of ASNMSU an amount not greater than but equal to two-hundred fifty dollars and no cents (\$250.00) of those participation in the Homecoming Parade.
- P. Perform all other duties related to activities that may be requested by the ASNMSU President.

3-13-5. SALARY LIMIT FOR THE ASNMSU EXECUTIVE DIRECTOR OF ACTIVITIES

The ASNMSU Executive Director of Activities shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing the duties of the ASNMSU Executive Director of Activities.

3-13-6. TERM OF OFFICE FOR THE ASNMSU EXECUTIVE DIRECTOR OF ACTIVITIES

The ASNMSU Executive Director of Activities shall serve for a period not to exceed one year unless re-appointed, commencing with the appointment by the ASNMSU President, and ending near the end of each spring semester no later than May 31, unless otherwise provided for by law.

3-13-7. TEMPORARY APPOINTMENT OF THE EXECUTIVE DIRECTOR OF ACTIVITIES

Should the office of Executive Director of Activities become vacant during the summer, the President of the ASNMSU shall appoint one of the chairpersons of the Department of Activities' standing committees to fill the position for the remainder of the summer providing that the replacement fulfills the qualifications of this act. With the consent of the ASNMSU Vice President, the ASNMSU President may make a temporary appointment at the ASNMSU President's discretion.

3-14. ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES

3-14-1. THE OFFICE OF THE ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES CREATED

The office of the ASNMSU Assistant Director of Activities is created within the Executive Branch of the ASNMSU.

3-14-2. APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES

The ASNMSU Executive Director of Activities shall appoint an ASNMSU member to the office of the ASNMSU Assistant Director of Activities.

3-14-3. QUALIFICATIONS OF THE ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES

The ASNMSU Executive Director of Activities shall post with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Assistant Director of Activities.

- A. Applicants for the position of the ASNMSU Assistant Director of Activities shall be a member of the ASNMSU.
- B. Applicants for the position of the ASNMSU Assistant Director of Activities shall have been a member of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Preference in selection of the ASNMSU Assistant Director of Activities should be given to those individuals who are familiar with or have been subject to the daily operations and procedures relating to this position.
- D. Applicants for the position of the ASNMSU Assistant Director of Activities shall not be on either academic or disciplinary probation.
 1. Waivers on academic process or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Assistant Director of Activities.
 2. Once appointed to the office of the ASNMSU Assistant Director of Activities, the individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from the office by the ASNMSU.
 3. The ASNMSU Assistant Director of Activities will be subject to the academic and disciplinary requirements throughout the entire term of office.
 4. While working in the position, the ASNMSU Assistant Director of Activities shall be a member of ASNMSU.

3-14-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES

The duties and responsibilities that the ASNMSU Assistant Director of Activities shall be expected to perform are:

- A. Assist with the planning and staging of Homecoming;
- B. Assist with scheduling of Films and Speakers;
- C. Hold regular office hours;
- D. Interact with the Executive Director of Activities to discuss current and upcoming projects;
- E. Perform any other duties assigned by the Executive Director of Activities.

3-14-5. SALARY LIMIT FOR THE ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES

The ASNMSU Assistant Director of Activities shall receive a salary not to exceed the current applicable minimum wage (as allowed for by Title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month.

3-14-6. TERM OF OFFICE FOR THE ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES

The ASNMSU Assistant Director of Activities shall serve, at the discretion of the Executive Director of Activities, for a period not to exceed the term of office of the ASNMSU Director of Activities, unless otherwise provided for by law.

3-14-7. TEMPORARY APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES

Should the office of the ASNMSU Assistant Director of Activities become vacant during the term, the ASNMSU Executive Director of Activities shall appoint a replacement to fill the position for the remainder of the term, providing that the replacement fulfills the requirements of this act.

3-15. ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES CORBETT PROGRAMMING

3-15-1. THE OFFICE OF THE ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES CORBETT PROGRAMMING CREATED

The office of the ASNMSU Assistant Director of Activities Corbett Programming is created within the Executive Branch of the ASNMSU.

3-15-2. APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES CORBETT PROGRAMMING

The ASNMSU Executive Director of Activities shall appoint an ASNMSU member to the office of the ASNMSU Assistant Director of Activities Corbett Programming.

3-15-3. QUALIFICATIONS OF THE ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES CORBETT PROGRAMMING

The ASNMSU Executive Director of Activities in Corbett shall post with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Assistant Director of Activities Corbett Programming.

- A. Applicants for the position of the ASNMSU Assistant Director of Activities Corbett Programming shall be a member of the ASNMSU.
- B. Applicants for the position of the ASNMSU Assistant Director of Activities Corbett Programming shall have been a member of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Preference in selection of the ASNMSU Assistant Director of Activities Corbett Programming should be given to those individuals who are familiar with or have been subject to the daily operations and procedures relating to this position.
- D. Applicants for the position of the ASNMSU Assistant Director of Activities Corbett Programming shall not be on either academic or disciplinary probation.
 1. Waivers on academic process or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Assistant Director of Activities Corbett Programming.

2. Once appointed to the office of the ASNMSU Assistant Director of Activities Corbett Programming, the individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from the office by the ASNMSU.
3. The ASNMSU Assistant Director of Activities Corbett Programming will be subject to the academic and disciplinary requirements throughout the entire term of office.
4. While working in the position, the ASNMSU Assistant Director of Activities Corbett Programming shall be a member of ASNMSU.

3-15-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES CORBETT PROGRAMMING

The duties and responsibilities that the ASNMSU Assistant Director of Activities Corbett Programming shall be expected to perform are:

- A. Assist with the planning of events in Corbett Center Student Union;
- B. Assist with scheduling of Films, Speakers, Comedians, and Live Music in Corbett Center Student Union;
- C. Hold regular office hours;
- D. Interact with the Executive Director of Activities to discuss current and upcoming projects;
- E. Perform any other duties assigned by the Executive Director of Activities.
- F. Attend all meeting held by the Corbett Center Student Union Board, or send a delegate to represent ASNMSU.

3-15-5. SALARY LIMIT FOR THE ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES CORBETT PROGRAMMING

The ASNMSU Assistant Director of Activities Corbett Programming shall receive a salary not to exceed the current applicable minimum wage (as allowed for by Title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month.

3-15-6. TERM OF OFFICE FOR THE ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES CORBETT PROGRAMMING

The ASNMSU Assistant Director of Activities Corbett Programming shall serve, at the discretion of the Executive Director of Activities, for a period not to exceed the term of office of the ASNMSU Director of Activities, unless otherwise provided for by law.

3-15-7. TEMPORARY APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF ACTIVITIES CORBETT PROGRAMMING

Should the office of the ASNMSU Assistant Director of Activities Corbett Programming become vacant during the term, the ASNMSU Executive Director of Activities shall appoint a replacement to fill the position for the remainder of the term, providing that the replacement fulfills the requirements of this act.

3-16 ASNMSU BONFIRE CHAIR

3-16-1. THE OFFICE OF THE ASNMSU BONFIRE CHAIR CREATED

The office of the ASNMSU Bonfire Chair is created within the Executive Branch of the ASNMSU.

3-16-2. APPOINTMENT OF THE ASNMSU BONFIRE CHAIR

The ASNMSU Executive Director of Activities shall appoint an ASNMSU member to the office of the ASNMSU Bonfire Chair.

3-16-3. QUALIFICATIONS OF THE ASNMSU BONFIRE CHAIR

The ASNMSU Executive Director of Activities shall post with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Bonfire Chair.

- A. Applicants for the position of the ASNMSU Bonfire Chair shall be a member of the ASNMSU.
- B. Applicants for the position of the ASNMSU Bonfire Chair shall have been a member of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Preference in selection of the ASNMSU Bonfire Chair should be given to those individuals who are familiar with or have been subject to the daily operations and procedures relating to this position.
- D. Applicants for the position of the ASNMSU Bonfire Chair shall not be on either academic or disciplinary probation.
 1. Waivers on academic process or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Bonfire Chair.
 2. Once appointed to the office of the ASNMSU Bonfire Chair, the individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from the office by the ASNMSU.
 3. The ASNMSU Bonfire chair will be subject to the academic and disciplinary requirements throughout the entire term of office.
 4. While working in the position, the ASNMSU Bonfire Chair shall be a member of ASNMSU.

3-16-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU BONFIRE CHAIR

The duties and responsibilities that the ASNMSU Bonfire Chair shall be expected to perform are:

- A. Assist with the planning and staging of Homecoming;
- B. Hold regular office hours;
- C. Prepare a procedural guide of operations for the successors to the office of ASNMSU Bonfire Chair;

3-16-5. SALARY LIMIT FOR THE ASNMSU BONFIRE CHAIR

The ASNMSU Bonfire Chair shall receive a salary not to exceed five hundred dollars and no cents(\$500.00) in the form of a stipend while performing the duties of the ASNMSU Bonfire Chair

3-16-6. TERM OF OFFICE FOR THE ASNMSU BONFIRE CHAIR

The ASNMSU Bonfire Chair shall serve, at the discretion of the Executive Director of Activities, for a period not to exceed the term of office of the ASNMSU Director of Activities, unless otherwise provided for by law.

3-16-7. TEMPORARY APPOINTMENT OF THE BONFIRE CHAIR

Should the office of the ASNMSU Bonfire Chair become vacant during the term, the ASNMSU Executive Director of Activities shall appoint a replacement to fill the position for the remainder of the term, providing that the replacement fulfills the requirements of this act.

3-17 ASNMSU PARADE CHAIR

3-17-1. THE OFFICE OF THE ASNMSU PARADE CHAIR CREATED

The office of the ASNMSU Parade Chair is created within the Executive Branch of the ASNMSU.

3-17-2. APPOINTMENT OF THE ASNMSU PARADE CHAIR

The ASNMSU Executive Director of Activities shall appoint an ASNMSU member to the office of the ASNMSU Parade Chair.

3-17-3. QUALIFICATIONS OF THE ASNMSU PARADE CHAIR

The ASNMSU Executive Director of Activities shall post with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Parade Chair.

- A. Applicants for the position of the ASNMSU Parade Chair shall be a member of the ASNMSU.
- B. Applicants for the position of the ASNMSU Parade Chair shall have been a member of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Preference in selection of the ASNMSU Parade Chair should be given to those individuals who are familiar with or have been subject to the daily operations and procedures relating to this position.
- D. Applicants for the position of the ASNMSU Parade Chair shall not be on either academic or disciplinary probation.
 1. Waivers on academic process or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Parade Chair.
 2. Once appointed to the office of the ASNMSU Parade Chair, the individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from the office by the ASNMSU.
 3. The ASNMSU Parade chair will be subject to the academic and disciplinary requirements throughout the entire term of office.
 4. While working in the position, the ASNMSU Parade Chair shall be a member of ASNMSU.

3-17-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU PARADE CHAIR

The duties and responsibilities that the ASNMSU Parade Chair shall be expected to perform are:

- A. Assist with the planning and staging of the Homecoming Parade;
- B. Hold regular office hours;
- C. Prepare a procedural guide of operations for the successors to the office of ASNMSU Parade Chair;

3-17-5. SALARY LIMIT FOR THE ASNMSU PARADE CHAIR

The ASNMSU Parade Chair shall receive a salary not to exceed five hundred dollars and no cents (\$500.00) in the form of a stipend while performing the duties of the ASNMSU Parade Chair.

3-17-6. TERM OF OFFICE FOR THE ASNMSU PARADE CHAIR

The ASNMSU Parade Chair shall serve, at the discretion of the Executive Director of Activities, for a period not to exceed the term of office of the ASNMSU Director of Activities, unless otherwise provided for by law.

3-17-7. TEMPORARY APPOINTMENT OF THE ASNMSU PARADE CHAIR

Should the office of the ASNMSU Parade Chair become vacant during the term, the ASNMSU Executive Director of Activities shall appoint a replacement to fill the position for the remainder of the term, providing that the replacement fulfills the requirements of this act.

3-18. ASNMSU EXECUTIVE DIRECTOR OF SPECIAL EVENTS

3-18-1. THE OFFICE OF THE ASNMSU EXECUTIVE DIRECTOR OF SPECIAL EVENTS CREATED

The office of the ASNMSU Executive Director of Special Events is created within the Executive Branch of the ASNMSU.

3-18-2. APPOINTMENT OF THE ASNMSU EXECUTIVE DIRECTOR OF SPECIAL EVENTS

The ASNMSU President with consent of the ASNMSU Senate shall appoint a member of the ASNMSU to the office of ASNMSU Executive Director of Special Events. The ASNMSU Executive Director of Special Events shall serve at the discretion of the President of the ASNMSU.

3-18-3. QUALIFICATIONS OF THE ASNMSU EXECUTIVE DIRECTOR OF SPECIAL EVENTS

The President shall post with the announcement of position vacancy, those qualifications necessary for the office of the ASNMSU Executive Director of Special Events.

- A. Applicants for the position of the ASNMSU Executive Director of Special Events shall be full-time or part-time students of NMSU.
- B. Applicants for the position of the ASNMSU Executive Director of Special Events shall have been members of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Preference in selection of the ASNMSU Executive Director of Special Events should be given to those individuals who are familiar with or have been subject to the daily operations and procedures of the Department of the ASNMSU Special Events.
- D. Applicants for the position of the ASNMSU Executive Director of Special Events shall not be on either academic or disciplinary probation.
 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Executive Director of Special Events.
 2. Once appointed to the office of the ASNMSU Executive Director of Special Events, the individual shall maintain a semester GPA of at least 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by the ASNMSU.
 3. The ASNMSU Executive Director of Special Events will be subject to the academic and disciplinary requirements throughout the entire term of office.
 4. While working in the position, the ASNMSU Executive Director of Special Events shall be a member of ASNMSU.

3-18-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU EXECUTIVE DIRECTOR OF SPECIAL EVENTS

The duties and responsibilities that the ASNMSU Executive Director of Special Events shall be expected to perform are:

- A. Be the chief administrative officer of the ASNMSU Special Events Department and, as such, shall provide the necessary leadership for the achievement of purposes, responsibilities, and duties as called for by the department;
- B. Be ultimately responsible for all activities procured, produced, and promoted by the Department of the ASNMSU Special Events;
- C. Be responsible for maintaining accurate and current accounts of all income and expenditures for the Department of the ASNMSU Special Events (such accounts shall be documented and available for confirmation by the ASNMSU Comptroller at any time);
- D. Hold regular office hours each week during the summer months and during both fall and spring semesters;
- E. Prepare a procedural guide of operations for the successor to the office of the ASNMSU Executive Director of Special Events;

- F. Meet with the President of the ASNMSU biweekly to provide reports on upcoming and scheduled events;
- G. 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 Special Events can send the Assistant Director of Special Events to provide the report.
- H. Supervise and review the functioning of concerts, publicity and cultural events and assist as necessary to insure that the performance is in accordance with the Articles of Operation and the ASNMSU Law Book.
- I. Perform all duties that may be related to special events that may be requested by the ASNMSU President.

3-18-5. SALARY LIMIT FOR THE ASNMSU EXECUTIVE DIRECTOR OF SPECIAL EVENTS

The ASNMSU Executive Director of Special Events shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing the duties of the ASNMSU Executive Director of Special Events.

3-18-6. TERM OF OFFICE FOR THE ASNMSU EXECUTIVE DIRECTOR OF SPECIAL EVENTS

The ASNMSU Executive Director of Special Events shall serve for a period not to exceed one year unless re-appointed, commencing with the appointment by the ASNMSU President, and ending near the end of each spring semester no later than May 31, unless otherwise provided for by law.

3-18-7. TEMPORARY APPOINTMENT OF THE EXECUTIVE DIRECTOR OF SPECIAL EVENTS

Should the office of Executive Director of Special Events become vacant during the summer, the President of the ASNMSU, shall appoint one of the chairpersons of the Department of Special Events standing committees to fill the position for the remainder of the summer providing that the replacement fulfills the qualifications of this act. With the consent of the ASNMSU Vice President, the ASNMSU President may make a temporary appointment at the ASNMSU President's discretion.

3-19. ASNMSU ASSISTANT DIRECTOR OF SPECIAL EVENTS

3-19-1. THE OFFICE OF THE ASNMSU ASSISTANT DIRECTOR OF SPECIAL EVENTS CREATED

The office of the ASNMSU Assistant Director of Special Events is created within the Executive Branch of the ASNMSU.

3-19-2. APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF SPECIAL EVENTS

The ASNMSU Executive Director of Special Events shall appoint an ASNMSU member to the office of the ASNMSU Assistant Director of Special Events.

3-19-3. QUALIFICATIONS OF THE ASNMSU ASSISTANT DIRECTOR OF SPECIAL EVENTS

The ASNMU Executive Director of Special Events shall post with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Assistant Director of Special Events.

A. Applicants for the position of the ASNMSU Assistant Director of Special Events shall have been a member of the ASNMSU for the fall or spring semester prior to their appointment taking affect.

B. Preference in selection of the ASNMSU Assistant Director of Special Events should be given to those individuals who are familiar with or have been subject to the daily operations and procedures relating to this position.

C. Applicants for the position of the ASNMSU Assistant Director of Special Events shall not be on either academic or disciplinary probation. Waivers on academic process or waivers of GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Assistant Director of Special Events.

D. Once appointed to the office of the ASNMSU Assistant Director of Special Events, the individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from the office by the ASNMSU.

E. The ASNMSU Assistant Director of Special Events will be subject to the academic and disciplinary requirements throughout the entire term of office.

F. While working in the position, the ASNMSU Assistant Director of Special Events shall be a member of ASNMSU.

3-19-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU ASSISTANT DIRECTOR OF SPECIAL EVENTS

The duties and responsibilities that the ASNMSU Assistant Director of Special Events shall be expected to perform are:

1. Assist with the planning and staging of performances at NMSU and in surrounding area;
2. Hold regular office hours;
3. Interact with the Executive Director of Special Events to discuss current and upcoming projects;
4. Perform any other duties assigned by the Executive Director of Special Events.

3-19-5. SALARY LIMIT FOR THE ASNMSU ASSISTANT DIRECTOR OF SPECIAL EVENTS

The ASNMSU Assistant Director of Special Events shall receive a salary not to exceed the current applicable minimum wage (as allowed for by Title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month.

3-19-6. TERM OF OFFICE FOR THE ASNMSU ASSISTANT DIRECTOR OF SPECIAL EVENTS

The ASNMU Assistant Director of Special Events shall serve, at the discretion of the Executive Director of Special Events, for a period not to exceed the term of office of the ASNMSU Director of Special Events, unless otherwise provided for by law.

3-19-7. TEMPORARY APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF SPECIAL EVENTS

Should the office of the ASNMSU Assistant Director of Special Events become vacant during the term, the ASNMSU Executive Director of Special Events shall appoint a replacement to fill the position for the remainder of the term, providing that the replacement fulfill the requirements of this act.

3-20. ASNMSU EXECUTIVE DIRECTOR OF SERVICES

3-20-1. THE OFFICE OF THE ASNMSU EXECUTIVE DIRECTOR OF SERVICES CREATED

The office of the ASNMSU Executive Director of Services is created within the Executive Branch of the ASNMSU.

3-20-2. APPOINTMENT OF THE ASNMSU EXECUTIVE DIRECTOR OF SERVICES

The ASNMSU President with consent of the ASNMSU Senate shall appoint a member of the ASNMSU to the office of the ASNMSU Executive Director of Services. The ASNMSU Executive Director of Services shall serve at the discretion of the ASNMSU President.

3-20-3. QUALIFICATIONS OF THE ASNMSU EXECUTIVE DIRECTOR OF SERVICES

The President shall post with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Executive Director of Services.

- A. Applicants for the position of Executive Director of Services shall be full-time or part-time students at NMSU.
- B. Preference in selection of the ASNMSU Executive Director of Services should be given to those individuals who are familiar with or have been subject to the daily operations and procedures of the ASNMSU Department of Services.
- C. Applicants for the position of ASNMSU Executive Director of Services shall not be on either academic or disciplinary probation.
 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Executive Director of Services.
 2. Once appointed to the office of the ASNMSU Executive Director of Services, the individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by ASNMSU.
 3. The ASNMSU Executive Director of Services will be subject to the academic and disciplinary requirements throughout the term of office.
 4. While working in the position, the ASNMSU Executive Director of Services shall be a member of ASNMSU.

3-20-4. EXECUTIVE DIRECTOR OF SERVICES DUTIES AND RESPONSIBILITIES OF THE ASNMSU EXECUTIVE DIRECTOR OF SERVICES

The duties and responsibilities that the ASNMSU Executive Director of Services shall be expected to perform are:

- A. Work in cooperation with the Executive and Legislative Branches of the ASNMSU in order to promote, establish, and maintain all services provided for the members of the 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:
 1. ASNMSU Pete's Pick-Up;
 2. ASNMSU Discount Program;

3. ASNMSU Aggie Transit;
 4. Coordination of a student taxi service;
 5. Other projects as assigned by the ASNMSU President.
 6. Coordination with Students with Disabilities for students needing assistance at meetings of chartered organizations;
 7. ASNMSU Crimson Cab;
 8. ASNMSU Student Readership Program;
- C. To hold regular office hours during the entire calendar year, excluding university holidays;
 - D. To serve as the official ASNMSU spokesperson for the aforementioned programs;
 - E. Contact and determine involvement with cosponsors of previous programs within thirty (30) days of appointment by the ASNMSU President;
 - F. 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;
 - G. Prepare a procedural guide of operations for the successor to the office of the ASNMSU Executive Director of Services.
 - H. 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.
 - I. Serve as a liaison with Auxiliary Services, meet with the Director monthly, and be present at bi-weekly Auxiliary services meetings.

3-20-5. SALARY LIMIT FOR THE ASNMSU EXECUTIVE DIRECTOR OF SERVICES

The ASNMSU Executive Director of Services shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing the duties of the ASNMSU Executive Director of Services.

3-20-6. TERM OF OFFICE FOR THE ASNMSU EXECUTIVE DIRECTOR OF SERVICES

The ASNMSU Executive Director of Services shall serve for a period not to exceed one year unless re-appointed, commencing with the appointment by the ASNMSU President, and ending near the end of each spring semester no later than May 31, unless otherwise provided for by law.

3-20-7. TEMPORARY APPOINTMENT OF THE ASNMSU EXECUTIVE DIRECTOR OF SERVICES

Should the office of the ASNMSU Executive Director of Services become vacant during the summer, the ASNMSU President shall appoint someone to fill the position for the remainder of the summer, providing that the replacement fulfills the qualifications of this act. With consent of the ASNMSU Vice President, the ASNMSU President may make a temporary appointment at the ASNMSU President's discretion.

3-21. ASNMSU ASSISTANT DIRECTOR OF SERVICES

3-21-1. THE OFFICE OF THE ASNMSU ASSISTANT DIRECTOR OF SERVICES CREATED

The office of the ASNMSU Assistant Director of Services is created within the Executive Branch of ASNMSU.

3-21-2. APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF SERVICES

The ASNMSU Director of Services, with the consent of the ASNMSU Senate, shall appoint an ASNMSU member to the office of ASNMSU Assistant Director of Services. The Assistant Director of Services shall serve at the discretion of the ASNMSU Director of Services.

3-21-3. QUALIFICATIONS OF THE ASNMSU ASSISTANT DIRECTOR OF SERVICES

The ASNMSU Director of Services shall post, with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Assistant Director of Services.

- A. Applicants for the position of the ASNMSU Assistant Director of Services shall be full-time or part-time students of NMSU.
- B. Applicants for the position of ASNMSU Assistant Director of Services shall have been members of the ASNMSU for one (1) previous semester.
- C. Preference in selection of the ASNMSU Assistant Director of Services should be given to those individuals who are familiar with or have been subject to the daily operations and procedures of the ASNMSU Department of Services.
- D. Applicants for the position of the ASNMSU Assistant Director of Services shall not be on either academic or disciplinary probation.
- F. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Assistant Director of Services.
- G. Once appointed to the office of the ASNMSU Assistant Director of Services, the individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by the ASNMSU.
- H. The ASNMSU Assistant Director of Services will be subject to the academic and disciplinary requirements throughout the term of office.
- I. While working in the position, the ASNMSU Assistant Director of Services shall be a member of the ASNMSU.

3-21-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU ASSISTANT DIRECTOR OF SERVICES

The duties and responsibilities that the ASNMSU Assistant Director of Services shall be expected to perform are:

- A. Serve as the Pete's Pick-Up Director as per 7-2;
- B. Coordination and implementation Pete's Pick-Up Outreach programs within the NMSU community;
- C. Submission of all monthly payroll for all employees of Pete's Pick-Up;
- D. Assist the director in the organization and implementation of the Crimson Cab Program;
- E. Assist the director in the organization and implementation of the Discount Program.

3-21-5. SALARY LIMIT FOR THE ASNMSU ASSISTANT DIRECTOR OF SERVICES

The ASNMSU Assistant Director of Services shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage

Adjustment Factor for eighty (80) hours per month while performing the duties of the ASNMSU Assistant Director of Services.

3-21-6. TERM OF OFFICE FOR THE ASNMSU ASSISTANT DIRECTOR OF SERVICES

The ASNMSU Executive Director of Services shall serve for a period not to exceed one year unless re-appointed, commencing with the appointment by the ASNMSU President, and ending near the end of each spring semester no later than May 31, unless otherwise provided for by law.

3-21-7. TEMPORARY APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF SERVICES

Should the office of the ASNMSU Assistant Director of Services become vacant during the summer, the ASNMSU Executive Director of Services shall appoint a replacement to fill the position for the remainder of the summer, providing that the replacement fulfill the qualifications of this act.

3-22. ASNMSU EXECUTIVE DIRECTOR OF PUBLIC RELATIONS

3-22-1. THE OFFICE OF THE ASNMSU EXECUTIVE DIRECTOR OF PUBLIC RELATIONS CREATED

The office of the ASNMSU Executive Director of Public Relations is created within the Executive Branch of the ASNMSU.

3-22-2. APPOINTMENT OF THE ASNMSU EXECUTIVE DIRECTOR OF PUBLIC RELATIONS

The ASNMSU President, with consent of the ASNMSU Senate shall appoint a member of the ASNMSU to the office of the ASNMSU Executive Director of Public Relations. The ASNMSU Executive Director of Public Relations shall serve at the discretion of the ASNMSU President.

3-22-3. QUALIFICATIONS OF THE ASNMSU EXECUTIVE DIRECTOR OF PUBLIC RELATIONS

The President shall post, with the announcement of vacancy, qualifications necessary for the office of the ASNMSU Executive Director of Public Relations.

- A. Applicants for the position of the ASNMSU Executive Director of Public Relations shall be a full-time or part-time students at NMSU.
- B. Applicants for the position of the ASNMSU Executive Director of Public Relations shall have been members of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Applicants for the position of the ASNMSU Executive Director of Public Relations shall not be on either academic or disciplinary probation.
 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow an individual to apply for or work in the position of the ASNMSU Executive Director of Public Relations.
 2. Once appointed to the office of the ASNMSU Executive Director of Public Relations, the individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by the ASNMSU.
 3. The ASNMSU Executive Director of Public Relations will be subject to the academic and disciplinary requirements throughout the entire term of office.
 4. While working in the position, the ASNMSU Executive Director of Public Relations shall be a member of the ASNMSU.

- D. Preference in the selection of the ASNMSU Executive Director of Public Relations should be given to those individuals who are familiar with or have been subject to the daily operations and procedures of the Department of the ASNMSU Public Relations.
- E. Applicant for the position should have skills in design and website editing.
 - 1. Applicants should be proficient in Adobe software, such as Illustrator, Photoshop, and Wordpress.
 - 2. Applicants should be proficient in all platforms of social media.

3-22-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU EXECUTIVE DIRECTOR OF PUBLIC RELATIONS

The duties and responsibilities that the ASNMSU Executive Director of Public Relations will be expected to perform are:

- A. Be responsible for the efficient operation of the following programs 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:
 - 1. Coordination of the ASNMSU Outreach Program, which will involve members of the Executive, Legislative, and Judicial branches speaking at student groups on a regular basis;
 - 2. Other projects assigned by the ASNMSU President;
- B. Coordinate with the ASNMSU Outreach Program, which will involve members of the Executive, Legislative, and Judicial branches speaking at student groups on a regular basis;
- C. Hold regular office hours during the entire calendar year, excluding university holidays;
- D. 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;
- E. 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;
- F. Prepare a procedural guide of operations for the successor to the office of the ASNMSU Executive Director of Public Relations;
- G. Appoint a person to fill the position of Assistant Director of Public Relations, who will assist with the construction of ads, posters, and brochures dealing with the ASNMSU and other responsibilities under direction of the director;
- H. Contact and determine involvement with cosponsors of previous programs within 30 days of appointment by the ASNMSU President;
- I. Sit on the Visual Media Board as a voting member with the intent of promoting ASNMSU Events and Student Visual Media.
- J. Chair the Visual Media Board with the intent of promoting ASNMSU Events and Student Visual Media per 7-10.
- K. Create flyers and posters for ASNMSU, events, activities, etc.
- L. Order and buy promotional items.
 - 1. Create and manipulate logos or images at any given time of said promotional items.

- M. Create and manipulate logo identities such as Keep State Great, Homecoming, The Big Event, Elections, etc.
- N. Manipulate, update, and modify the ASNMSU website.
- O. Shall maintain all social media accounts of the ASNMSU.
- P. Shall be a voting member of the Visual Media Board with the intent of promoting ASNMSU events and student media in accordance with section 7-10.
- Q. Other projects assigned by the ASNMSU President.

3-22-5. SALARY LIMIT FOR THE ASNMSU EXECUTIVE DIRECTOR OF PUBLIC RELATIONS

The ASNMSU Executive Director of Public Relations shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing the duties of the ASNMSU Executive Director of Public Relations.

3-22-6. TERM OF OFFICE FOR THE ASNMSU EXECUTIVE DIRECTOR OF PUBLIC RELATIONS

The ASNMSU Executive Director of Public Relations shall serve for a period not to exceed one year unless re-appointed, commencing with the appointment by the ASNMSU President, and ending near the end of each spring semester no later than May 31, unless otherwise provided for by law.

3-22-7. TEMPORARY APPOINTMENT OF THE ASNMSU EXECUTIVE DIRECTOR OF PUBLIC RELATIONS

Should the office of the ASNMSU Executive Director of Public Relations become vacant during the summer, the President of the ASNMSU shall appoint a replacement to fill the position for the remainder of the summer, providing that the replacement fulfills the qualifications of this act. With consent of the ASNMSU Vice President, the ASNMSU President may make a temporary appointment at the ASNMSU President's discretion.

3-23. ASNMSU ASSISTANT DIRECTOR FOR COMMUNITY OUTREACH FOR LEADERSHIP DEVELOPMENT

3-23-1. THE OFFICE OF THE ASNMSU ASSISTANT DIRECTOR FOR COMMUNITY OUTREACH FOR LEADERSHIP DEVELOPMENT CREATED

The office of the ASNMSU Assistant Director for Community Outreach for Leadership Development is created within the Executive branch of ASNMSU.

3-23-2. APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR FOR COMMUNITY OUTREACH FOR LEADERSHIP DEVELOPMENT

The ASNMSU Director for Community Outreach shall appoint an ASNMSU member to the office of ASNMSU Assistant Director for Community Outreach for Leadership Development. The ASNMSU Assistant Director for Community Outreach for Leadership Development shall serve at the discretion of the ASNMSU Director of Community Outreach.

3-23-3. QUALIFICATIONS OF THE ASNMSU ASSISTANT DIRECTOR FOR COMMUNITY OUTREACH FOR LEADERSHIP DEVELOPMENT

The ASNMSU Director of Community Outreach shall post with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Assistant Director for Community Outreach for Leadership Development.

- A. Applicants for the position of the ASNMSU Assistant Director for Community Outreach for Leadership Development shall be a full-time or part-time student of NMSU
- B. Applicants for the position of the ASNMSU Assistant Director for Community Outreach for Leadership Development shall have been a member of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Preference in selection of the ASNMSU Assistant Director for Community Outreach for Leadership Development should be given to those individuals who are familiar with or have been subject to the daily operations and procedures relating to this position.
- D. Applicants for the position of the ASNMSU Assistant Director for Community Outreach for Leadership Development shall not be on either academic or disciplinary probation.
 - 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Assistant Director for Community Outreach for Leadership Development.
 - 2. Once appointed to the office of the ASNMSU Assistant Director for Community Outreach for Leadership Development. The individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by the ASNMSU.
 - 3. The ASNMSU Assistant Director for Community Outreach for Leadership Development will be subject to the academic and disciplinary requirements throughout the entire term of office.
 - 4. While working in the position, the ASNMSU Assistant Director for Community Outreach for Leadership Development shall be a member of the ASNMSU.

3-23-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU ASSISTANT DIRECTOR FOR COMMUNITY OUTREACH FOR LEADERSHIP DEVELOPMENT

The duties and responsibilities that the ASNMSU Assistant Director for Community Outreach for Leadership Development shall be expected to perform are:

- A. The Assistant Director for Community Outreach for Leadership Development will serve as the liaison and coordinator of the NMSU Leadership Conference held each fall with the Department of Campus Activities.
- B. Plan, in conjunction with the ASNMSU Assistant Director of Activities for Corbett Programming, leadership workshops throughout the semester,
- C. Travel to high schools statewide and regional with the intent of recruiting students into the ASNMSU Roadrunner programs.
- D. Help with daily office activities, set forth by the Director of Community Outreach
- E. Be directly involved with the planning of “Aggie Welcome Week” in the Fall Semester that will begin the day dorms open and last for exactly one week that will teach history of the campus, traditions, The Aggie Fight Song, provide tours of the entire campus, prepare a club fair, and hold general sessions throughout the week on leadership.
- F. Help with the planning, coordination, and execution of projects set forth by the Director for Community Outreach, including Keep State Great and The Big Event, timing permitting.
- G. Focus on Sustainability awareness and education throughout the NMSU Campus and Las Cruces community.
 - 1. Coordinate Earth Day Event in conjunction with the Office of Sustainability and related student organizations.

2. Become an Information Base for student organization.
3. Be the student liaison between the Sustainability Council and NMSU.
4. Focus on one initiative each year which can include but is not limited to recycling, bio-waste, energy, and transportation.

3-23-5. SALARY LIMIT FOR THE ASNMSU ASSISTANT DIRECTOR FOR COMMUNITY OUTREACH FOR LEADERSHIP DEVELOPMENT

The ASNMSU Assistant Director for Community Outreach for Leadership Development shall receive a salary not to exceed the current applicable minimum wage (as allowed by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing the duties of the Leadership Development Chair.

3-23-6. TERM OF OFFICE FOR THE ASNMSU LEADERSHIP DEVELOPMENT CHAIR

The ASNMSU Assistant Director for Community Outreach for Leadership Development shall serve at the discretion of the ASNMSU Director of Community Outreach for a period not to exceed ten (10) months, unless otherwise provided for by law.

3-23-7. TEMPORARY APPOINTMENT OF THE ASNMSU LEADERSHIP DEVELOPMENT CHAIR

Should the office of the ASNMSU Leadership Development Chair become vacant during the term, the ASNMSU Director of Community Outreach shall appoint a replacement to fill the position for the remainder of the term, providing that the replacement fulfills the qualifications of this act.

3-24. ASNMSU ASSISTANT DIRECTOR OF PUBLIC RELATIONS FOR WEB DEVELOPMENT

3-24-1. THE OFFICE OF THE ASNMSU ASSISTANT DIRECTOR OF PUBLIC RELATIONS FOR WEB DEVELOPMENT CREATED

The office of the ASNMSU Assistant Director of Public Relations for web development is created within the Executive Branch of the ASNMSU.

3-24-2. APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF PUBLIC RELATIONS FOR WEB DEVELOPMENT

The ANSMSU Executive Director of Public Relations shall appoint an ASNMSU member to the office of the ASNMSU Assistant Director of Public Relations for web development.

3-24-3. QUALIFICATIONS OF THE ASNMSU ASSISTANT DIRECTOR OF PUBLIC RELATIONS FOR WEB DEVELOPMENT

The ASNMSU Director of Public Relations shall post with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Assistant Director of Public Relations.

- A. Applicants for the position of the ASNMSU Assistant Director of Public Relations for web development shall be full-time or part-time students of the ASNMSU.
- B. Applicants for the position of the ASNMSU Assistant Director of Public Relations for web development shall have been a member of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Preference in selection of the ASNMSU Assistant Director of Public Relations for web development should be given to those individuals who are familiar with or have been subject to the daily operations and procedures relating to this position.

- D. Applicants for the position of the ASNMSU Assistant Director of Public Relations for web development shall not be on either academic or disciplinary probation.
 - 1. Waivers on academic process or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Assistant Director of Public Relations for web development.
 - 2. Once appointed to the office of the ASNMSU Assistant Director of Public Relations for web development, the individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from the office by the ASNMSU.
 - 3. The ASNMSU Assistant Director of Public Relations for web development will be subject to the academic and disciplinary requirements throughout the entire term of office.
 - 4. While working in the position, the ASNMSU Assistant Director of Public Relations for web development shall be a member of the ASNMSU.

3-24-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU ASSISTANT DIRECTOR OF PUBLIC RELATIONS FOR WEB DEVELOPMENT

The duties and responsibilities that the ASNMSU Assistant Director of Public Relations for web development shall be expected to perform are:

- A. Assist the Executive Director of Public Relations with the production of advertisements for the department and the rest of ASNMSU;
 - 1. When the Executive Director of Public Relations may have a conflict of interest, real or perceived, in this matter, the Assistant Director shall be fully responsible for producing such ads.
- B. Coordinate ASNMSU Outreach presentations to freshmen classes as well as to other university courses;
- C. Perform any other duties as assigned by the Executive Director of Public Relations.
- D. Create all advertisements and maintain “The Feed” content displayed on the campus wide video screens

3-24-5. SALARY LIMIT FOR THE ASNMSU ASSISTANT DIRECTOR OF PUBLIC RELATIONS FOR WEB DEVELOPMENT

The ASNMSU Assistant Director of Public Relations for web development shall receive a salary not to exceed the current applicable minimum wage (as allowed for by Title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month, for eleven (11) months while performing the duties of the ASNMSU Assistant Director of Public Relations for web development.

3-24-6. TERM OF OFFICE FOR THE ASNMSU ASSISTANT DIRECTOR OF PUBLIC RELATIONS FOR WEB DEVELOPMENT

The ASNMSU Assistant Director of Public Relations shall serve, at the discretion of the Executive Director of Public Relations, for a period not to exceed eleven (11) months, beginning the first day of the fall semester and ending no later than July 31 of the following year, unless otherwise provided for by law.

3-24-7. TEMPORARY APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF PUBLIC RELATIONS FOR WEB DEVELOPMENT

Should the office of the ASNMSU Assistant Director of Public Relations for web development become vacant during the term, the ASNMSU Director of Public Relations shall appoint a replacement to fill the position for the remainder of the term, providing that the replacement fulfills the requirements of this act.

3-25. ASNMSU DIRECTOR FOR COMMUNITY OUTREACH

3-25-1. THE OFFICE OF THE ASNMSU DIRECTOR FOR COMMUNITY OUTREACH CREATED

The office of the ASNMSU Director for Community Outreach is created within the Executive Branch of the ASNMSU.

3-25-2. APPOINTMENT OF THE ASNMSU DIRECTOR FOR COMMUNITY OUTREACH

The ASNMSU President, with the consent of the ASNMSU Senate, shall appoint an ASNMSU member to the office of the ASNMSU Director for Community Outreach. The ASNMSU Director for Community Outreach shall serve at the discretion of the ASNMSU President.

3-25-3. QUALIFICATIONS OF THE ASNMSU DIRECTOR FOR COMMUNITY OUTREACH

The ASNMSU President shall post with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Director for Community Outreach.

- A. Applicants for the position of the ASNMSU Director for Community Outreach shall be full-time or part-time students of the ASNMSU.
- B. Applicants for the position of the ASNMSU Director for Community Outreach shall have been a member of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Preference in selection of the ASNMSU Director for Community Outreach should be given to those individuals who are familiar with or have been subject to the daily operations and procedures relating to this operation.
- D. Applicants for the position of the ASNMSU Director for Community Outreach shall not be on either academic or disciplinary probation.
 1. Waivers on academic process or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Director for Community Outreach.
 2. Once appointed to the office of the ASNMSU Director for Community Outreach, the individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from the office by the ASNMSU.
 3. The ASNMSU Director for Community Outreach will be subject to the academic and disciplinary requirements throughout the entire term of office.
 4. While working in the position, the ASNMSU Director for Community Outreach shall be a member of the ASNMSU.

3-25-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU DIRECTOR FOR COMMUNITY OUTREACH

The duties and responsibilities that the ASNMSU Director for Community Outreach shall be expected to perform are:

- A. Maintain contact with the NMSU Alumni Association.
- 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 the ASNMSU, a presentation explaining the policies and procedures for completing the community service requirements for the ASNMSU Senate. These presentations shall occur at least once a semester and may be coordinated with the ASNMSU Comptroller to coincide with the 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. Attend meetings of the Greater Las Cruces Chamber of Commerce.
- F. Coordinate the Big Event Community Service Project.
 - 1. The Big Event will be an off-campus community service event to be organized in the spring semester.
 - 2. The Director for Community Outreach will organize the Big Event with local, regional, or national nonprofit organizations (for example, United Way).
- G. 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 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 Director of Activities and can include campus beautification projects which are homecoming themed.
- H. Serve as organizer of the Roadrunner Program per 7-4.
 - 1. This will include recruiting during the summer orientation programs.
- I. Be the primary ASNMSU director in charge of coordinating ASNMSU's response to national and international crises.
- J. Serve as an ex-officio member of the ASNMSU Senate Community Affairs Committee.
- K. 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.
- L. Hold regularly scheduled office hours during both the fall and spring semesters.
- M. Act as the liaison of ASNMSU within the communities of Las Cruces, Dona Ana County, and Southern New Mexico.
- N. 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.
- O. Perform any other duties as assigned by the ASNMSU President.

3-25-5. SALARY LIMIT FOR THE ASNMSU DIRECTOR FOR COMMUNITY OUTREACH

The ASNMSU Director for Community Outreach shall receive a salary not to exceed the current applicable minimum wage (as allowed for by Title 51 of the U.S. Code) plus the ASNMSU adjustment factor for eighty (80) hours per month, for no more than one year while performing the duties of the ASNMSU Director for Community Outreach.

3-25-6. TERM OF OFFICE FOR THE ASNMSU DIRECTOR FOR COMMUNITY OUTREACH

The ASNMSU Director for Community Outreach shall serve, at the discretion of the ASNMSU President, for a period not to exceed a year, commencing with the swearing in of the new President and ending no later than May 31st of the following year, unless otherwise provided for by law.

3-25-7. TEMPORARY APPOINTMENT OF THE ASNMSU DIRECTOR FOR COMMUNITY OUTREACH

Should the office of the ASNMSU Director for Community Outreach become vacant during the term, the ASNMSU President shall appoint a replacement to fill the position for the remainder of the term, providing that the replacement fulfills the requirements of this act.

3-26. ASNMSU ASSISTANT DIRECTOR FOR COMMUNITY OUTREACH

3-26-1. THE OFFICE OF THE ASNMSU ASSISTANT DIRECTOR FOR COMMUNITY OUTREACH CREATED

The office of the ASNMSU Assistant Director for Community Outreach is created within the Executive Branch of ASNMSU.

3-26-2. APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR FOR COMMUNITY OUTREACH

The ASNMSU Director of Community Outreach shall appoint an ASNMSU member to the office of ASNMSU Assistant Director for Community Outreach.

3-26-3. QUALIFICATIONS OF THE ASNMSU ASSISTANT DIRECTOR FOR COMMUNITY OUTREACH

The ASNMSU Director for Community Outreach shall post with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Assistant Director for Community Outreach.

- A. Applicants for the position of the ASNMSU Assistant Director for Community Outreach shall be a full-time or part-time student of NMSU.
- B. Applicants for the position of the ASNMSU Assistant Director for Community Outreach shall have been a member of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Preference in selection of the ASNMSU Assistant Director for Community Outreach should be given to those individuals who are familiar with or have been subject to the daily operations and procedures relating to this position.
- D. Applicants for the position of the ASNMSU Assistant Director for Community Outreach shall not be on either academic or disciplinary probation.
 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Assistant Director of Community Outreach
 2. Once appointed to the office of the ASNMSU Assistant Director for Community Outreach, the individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by the ASNMSU.
 3. The ASNMSU Assistant Director for Community Outreach will be subject to the academic and disciplinary requirements throughout the entire term of office.
 4. While working in the position, the ASNMSU Assistant Director of Community Outreach shall a member of the ASNMSU.

3-26-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU ASSISTANT DIRECTOR OF COMMUNITY OUTREACH

The duties and responsibilities that the ASNMSU Assistant Director For Community Outreach shall be expected to perform are:

- A. Help with daily office activities.

- B. Help with the planning, coordination, and execution of events organized by the Director for Community Outreach.
- C. Focus on Sustainability awareness and education throughout the NMSU Campus and Las Cruces Community.
 - 1. Coordinate Earth Day Event in conjunction with the Office of Sustainability and related student organizations.
 - 2. Become an Information Base for student organization.
 - 3. Be the student liason between the Sustainability Council and NMSU.
 - 4. Focus on one initiative each year which can include but is not limited to recycling, bio-waste, energy, and transportation.

3-26-5. SALARY LIMIT FOR THE ASNMSU ASSISTANT DIRECTOR FOR COMMUNITY OUTREACH

The ASNMSU Assistant Director for Community Outreach shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing the duties of the ASNMSU Assistant Director for Community Outreach.

3-26-6. TERM OF OFFICE FOR THE ASNMSU ASSISTANT DIRECTOR FOR COMMUNITY OUTREACH

The ASNMSU Assistant Director of Community Outreach shall serve at the discretion of the ASNMSU Director of Community Outreach for a period not to exceed the term of office of the ASNMSU Director of Community Outreach, unless otherwise provided for by law.

3-26-7. TEMPORARY APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF COMMUNITY OUTREACH

Should the office of the ASNMSU Assistant Director of Community Outreach become vacant during the term, the ASNMSU Director of Community Outreach shall appoint a replacement to fill the position for the remainder of the term, provided that the replacement fulfills the qualifications of this act.

3-27. ASNMSU EXECUTIVE DIRECTOR OF INTRAMURALS AND ATHLETIC RELATIONS

3-27-1. THE OFFICE OF THE ASNMSU EXECUTIVE DIRECTOR OF INTRAMURALS AND ATHLETIC RELATIONS CREATED

The office of the ASNMSU Executive Director of Intramural and Athletic Relations is created within the Executive Branch of the ASNMSU.

3-27-2. APPOINTMENT OF THE ASNMSU EXECUTIVE DIRECTOR OF INTRAMURAL AND ATHLETIC RELATIONS

The ASNMSU President with consent of the ASNMSU Senate shall appoint a member of the ASNMSU to the office of the ASNMSU Executive Director of Intramural and Athletic Relations. The ASNMSU Executive Director of Intramural and Athletic Relations shall serve at the discretion of the ASNMSU President.

3-27-3. QUALIFICATIONS OF THE ASNMSU EXECUTIVE DIRECTOR OF INTRAMURAL AND ATHLETIC RELATIONS

The President shall post with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Executive Director of Intramurals and Athletic Relations.

- A. Applicants for the position of the ASNMSU Executive Director of Intramural and Athletic Relations shall be full-time or part-time students at NMSU;
- B. Applicants for the position of the ASNMSU Executive Director of Intramurals shall have been members of the ASNMSU for the fall or spring semester prior to their appointment taking effect;
- C. Preference in selection of the ASNMSU Executive Director of Intramural and Athletic Relations should be given to those individuals who are familiar with or have been subject to the daily operations and procedures of the ASNMSU Department of Intramurals;
- D. Applicants for the position of the ASNMSU Executive Director of Intramural and Athletic Relations shall not be on either academic or disciplinary probation;
 - 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Executive Director of Intramural and Athletic Relations.
 - 2. Once appointed to the office of the ASNMSU Executive Director of Intramural and Athletic Relations, the individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by the ASNMSU.
 - 3. The ASNMSU Executive Director of Intramural and Athletic Relations will be subject to the academic and disciplinary requirements throughout the entire term of office.
 - 4. While working in the position, the ASNMSU Executive Director of Intramural and Athletic Relations shall be a member of the ASNMSU.

3-27-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU EXECUTIVE DIRECTOR OF INTRAMURAL AND ATHLETIC RELATIONS

The duties and responsibilities that the ASNMSU Executive Director of Intramural and Athletic Relations will be expected to perform are:

- A. Serve as the principal contact between NMSU Intramural Sports and Recreation Department and the ASNMSU;
- B. Serve as the principal contact between NMSU Athletic Department and the ASNMSU;
- C. Work in conjunction with the NMSU Athletic Department to coordinate tailgating activities;
- D. Serve as a member of the NMSU Athletic Committee;
- E. Work in conjunction with the Director of Intramurals in maintaining accurate and up to date accounts of all income and expenditures for the Intramural Department. The Executive Director of Intramural and Athletic Relations shall keep an independent ASNMSU record of such expenditures;
- F. Provide student approval for all appropriations which use the ASNMSU money. In situations where there may be a conflict of interest between the Director of Intramurals and the Executive Director of Intramural and Athletic Relations, such financial disagreements shall be settled by the ASNMSU President;
- G. Develop and maintain an Intramural inventory system on a semester basis;
- H. Be responsible to the ASNMSU for all activities and events sponsored by Intramural and the Athletic Department with the ASNMSU funds;
- I. Hold regular office hours at the Activity Center and at the ASNMSU office during the entire calendar year, excluding university holidays;
- J. Serve as the official ASNMSU spokesperson for Intramurals;
- K. Meet with the ASNMSU President on a weekly basis to provide reports on upcoming events;
- L. Meet with the Senate of ASNMSU 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 Intramural and Athletic Relations can send the Assistant Director of Intramural and Athletic Relations to provide the report;

- M. Prepare a written report at the end of each semester to be submitted to the ASNMSU Executive and Legislative Branches which include the progress, programs, and inventory of the Intramural program;
- N. Prepare a procedural guide of operations for the successor to the office of the ASNMSU Executive Director of Intramural and Athletic Relations;
- O. Oversee the NMSU Disc Golf course to ensure that it is properly maintained and free of vandalism.
- P. Chair the Intramural Policy Board per 7-5;
- Q. Sponsor Intramural championship team(s) to compete in Regional and/or State Wide Competitions.
 - 1. Funding for up to the fifteen (15) athletes and/or referees and up to 3 staff members. (Staff members include: ASNMSU Executive Director of Intramural and Athletic Relations, AC Director of Intramurals, and ASNMSU Assistant Director of Intramural and Athletic Relations.)
 - 2. Any team requesting funding must do at least one (1) community service event provided by ASNMSU (i.e. Keep State Great and The Big Event)
 - 3. Funding will be treated according to section 8-4-2-H-1 for competitive travel.
 - a. These teams will not be allowed per diem.

3-27-5. SALARY LIMIT FOR THE ASNMSU EXECUTIVE DIRECTOR OF INTRAMURAL AND ATHLETIC RELATIONS

The ASNMSU Executive Director of Intramural and Athletic Relations shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing the duties of the ASNMSU Executive Director of Intramural and Athletic Relations.

3-27-6. TERM OF OFFICE FOR THE ASNMSU EXECUTIVE DIRECTOR OF INTRAMURAL AND ATHLETIC RELATIONS

The ASNMSU Executive Director of Intramural and Athletic Relations shall serve for a period of one (1) year commencing with confirmation by the ASNMSU Senate and ending with the confirmation of a newly appointed ASNMSU Executive Director of Intramural and Athletic Relations, unless otherwise provided for by law.

3-27-7. TEMPORARY APPOINTMENT OF THE ASNMSU EXECUTIVE DIRECTOR OF INTRAMURAL AND ATHLETIC RELATIONS

Should the office of the ASNMSU Executive Director of Intramural and Athletic Relations become vacant during the summer, the ASNMSU President shall appoint a replacement to fill the position for the remainder of the summer providing that the replacement fulfills the qualifications of the office specified of this act. With consent of the ASNMSU Vice President, the ASNMSU President may make a temporary appointment at the ASNMSU President's discretion.

3-28. ASNMSU ASSISTANT DIRECTOR OF INTRAMURALS

3-28-1. THE OFFICE OF THE ASNMSU ASSISTANT DIRECTOR OF INTRAMURALS CREATED

The office of the ASNMSU Assistant Director of Intramurals is created within the Executive Branch of ASNMSU.

3-28-2. APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF INTRAMURALS

The ASNMSU Director of Intramurals shall appoint an ASNMSU member to the office of ASNMSU Assistant Director of Intramurals. The Assistant Director of Intramurals shall serve at the discretion of the ASNMSU Director of Intramurals.

3-28-3. QUALIFICATIONS OF THE ASNMSU ASSISTANT DIRECTOR OF INTRAMURALS

The ASNMSU Director of Intramurals shall post, with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Assistant Director of Intramurals.

- A. Applicants for the position of the ASNMSU Assistant Director of Intramurals shall be full-time or part-time students of NMSU.
- B. Applicants for the position of ASNMSU Assistant Director of Intramurals shall have been members of the ASNMSU for the previous fall or spring semester.
- C. Preference in selection of the ASNMSU Assistant Director of Intramurals should be given to those individuals who are familiar with or have been subject to the daily operations and procedures of the ASNMSU Department of Intramurals.
- D. Applicants for the position of the ASNMSU Assistant Director of Intramurals shall not be on either academic or disciplinary probation.
 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Assistant Director of Intramurals.
 2. Once appointed to the office of the ASNMSU Assistant Director of Intramurals, the individual shall maintain a semester GPA of 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by the ASNMSU.
 3. The ASNMSU Assistant Director of Intramurals will be subject to the academic and disciplinary requirements throughout the term of office.
 4. While working in the position, the ASNMSU Assistant Director of Intramurals shall be a member of the ASNMSU.

3-28-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU ASSISTANT DIRECTOR OF INTRAMURALS

The duties and responsibilities that the ASNMSU Assistant Director of Intramurals shall be expected to perform are:

- A. Help with the Intramural inventory system developed and maintained by the Director of Intramurals;
- B. Help with daily office activities;
- C. Help with the planning, coordination, and execution of Director of Intramurals;
- D. If appointed, the Assistant Director of Intramurals will be the primary person responsible for the NMSU Disc Golf Course.

3-28-5. SALARY LIMIT FOR THE ASNMSU ASSISTANT DIRECTOR OF INTRAMURALS

The ASNMSU Assistant Director of Intramurals shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing the duties of the ASNMSU Assistant Director of Intramurals.

3-28-6. TERM OF OFFICE FOR THE ASNMSU ASSISTANT DIRECTOR OF INTRAMURALS

The ASNMSU Assistant Director of Intramurals shall serve at the discretion of the ASNMSU Director of Intramurals for a period not to exceed the term of office of the ASNMSU Director of Intramurals, unless otherwise provided for by law.

3-28-7. TEMPORARY APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF SERVICES

Should the office of the ASNMSU Assistant Director of Intramurals become vacant during the term, the ASNMSU Director of Intramurals shall appoint a replacement to fill the position for the remainder of the summer, providing that the replacement fulfill the qualifications of this act.

3-29. ASNMSU ATTORNEY GENERAL

3-29-1. THE OFFICE OF THE ASNMSU ATTORNEY GENERAL CREATED

The office of the ASNMSU Attorney General is created within the Executive Branch of the ASNMSU.

3-29-2. APPOINTMENT OF THE ASNMSU ATTORNEY GENERAL

The President of the ASNMSU, with the consent of the ASNMSU Senate, shall appoint a member of the ASNMSU to the office of ASNMSU Attorney General. The ASNMSU Attorney General shall serve at the discretion of the ASNMSU President.

3-29-3. QUALIFICATIONS OF THE ASNMSU ATTORNEY GENERAL

The President shall post with the announcement of the position vacancy, those qualifications necessary for the office of ASNMSU Attorney General.

- A. Applicants for the position of the ASNMSU Attorney General shall be full-time or part-time students of NMSU.
- B. Applicants for the position of the ASNMSU Attorney General shall have been members of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Preference in selection of the ASNMSU Attorney General should be given to those individuals who are familiar with or have been subject to the daily operations and procedures of the ASNMSU Attorney General.
- D. Applicants for the position of the ASNMSU Attorney General shall not be on either academic or disciplinary probation.
 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Attorney General.
 2. Once appointed to the office of the ASNMSU Attorney General, the individual shall maintain a semester GPA of at least 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by the ASNMSU.
 3. The ASNMSU Attorney General will be subject to the academic and disciplinary requirements throughout the entire term of office.
 4. While working in the position, the ASNMSU Attorney General shall be a member of the ASNMSU.

3-29-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU ATTORNEY GENERAL

The duties and responsibilities that the ASNMSU Attorney General shall be expected to perform, unless otherwise provided for by law are:

- A. Represent the ASNMSU in all cases before the ASNMSU Supreme Court in which the ASNMSU is a party of interest;
- 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 the 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 the ASNMSU of 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 the ASNMSU and which are transferred to the Attorney General from any ASNMSU office or from any other source;
- G. Perform all other duties required by the ASNMSU law;
- H. Appoint, if desired, an Assistant Attorney General and as many other Deputy Attorney Generals, together with stenographic, clerical and other necessary employees, as the business of the office of the ASNMSU Attorney General shall require. All such assistants and employees shall hold office at the pleasure of the ASNMSU Attorney General. The Assistant Attorney General and the Deputy Attorney Generals shall, subject to the direction of the Attorney General, have equal power and authority as the ASNMSU Attorney General. Once appointed to the office of Assistant Attorney General, the individual shall maintain a semester GPA of at least 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by the ASNMSU.
- I. Prepare a procedural guide of operations for the successor to the office of the ASNMSU Attorney General;
- J. Hold regular office hours each week during the summer months and during both the fall and spring semesters;
- K. Attend all regular meetings of the ASNMSU Senate Rules Committee;
- L. Act as the official custodian for Law Books and other related materials from other university and college student governments;
- M. To insure 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 the ASNMSU rules and regulations;
- N. To serve on the ASNMSU Law Book Committee;
- O. 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.
- P. To be a member of Pete's Pick-Up Committee

3-29-5. SALARY LIMIT FOR THE ASNMSU ATTORNEY GENERAL

The ASNMSU Attorney General shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for forty (40) hours per month while performing the duties of the office of the ASNMSU Attorney General. The Assistant Attorney General and Deputy Attorney Generals shall receive no salary.

3-29-6. TERM OF OFFICE FOR THE ASNMSU ATTORNEY GENERAL

The ASNMSU Attorney General shall serve for a period not to exceed one year unless re-appointed, commencing with the appointment by the ASNMSU President, and ending near the end of each spring semester no later than May 31, unless otherwise provided for by law.

3-29-7. TEMPORARY APPOINTMENT OF THE ASNMSU ATTORNEY GENERAL

Should the office the ASNMSU Attorney General become vacant during the summer, the President of ASNMSU shall appoint someone to fill the position for the remainder of the summer providing that the replacement fulfills the qualifications of this act. With the consent of the ASNMSU Vice President, the ASNMSU President may make a temporary appointment at the ASNMSU President's discretion.

3-30. ASNMSU EXECUTIVE DIRECTOR OF GOVERNMENTAL AFFAIRS

3-30-1. THE OFFICE OF ASNMSU EXECUTIVE DIRECTOR OF GOVERNMENTAL AFFAIRS CREATED

The office of ASNMSU Executive Director of Governmental Affairs is created within the Executive Branch of the ASNMSU.

3-30-2. APPOINTMENT OF THE ASNMSU EXECUTIVE DIRECTOR OF GOVERNMENTAL AFFAIRS

The ASNMSU President with the consent of the ASNMSU Senate shall appoint a member of the ASNMSU to the office of the ASNMSU Executive Director of Governmental Affairs. The Executive Director of Governmental Affairs shall serve at the discretion of the ASNMSU President.

3-30-3. QUALIFICATIONS OF THE ASNMSU EXECUTIVE DIRECTOR OF GOVERNMENTAL AFFAIRS

The President shall post with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Executive Director of Governmental Affairs.

- A. Applicants for the position of the ASNMSU Executive Director of Governmental Affairs shall be full-time or part-time students at NMSU.
- B. Applicants for the position of the ASNMSU Executive Director of Governmental Affairs shall have been members of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Preference in selection of the ASNMSU Executive director of Governmental Affairs should be given to those individuals who are familiar with or have been subject to the daily operations and procedures of the ASNMSU Office of Governmental Affairs.
- D. Applicants for the position of the ASNMSU Executive Director of Governmental Affairs shall not be on either academic or disciplinary probation.
 1. Waivers on academic progress or waivers on GPA and disciplinary probation will not be permitted for individuals applying for the position of the ASNMSU Executive Director of Governmental Affairs.
 2. If the ASNMSU Executive Director of Governmental Affairs is placed on academic or disciplinary probation, the director will be dismissed from office.
 3. While working in the position, the ASNMSU Executive Director of Governmental Affairs shall be a full-time or part-time student of NMSU and a member of the ASNMSU.

3-30-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU EXECUTIVE DIRECTOR OF GOVERNMENTAL AFFAIRS

The duties and responsibilities that the ASNMSU Executive Director of Governmental Affairs will be expected to perform are:

- A. Act as a liaison within the committees, councils and boards that constitute the shared governance system of NMSU for the ASNMSU;
- B. Coordinate all activities within the office of the ASNMSU Executive Director of Governmental Affairs;
- C. Represent the ASNMSU in any other state or national student coalitions deemed to have relevance to governmental affairs;
- D. Represent the ASNMSU at all meetings of the Associated Students (ASNMSU);
- E. Coordinate governmental affairs with any important city, county, state or national levels of governance;
- F. Maintain contacts with City Council of Las Cruces, County of Dona Ana, State Legislature, NM Senators and Representatives, and other important levels of governance.
- G. Report any important issues regarding governmental affairs to the Executive and Legislative branches;
 - 1. 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. 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. Prepare a procedural guide of operations for the successor of the ASNMSU Executive Director of Governmental Affairs;
- I. Be present at the Campus Affairs Committee meetings per Section 7-9) and report any legislative related finding to the ASNMSU Senate. If the ASNMSU Director of Governmental Affairs cannot be present they may send the ASNMSU Assistant Director of Governmental Affairs.
- J. Chair the Student Advocacy Board per 7-6.
- K. Special projects assigned by the ASNMSU President;
- L. Serve as an ex-officio member on the ASNMSU Executive Advisory Committee.

3-30-5. SALARY LIMIT FOR THE ASNMSU EXECUTIVE DIRECTOR OF GOVERNMENTAL AFFAIRS

The ASNMSU Executive Director of Governmental Affairs shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Adjustment Factor for eighty (80) hours per month while performing the duties of the ASNMSU Executive Director of Governmental Affairs.

3-30-6. EXECUTIVE BRANCH EXECUTIVE DIRECTOR OF GOVERNMENTAL AFFAIRS TERM OF OFFICE FOR THE ASNMSU EXECUTIVE DIRECTOR OF GOVERNMENTAL AFFAIRS

The ASNMSU Executive Director of Government Affairs shall serve for a period not to exceed one year unless re-appointed, commencing with the appointment by the ASNMSU President, and ending near the end of each spring semester no later than May 31, unless otherwise provided for by law.

3-30-7. TEMPORARY APPOINTMENT OF THE ASNMSU EXECUTIVE DIRECTOR OF GOVERNMENTAL AFFAIRS

Should the office of the ASNMSU Director of Governmental Affairs become vacant during the summer, the President of ASNMSU shall appoint a replacement to fill the position for the remainder of the summer,

providing that the replacement fulfills the qualifications of this act. With the consent of the ASNMSU Vice President, the ASNMSU President may make a temporary appointment at the ASNMSU President's discretion.

3-31. ASNMSU ASSISTANT DIRECTOR OF GOVERNMENTAL AFFAIRS

3-31-1. THE OFFICE OF THE ASNMSU ASSISTANT DIRECTOR OF GOVERNMENTAL AFFAIRS CREATED

The office of the ASNMSU Assistant Director of Governmental Affairs is created within the Executive Branch of the ASNMSU.

3-31-2. APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF GOVERNMENTAL AFFAIRS

The ASNMSU Director of Governmental Affairs shall appoint an ASNMSU member to the office of the ASNMSU Assistant Director of Governmental Affairs. The Assistant Director of Governmental Affairs shall serve at the discretion of the director of Governmental Affairs.

3-31-3. QUALIFICATIONS OF THE ASNMSU ASSISTANT DIRECTOR OF GOVERNMENTAL AFFAIRS

The ASNMSU Director of Governmental Affairs shall post with the announcement of vacancy, those qualifications necessary for the office of the ASNMSU Assistant Director of Governmental Affairs.

- A. Applicants for the position of the ASNMSU Assistant Director of Governmental Affairs shall be full-time or part-time students of NMSU.
- B. Applicants for the position of the ASNMSU Assistant Director of Governmental Affairs shall have been members of the ASNMSU for one (1) previous fall or spring semester.
- C. Preference in selection of the ASNMSU Assistant Director of Governmental Affairs should be given to those individuals who are familiar with or have been subject to the daily operations and procedures of the ASNMSU Department of Governmental Affairs.
- D. Applicants for the position of the ASNMSU Assistant Director of Governmental Affairs shall not be on either academic or disciplinary probation.
 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Assistant Director of Governmental Affairs.
 2. Once appointed to the office of the ASNMSU Assistant Director of Governmental Affairs the individual shall maintain a semester GPA of 2.0. Failure to maintain the semester GPA will result in immediate dismissal from office by the ASNMSU.
 3. The ASNMSU Assistant director of Governmental Affairs will be subject to the academic and disciplinary requirements throughout the term of office.
 4. While working in the position, the ASNMSU Assistant Director of Governmental Affairs shall be a member of the ASNMSU.

3-31-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU ASSISTANT DIRECTOR OF GOVERNMENTAL AFFAIRS

The duties and responsibilities that the ASNMSU Assistant Director of Governmental Affairs shall be expected to perform are to:

- A. Serve as the Chair of the Student Advocacy Board;
- B. Lobby the New Mexico State Legislature on issues concerning the ASNMSU;

- C. Inform the New Mexico State Legislature of the issues concerning the ASNMSU;
- D. Maintain records containing:
 - 1. Information on how to contact various legislatures, committees, offices, and others;
 - 2. Information regarding advocacy activities, meetings including pertinent legislation on a national and state wide basis.
- E. Report any important issues regarding governmental affairs to the executive and legislative branches;
- F. Coordinate the 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.

3-31-5. SALARY LIMIT FOR THE ASNMSU ASSISTANT DIRECTOR OF GOVERNMENTAL AFFAIRS

The ASNMSU Assistant Director of Governmental Affairs shall receive a salary not to exceed the current applicable minimum wage (as allowed by title 51 of the US Code) plus the ASNMSU minimum wage adjustment factor for eighty (80) hours per month while performing the duties of the ASNMSU Executive Director of Governmental Affairs.

3-31-6. TERM OF OFFICE FOR THE ASNMSU ASSISTANT DIRECTOR OF GOVERNMENTAL AFFAIRS

The ASNMSU Assistant Director of Governmental Affairs shall serve for a period not to exceed the term of office of the Executive Director of Governmental Affairs, unless otherwise provided by law.

3-31-7. TEMPORARY APPOINTMENT OF THE ASNMSU ASSISTANT DIRECTOR OF GOVERNMENTAL AFFAIRS

Should the office of the ASNMSU Assistant Director of Governmental Affairs become vacant during the term, the ASNMSU Executive Director of Governmental Affairs shall appoint a replacement to fill the position for the remainder of the term, providing that the replacement fulfills the qualifications of this act.

3-32. ASNMSU CHIEF OF STAFF

3-32-1. THE OFFICE OF THE ASNMSU CHIEF OF STAFF CREATED

The office of the ASNMSU Chief of Staff is created within the ASNMSU Executive Branch.

3-32-2. APPOINTMENT OF THE ASNMSU CHIEF OF STAFF

The ASNMSU President is granted the authority to appoint a member of the ASNMSU to the office of the ASNMSU Chief of Staff. The ASNMSU Chief of Staff shall serve at the discretion of the President of the ASNMSU.

3-32-3. QUALIFICATIONS OF THE ASNMSU CHIEF OF STAFF

The President shall post with the announcement of position vacancy, those qualifications necessary for the office of the ASNMSU Chief of Staff.

- A. Applicants for the position of the ASNMSU Chief of Staff shall be full-time or part-time students of NMSU.
- B. Applicants for the position of ASNMSU Chief of Staff shall have been members of ASNMSU for one (1) previous semester.

- C. Applicants for the position of ASNMSU Chief of Staff shall not be on either academic or disciplinary probation.
 - 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Chief of Staff.
 - 2. Once appointed to the office of the ASNMSU Chief of Staff, the individual shall maintain a semester GPA of at least 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by the ASNMSU.
 - 3. The ASNMSU Chief of Staff will be subject to the academic and disciplinary requirements throughout the entire term of office.
 - 4. While working in the position, the ASNMSU Chief of Staff shall be a member of the ASNMSU.
- D. Applicants for the position of the ASNMSU Chief of Staff must exhibit a definite interest in the ASNMSU.

3-32-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU CHIEF OF STAFF

The duties and responsibilities of the ASNMSU Chief of Staff shall be those as directed by the President of the ASNMSU.

- A. The ASNMSU Chief of Staff shall have no authority or power to enact any law or adopt any policy on behalf of the ASNMSU.
- B. The ASNMSU Chief of Staff may, from time to time, address issues on behalf of the ASNMSU President.
- C. The ASNMSU Chief of Staff shall be expected to perform the following duties, upon request of the President of the ASNMSU:
 - 1. Serve as coordinator of all meetings held between the ASNMSU President and any other organization;
 - 2. Provide support staff for any intermediate projects under consideration by the ASNMSU;
 - 3. Serve as official coordinator of the ASNMSU for any ASNMSU activity held on the campus of NMSU;
 - 4. Aid the President of the ASNMSU in preparing and documenting material for presentation to the Board of Regents of NMSU;
 - 5. Aid the President of the ASNMSU in coordinating the ASNMSU Executive Staff.
 - 6. Perform all other tasks as assigned by the ASNMSU President.
- D. The ASNMSU Chief of Staff shall hold regular office hours during the summer months and during both the fall and spring semesters, dependent upon the work load of the office.
- E. The ASNMSU Chief of Staff shall prepare a procedural guide of operations for the successor to the office of the ASNMSU Chief of Staff.

3-32-5. SALARY LIMIT FOR THE ASNMSU CHIEF OF STAFF

The ASNMSU Chief of Staff shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the U.S. Code) plus the ASNMSU Minimum Wage Factor for eighty (80) hours per month while performing the duties of the ASNMSU Chief of Staff.

3-32-6. TERM OF OFFICE FOR THE ASNMSU CHIEF OF STAFF

The ASNMSU Chief of Staff shall serve for a period not to exceed one year unless re-appointed, commencing with the appointment and ending with the swearing in of a new President, unless otherwise provided for by law.

3-32-7. TEMPORARY APPOINTMENT OF ASNMSU CHIEF OF STAFF

Should the office of the ASNMSU Chief of Staff become vacant during the summer, the ASNMSU President shall appoint someone to fill the position for the remainder of the summer, provided that the replacement fulfills the qualifications of this act. With consent of the ASNMSU Vice President, the ASNMSU President may make a temporary appointment at the ASNMSU President's discretion.

3-33. ASNMSU EXECUTIVE ADVISORY COMMITTEE

3-33-1. THE ASNMSU EXECUTIVE ADVISORY COMMITTEE CREATED

The ASNMSU Executive Advisory Committee is created within the Executive Branch of the ASNMSU.

3-33-2. APPOINTMENT OF THE ASNMSU EXECUTIVE ADVISORY COMMITTEE

Members of the Executive Advisory Committee shall consist of the President or representative of the President from the following organizations:

- A. Agricultural, Consumer, and Environmental Sciences College Council;
- B. Arts & Sciences College Council;
- C. Business Administration & Economics College Council;
- D. College of Extended Learning College Council;
- E. Education College Council;
- F. Engineering College Council;
- G. Graduate School Council;
- H. Health and Social Services College Council;
- I. Dona Ana Branch Student Council;
- J. Ex-Officio members:
 - 1. ASNMSU President
 - 2. ASNMSU Vice President;
 - 3. ASNMSU Executive Director of Governmental Affairs;
 - 4. ASNMSU President Pro Tempore of the Senate.

3-33-3. DUTIES AND RESPONSIBILITIES OF THE ASNMSU EXECUTIVE ADVISORY COMMITTEE

The duties and responsibilities that the members of the ASNMSU Executive Advisory Committee shall be expected to perform are:

- A. Work in cooperation with their respective organizations to ensure the dissemination of information concerning the programs, services and actions of the ASNMSU;
- B. Provide input from all areas of student life at NMSU, concerning the impact of the ASNMSU upon individuals, clubs, organizations and activities;
- C. Promote a free flow of ideas to and from the students and the ASNMSU.

3-33-4. SALARY LIMIT FOR THE ASNMSU EXECUTIVE ADVISORY COMMITTEE

The ASNMSU Executive Advisory Committee members shall receive no compensation for service on the Executive Advisory Committee.

3-33-5. TERM OF OFFICE FOR THE ASNMSU EXECUTIVE ADVISORY COMMITTEE

The ASNMSU Executive Advisory Committee shall begin a term of office at noon on the last day of classes during the spring semester. The ASNMSU Executive Advisory Committee shall end the term of office at eleven fifty-nine (11:59) a.m. on the last day of classes the following spring semester.

3-34. THE ASNMSU ADVISOR ACT

AN ACT RELATING TO THE APPOINTMENT OF ADVISORS TO THE ASNMSU GOVERNMENT AND ANY SUBDIVISION THEREOF; DEFINING THE POWERS AND DUTIES OF THE ASNMSU ADVISORS.

3-34-1. APPOINTMENT OF ADVISORS

Each branch of the ASNMSU government, any officer, agency, board, committee, commission, or organization of the ASNMSU may appoint such persons from the NMSU faculty, administration, or staff, they deem necessary to advise them in the exercise of their constitutional and statutory duties and responsibilities. The principle advisor will be chosen as part of the Administrative Policies and Procedures manual. Advisors shall serve at the discretion of the officer or body they have been appointed to advise.

3-34-2. ADVISORS--POWERS AND DUTIES

The ASNMSU Advisors shall:

- A. Offer their opinion for consideration to the officer or body they have been appointed to advise;
- B. Provide necessary and useful information which might aid in making the best possible decisions;
- C. Serve as a communication link between the administration and faculty of NMSU and the ASNMSU;
- D. Promote continuity in the administration of the affairs of the ASNMSU.

3-34-3. LIMITATION OF AUTHORITY

The ASNMSU advisors shall not have the power or authority to:

- A. Establish the ASNMSU law or policy;
- B. Vote on any matter under the consideration of an ASNMSU deliberative body;
- C. Direct or order any officer or body of the ASNMSU in the exercise of their constitutional or statutory duties and responsibilities.

3-35. QUALIFICATIONS CHECK ACT

PRESCRIBING PROCEDURES FOR A QUALIFICATIONS CHECK OF THE ASNMSU OFFICERS, DIRECTORS, ASSISTANT DIRECTORS, STAFF, JUSTICES AND SENATORS

3-35-1. PURPOSE OF ACT

To establish a procedure to insure that all the ASNMSU Officers, Directors, Assistant Directors, Staff, Justices and Senators meet the qualifications for the office that they hold.

3-35-2. ASNMSU QUALIFICATIONS CHECK ACT RELEASE OF INFORMATION

Each ASNMSU Officer, Director, Assistant Director, Staff, Justice or Senator shall submit an information release form to the ASNMSU Advisor upon the assumption of office.

3-35-3. INFORMATION TO BE RELEASED FROM THE OFFICE OF THE DEAN OF STUDENTS

- A. Membership in the ASNMSU (activity fee paying student at NMSU);
- B. Academic standing (good standing or probation);
- C. Disciplinary standing (good standing or probation);

- D. College of enrollment;
- E. Cumulative Grade Point Average.
- F. Semester Grade Point Average

3-35-4. ASNMSU QUALIFICATIONS CHECK ACT LIMITATIONS OF CHECKING

Only the requirements of the office may be checked; for instance the Semester GPA of a person who is holding an office that does not have a minimum Semester GPA requirement may not be checked.

3-35-5. PROCEDURE FOR CHECKING

- A. The ASNMSU Advisor shall prepare a list of the ASNMSU Officers and Senators together with the qualifications for office.
- B. This list and the information release forms shall be submitted to the office of the Dean of Students.
- C. The office of the Dean of Students shall notify the ASNMSU Advisor if any Officer, Director, Assistant Director, Staff, Justice or Senator 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.
- D. 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 week to correct the records.
- E. 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.
- F. The same procedure shall be followed for anyone assuming office in the middle of the semester
- G. If any ASNMSU member suspects that a person no longer meets the qualifications for the office they may confer with the ASNMSU Advisor who will then proceed with the procedure for the qualifications check.

3-36. IMPEACHMENT

CREATING AN EXECUTIVE REMOVAL AND IMPEACHMENT ACT AND SETTING PROCEDURE FOR REMOVAL AND IMPEACHMENT OF ANY ASNMSU EXECUTIVE DIRECTOR AND THE ASNMSU ATTORNEY GENERAL.

3-36-1. MAIN PROVISION

Any ASNMSU Executive Director, Comptroller, Fiscal Advisor, or Attorney General 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.

3-36-2. 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 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 person who

is to be impeached has been notified by the Chief Senate Clerk within two days of the meeting where the resolution of impeachment will be introduced by the Senate to the Committee of the Whole.

3-37 CONFIRMATIONS

DEFINING PROCEDURES FOR THE CONFIRMATION BY THE SENATE OF APPOINTMENTS MADE TO EXECUTIVE DEPARTMENTS BY THE EXECUTIVE BRANCH.

3-37-1. PURPOSE OF ACT

This provision establishes a procedure for defining the purpose of confirmations of Executive appointments.

3-37-2. PROCEDURE

- A. It is the responsibility of the Executive to ensure that all appointees for Executive positions, which require confirmation by the Senate, will appear before the Senate on or before the third (3rd) Senate meeting after assuming the position. In order to appear before the Senate, the appointee shall provide the Chief Senate Clerk, no later than 30 hours before the meeting in which it will go through first readings, a resume pertaining to the position of appointment. If the appointee fails to appear before the Senate on or before the third (3rd) Senate meeting after assuming the position, the Executive will be held accountable for nonfeasance.
- B. The appointee will be given five minutes to speak to the Senate, after which he or she will be asked to remove herself/himself to allow for discussion.
- C. Consent of the Senate will be given if majority of the Senate body votes to confirm pending appointment. If an appointee is not confirmed, the Senate will provide, through the Chief Senate Clerk, a letter to the President outlining the reason or reasons conformation was denied. Such letter will be drafted and accepted by the Senate as a whole during the same meeting in which the conformation was denied.
- D. If consent is not gained, the proposed appointee cannot be reappointed during the same semester. If the executive wishes to reappoint an individual that has been previously denied confirmation during the current semester, the executive must provide new evidence or reasons for such action which must be accepted by 2/3 vote of Rules Committee.
- E. Any ASNMSU member cannot serve in any function nor receive compensation in the Executive Branch after being denied confirmation by the Senate until Rules Committee allows for reintroduction of appointee.

4. LEGISLATIVE BRANCH

4-1. ASNMSU OPEN MEETING ACT

AN ACT ESTABLISHING AN OPEN MEETING POLICY FOR THE ASNMSU POLICY-MAKING BODIES

4-1-1. 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 within the authority of or the delegated authority ASNMSU, but not limited to the ASNMSU Senate Committees, the ASNMSU Publications and Communications Board, the ASNMSU Activities Committee, the Intramural Policy 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” any live or recorded audio, visual, or textual transmissions streamed or published through any media outlet.
- E. “Recording” any audio, visual, or textual documentation that is saved for personal use or publication.
- F. “Publication” any broadcasting or recording made available to another person besides oneself.
- G. “No Affiliation Disclosure” a public agreement stating that ASNMSU is not liable and responsible for the publication of the broadcast or recording.
- H. “Session” 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.

4-1-2. PUBLIC NOTICE

No ASNMSU policy-making body shall conduct a meeting unless public notice is given within forty-eight (48) hours prior to said meeting.

4-1-3. OPEN ATTENDANCE AND SESSION

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

4-1-4. CLOSED SESSION

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

4-1-5. 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.

4-1-6. EMERGENCY MEETING

- A. The ASNMSU Senate may convene an Emergency Session if:
 - 1. A simple majority of ASNMSU Senators, in writing or by petition, request an Emergency Session 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 an Emergency Session.
 - a. In their request ASNMSU Senators must propose a time and place for the Emergency Session, and the subject matter to be discussed at the Emergency Session.
 - 2. Quorum, as outlined in Section 9-8-D of the ASNMSU Lawbook, must be achieved for any business to be transacted at any Emergency Session.

3. The Chief Senate Clerk of the Senate shall execute their duties as prescribed by section 9-5 of the ASNMSU Lawbook at any Emergency Session.
 - a. In the event that the Chief Senate Clerk is unable to attend the Emergency Session, 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 9-5 of the ASNMSU Lawbook.
4. The ASNMSU Senate shall abide by all procedural rules outlined in section 9 of the ASNMSU Lawbook. Only the business for which the Emergency Session was convened may be discussed.
5. The Presiding Officer of an Emergency Session shall be the ASNMSU Vice-President.
 - a. If the ASNMSU Vice-President is unable or unwilling to preside over the Emergency Session, the President Pro Tempore of the ASNMSU Senate shall serve as the Presiding Officer.
 - b. If the ASNMSU Senate President Pro Tempore is unable or unwilling to serve as the Presiding Officer of the Emergency Session, the ASNMSU Senate Parliamentarian shall serve as the Presiding Officer.
 - c. If the ASNMSU Senate Parliamentarian is unable or willing to serve as the Presiding Officer of the Emergency Session, the ASNMSU Senate Sergeant-At-Arms shall serve as the Presiding Officer.
 - d. If the ASNMSU Senate Sergeant-At-Arms is unable or unwilling to serve as the Presiding Officer of the Emergency Session, the ASNMSU Advisor shall serve as the Presiding Officer of the Emergency Session until the members present can elect a new Presiding Officer by a simple majority vote.
6. The Chief Senate Clerk or Senator acting as the Chief Senate Clerk must notify all student media (The Round Up, KRUX, and KRWG) in writing at least two (2) hours prior to an Emergency Session being convened.
7. The ASNMSU Vice-President or Presiding Officer of the Emergency Session and the Chief Senate Clerk or acting Chief Senate Clerk of the ASNMSU Senate shall sign and date the Journal of the Emergency Session, and submit it to the ASNMSU Advisor with a signed and dated letter explaining the need for the Emergency Session and what, if any, actions were undertaken or ordered during the Emergency Session.
 - a. The ASNMSU Advisor shall make the Journal of the ASNMSU Senate Emergency Session and the letter of explanation available to any member of the ASNMSU that requests it.
8. The ASNMSU Advisor may, with proper and due cause, request that the ASNMSU Senate review any actions undertaken or ordered during an Emergency Session at the next regularly scheduled ASNMSU Senate meeting.
9. The actions undertaken or ordered during an Emergency Session of any ASNMSU Senate may be appealed to the ASNMSU Supreme Court.
 - a. The ASNMSU Supreme Court may render illegal or improper actions and decisions undertaken or ordered by the ASNMSU Senate during an Emergency Session null and void, and may prescribe such remedy as is proper and just under the law.
 - b. Any review of an Emergency Session 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 Session of the ASNMSU Senate from being appealed to the ASNMSU Supreme Court.

- B. The ASNMSU Senate may choose to review any actions undertaken or ordered by any policy making body of ASNMSU in an Emergency Session, and may overturn any action or decision undertaken or ordered by any policy making body of ASNMSU.

4-1-7. BROADCASTING AND RECORDING

- A. Any guest attending a public policy making body's meeting and may be legally recorded 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-chairman 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 or more of the following.
 - 1. Provide a no affiliation disclosure in the publication of the broadcast or recording.
 - 2. 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 and from the designated area behind the presiding officer. ASNMSU must provide all means necessary for broadcasting or recording in the permissible areas.
- E. At the time recording and/or broadcasting is used 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.

4-2. SENATE VACANCY ACTS

AN ACT RELATING TO VACANCIES IN THE SENATE; DEFINING A COLLEGE COUNCIL AND PRESCRIBING THE MANNER FOR FILING VACANCIES IN THE SENATE.

4-2-1. 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 the 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 the ASNMSU as having more than one council nor shall any council be recognized by the ASNMSU which represents two or more colleges.
- C. "Recall" means the removal from official office of an ASNMSU Senator by the College Council of the College the Senator represents.

4-2-2. 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.

4-2-3. RESIGNATION OF SENATORS

Any member of the 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 consecutive regularly scheduled meetings of the Senate, such Senator shall be considered to have resigned.

4-2-4. PRESCRIBING A RECALL ELECTION

A Senator shall be recalled when:

- A. A recall petition containing signatures of at least twenty five percent (25%) of the ASNMSU members of the Senator's college 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.

4-2-5. VACANCY SHALL OCCUR UPON ANNOUNCEMENT

Upon the announcement to the membership of the Senate of 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.

4-2-6. 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, 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.

4-2-7. VALIDITY OF APPOINTMENT

For an appointment of an interim Senator to be considered valid by the 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;
- 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 in writing the name of the person so appointed;
- D. 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.

4-2-8. 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.

4-3. ASNMSU SENATE REMOVAL AND IMPEACHMENT ACT

4-3-1. MAIN PROVISION

Any ASNMSU Senator may be removed from office if the Senator is referred to the Supreme Court by a three-quarters (3/4) vote of the membership of the ASNMSU Senate present and voting or if the Senator is automatically referred to the Supreme Court upon the accumulation of six (6) points, as set out in the rules of the Senate, and the Senator is found guilty of the charges made against the Senator by the ASNMSU Supreme Court.

4-3-2. 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. After the introduction of the resolution, the Chief Senate Clerk will make an attempt to notify, in writing within two days, the Senator of any meeting where the Senator's position is being officially discussed. The Senator who is charged will be allowed to speak at any meeting where the Senator's position is being officially discussed. No referral resolution will be allowed to go through Committee of the Whole.
- B. Before the Supreme Court can consider the impeachment of any ASNMSU Senator, the ASNMSU Chief Justice of the Supreme Court will make an attempt to notify, in writing within two (2) days of the receipt 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 the person's position is being officially discussed.
- C. Any ASNMSU Senator will be impeached upon a majority vote of the Supreme Court to do so.

4-4. ASNMSU FALL AND SPRING RETREATS ACT

AN ACT ESTABLISHING THE ASNMSU FALL AND SPRING RETREATS.

4-4-1. PURPOSE OF ACT

To provide training and guidance for all members of the ASNMSU Executive, Legislative, and Judicial branches.

4-4-2. FREQUENCY

There shall be a retreat within six weeks of the first day of the fall semester that shall be mandatory for a senator to attend. If a retreat is planned for the spring semester, it will occur within six weeks of the first day of the spring semester. A senator may be excused at the discretion of the vice president.

4-4-3. 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.

4-4-4. 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.

4-5. APPOINTED POSITIONS PROVISIONS ACT

AN ACT PROVIDING THAT MEMBERS OF THE ASNMSU SENATE MAY HOLD CERTAIN APPOINTED POSITIONS OF THE ASNMSU AND PROVIDING THAT MEMBERS OF THE ASNMSU SENATE CURRENTLY HOLDING OTHER POSITIONS OF THE ASNMSU MAY RETAIN THOSE POSITIONS.

4-5-1. PROVISION FOR MEDIA POSITIONS

The membership of the ASNMSU Senate may hold any appointed positions in any ASNMSU created media exclusive of media managers for KRUX and The *Round Up*.

4-5-2. PROVISION FOR THE INTRAMURAL POLICY BOARD

The membership of the ASNMSU Senate may hold any appointed position of the Intramural Policy Board.

4-6. 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 BILL SHALL BE FORMULATED.

4-6-1. FINANCE BOARD CREATED

A Legislative and Executive Finance Board is created to be known as the “ASNMSU Finance Board”.

4-6-2. MEMBERSHIP OF THE FINANCE BOARD

The ASNMSU Finance Board shall consist of the ASNMSU President, Vice President, 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 Comptrollers, 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.

4-6-3. 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 March 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:
 - 1. a summary and justification of current annual expenses for each department,
 - 2. a summary and justification of current inter-departmental transfers and funds,

3. a projected prioritized list of departmental expenses for the following academic year,
 4. the total tuition and fees collected for the prior academic year,
 5. a balanced budget recommendation for the following academic year.
- C. Ensure the Finance Board Chair or ASNMSU Senator representing Finance Board attends meetings of the ASNMSU Publications and Communications Board described per 6-2-2F of the ASNMSU Law Book.

4-6-4. 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.

4-6-5. REPORT

The Finance Board and the ASNMSU Senate will receive a financial report of the ASNMSU and all organizations funded by the ASNMSU the sixth and sixteenth week of each semester.

4-6-6. 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 1 of each year. A majority of the voting members of the Board shall constitute a quorum to do business.

4-7. 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.

4-7-1. SENATE BUDGET COMMITTEE CREATED

A legislative Senate Budget Committee is created to be known as the "ASNMSU Senate Budget Committee"

4-7-2. 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 the ASNMSU, the Fiscal Advisor of Advisor or their designated representative, and ASNMSU Assistant Comptrollers, may serve as an ex-officio, nonvoting members of the board.

4-7-3. 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;

4-7-4 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. Request any non-ASNMSU department, board, committee, or other agency to submit an appropriation and budget request and any other supporting information or data;

4-7-5. 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 year. A majority of the voting members of the Board shall constitute a quorum to do business.

4-8. ASNMSU LAW BOOK ACT

AN ACT CREATING THE ASSOCIATED STUDENTS OF NEW MEXICO STATE UNIVERSITY LAW BOOK COMMITTEE; DEFINING ITS POWERS AND DUTIES AND ESTABLISHING THE GENERAL CONTENTS OF THE ASSOCIATED STUDENTS OF NEW MEXICO STATE UNIVERSITY LAW BOOK.

4-8-1. DEFINITIONS

As used in the Law Book Act:

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

4-8-2. LAW BOOK COMMITTEE--CREATION

There is created the ASNMSU Law Book Committee. 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 Chair of the ASNMSU Senate Standing Committee on Rules, the ASNMSU Attorney General and any other members of the ASNMSU the Vice President may deem necessary.

4-8-3. POWERS AND DUTIES OF THE COMMITTEE

The ASNMSU Law Book Committee is hereby authorized to:

- A. Provide for 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 the physical arrangement, the size 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 the 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. Provide for the sale of the Law Book to any student of ASNMSU requesting a copy before the date of publication at cost; to provide for the exchange of student law books with other universities and to make all arrangements for the publication of the Law Book;
- D. Adopt any system of codification deemed necessary or useful.

4-8-4. DISTRIBUTION

The secretary of the ASNMSU Law Book Committee shall distribute the Law Book to all organizations and officers designated by the committee to receive the Law Book.

- A. Two copies of the Law Book shall be delivered to the NMSU Library.
- B. Any Law Books remaining undistributed or unsold shall safely be preserved by the secretary of the ASNMSU Law Book Committee.

4-8-5. ORIGINAL ACT TO GOVERN

In all cases where there exists a difference between law as published and the original on file in the office of the ASNMSU President, it shall be determined by the original and not as published.

4-8-6. CONTENTS OF LAW BOOK

The ASNMSU Law Book shall contain:

- A. The ASNMSU Constitution as amended at the date of publication;
- B. All written decisions of the ASNMSU Supreme Court concerning the ASNMSU Constitution and All decisions concerning the ASNMSU laws still in force as of the date of publication;
- C. All the laws (acts) of a general and permanent nature in force at the date of publication;
- D. 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;
- E. All the ASNMSU Senate resolutions enacted since the last publication of the Law Book;
- F. All the ASNMSU Senate memorials enacted since the last publication of the Law Book;
- G. The rules of the Senate as amended at the date of publication;
- H. The rules and procedures of the ASNMSU Supreme Court as amended at the date of publication;
- I. An index of the contents of the Law Book; and
- J. Any other documents that the ASNMSU Law Book Committee may deem necessary or useful.

4-8-7. LEGAL DOCUMENTS

No amendment 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.

4-9. SPECIAL COMMITTEE ON ELECTIONS

4-9-1. CREATION

One member of the Special Committee on Elections shall be appointed by each college council, from among their qualified Senators, four weeks prior to the start of the campaign period. It is the duty of the President of the Senate to notify each council of their responsibility. In the event that the council cannot appoint a qualified Senator the Senate Pro Tempore shall appoint a Senator from the membership to the Special Committee on Elections.

4-9-2. MEMBERSHIP

The Committee shall consist of one Senator, not currently running for elective office, from each college. In the event that a college does not have a qualified Senator, the President of the Senate shall appoint another qualified Senator to take their place. The Committee members shall choose from among themselves a Chair, who shall vote only in the event of a tie.

4-9-3. QUORUM

Quorum shall consist of a simple majority of the membership of the Committee. If the Committee is not able to achieve quorum within forty-eight (48) hours of the receipt of the appeal, the appeal shall automatically go to the Senate as a whole during a special session to be held within ninety-six (96) hours of the receipt of the appeal, but held in accordance with the Open Meetings Act.

4-9-4. ATTENDANCE

Should a Senator appointed to the Special Committee on Elections fail to attend any meeting of that Committee, they shall be assessed one penalty point and be subject to removal from the committee at the discretion of the President of the Senate.

4-9-5. DUTIES

The Special Committee on Elections shall review and make decisions on any appeal properly filed against any ASNMSU election.

4-10. SENATE REVIEW OF ELECTION APPEALS

4-10-1. MAIN PROVISION

The Senate may choose to grant review of any case or appeal, by a simple majority vote following a decision by the Special Committee on Election. Where the Senate chooses to grant review, any decision of the Special Committee on Election may be overturned by a two-thirds (2/3) vote.

4-11. SENATE SPECIAL COMMITTEE ON EDUCATION

4-11-1. SENATE SPECIAL COMMITTEE ON EDUCATION CREATED;

A SENATE SPECIAL COMMITTEE ON EDUCATION IS HEREBY CREATED.

4-11-2. MEMBERSHIP

The Committee shall consist of one 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. In the event that 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.

4-11-3. QUORUM.

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

4-11-4. DUTIES

The Special Committee on Education shall meet at least twice per semester.

- A. The Special Committee on Education shall:
 - 1. Discuss and review educational issues affecting the members of ASNMSU;
 - 2. Provide recommendations and solutions in regards to the issues discussed, in the form of a resolution to the ASNMSU Senate, the Faculty Senate, the President of ASNMSU, the NMSU Provost, and the Deans of every college.

5. JUDICIAL BRANCH

5-1. ASNMSU SUPREME COURT JUSTICES

5-1-1. JUSTICES QUALIFICATIONS

The ASNMSU President shall post, with the announcement of position vacancy, the qualifications for the offices of the ASNMSU Supreme Court Associate Justice or Chief Justice.

- A. Applicants for the positions of Supreme Court Associate Justice or Chief Justice shall be members of the ASNMSU and shall have been members of ASNMSU for the fall or spring semester prior to their appointment.
- B. Applicants for the position of Supreme Court Associate Justice or Chief Justice shall not be on probation for academic progress, GPA or disciplinary reasons.
- C. 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.

5-1-2. JUSTICES APPOINTMENT

Upon a vacancy in the ASNMSU Supreme Court, an ASNMSU Supreme Court Associate Justice or Chief Justice is appointed to the office by the President of the ASNMSU and confirmed by the ASNMSU Senate.

5-1-3. DISMISSAL

- A. If, at any time, an ASNMSU Justice fails to meet the qualifications required for the position, he or she must immediately resign. The ASNMSU President is responsible for checking the qualifications before the appointment is made. 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.
- B. If the Chief Justice of the Supreme Court is disqualified, the senior Associate Justice will be responsible for asking for the resignation of the Chief Justice. At such time the senior Associate Justice shall assume the responsibilities of Chief Justice until the President makes a permanent appointment.

5-1-4. RESIGNATION

Any ASNMSU Supreme Court Associate Justice or Chief Justice may resign by submitting a letter of resignation to the Chief Justice with copies sent to the ASNMSU President and Vice-President.

5-1-5. IMPEACHMENT

Impeachment charges may be brought against any member of the ASNMSU Supreme Court in accordance with the ASNMSU Constitution by a resolution of the ASNMSU Senate for alleged nonfeasance, misfeasance or malfeasance.

- A. Impeachment proceedings for a member of the ASNMSU Supreme Court shall be carried out in the ASNMSU Senate.
 - 1. Written notification of the allegations, 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.
 - 2. The impeachment proceedings will be scheduled no earlier than five (5) academic days after the notification is served upon the defendant.

- B. The Justice and the Justice's counsel, if any, will be allowed to speak in the Justice's defense at the proceedings.
- C. The Senate may adjourn to a closed session for final deliberation of the charges, but the vote for impeachment must be taken in open session.
- D. 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.

5-1-6. SALARY

The ASNMSU Chief Justice shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the US Code) plus the ASNMSU minimum wage adjustment factor of eighty (80) hours per month while performing the duties of the office. This salary may not be reduced during the term of a Chief Justice.

ASNMSU Associate Justices shall receive a salary not to exceed the current applicable minimum wage (as allowed for by title 51 of the US Code) plus the ASNMSU minimum wage adjustment factor of forty (40) hours per month while performing the duties of the office. This salary may not be reduced during the term of an Associate Justice.

5-2. DUTIES AND RESPONSIBILITIES

5-2-1. DUTIES OF THE ASNMSU CHIEF JUSTICE

The ASNMSU Chief Justice shall perform the following duties:

- A. Act as the administrator and custodian of records for the Judicial Branch of the ASNMSU. This will include managing the finances of the Judiciary and responsibility for maintaining and updating the court's records, files, decisions and documents.
- B. Preside over all court hearings and meetings. In the event of the absence of the Chief Justice, the senior Associate Justice will preside.
- C. Hold regular office hours. These hours will be kept during the summer months as well as the spring and fall semesters.
- D. Be familiar with the laws of the ASNMSU and be able to interpret them.
- E. Prepare a transition manual for the successor to the office of the ASNMSU Supreme Court Chief Justice.
- F. Oversee any and all programs under the jurisdiction of the Judicial Branch. These include:
 - 1. ASNMSU Student Legal Services (SLS); this will encompass the finances of the program.
 - a. A program attorney shall be hired to serve as a full time professional employee to advise and consult with students in general civil and criminal matters; negotiate orally and in writing on behalf of students; draft basic legal documents and pleadings; author legal advice columns for the student newspaper and legal informational brochures and pamphlets for circulation to the student population; develop an appropriate referral network for matters requiring specialized legal knowledge or which cannot otherwise be handled by the SLS; update statutes; maintain legal files and establish a policy which insures confidentiality of those files. Additional duties may be assigned by the SLS Administrator or any governing authority authorized by ASNMSU to supervise the SLS.
 - 2. The ASNMSU Renters' Handbook.
 - a. The Renters' Handbook shall be a guide to renting a house or apartment in the Las Cruces area.

- b. The Chief Justice or an Associate Justice shall work with the student attorney to annually update the handbook and keep it current with the New Mexico Uniform Owner – Resident Relations Act.
- c. Oversight of this program will include administration and finances.

G. Administer oath of office for the ASNMSU President, the ASNMSU Vice President and all ASNMSU Senators.

5-2-2. DUTIES OF THE ASNMSU 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 regular office hours;
- D. Perform those projects and duties assigned by the ASNMSU Chief Justice.

5-2-3. OATH OF OFFICE

Upon assuming office, the Justice shall take and subscribe to the following oath (or affirmation): “I (state your name) do solemnly swear (or affirm) that I will support and interpret the laws of 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.”

5-2-4. ATTENDANCE

ASNMSU Supreme Court Associate Justices shall attend all meetings required by the ASNMSU Chief Justice.

- A. The ASNMSU Supreme Court Chief Justice is responsible for monitoring the attendance of the Justices.
- B. The recusal of a Justice from a case shall not be counted as an absence.

5-3. ASNMSU SUPREME COURT CLERK

The position of ASNMSU Supreme Court Clerk is created within the Judicial Branch.

5-3-1. QUALIFICATIONS

- A. ASNMSU Supreme Court Clerk shall be members of ASNMSU and shall not be on probation for academic progress, GPA or disciplinary reasons.
- B. Waivers on academic progress, GPA or disciplinary probation will not be permitted.

5-3-2. APPOINTMENT

At the discretion of the ASNMSU Supreme Court Chief Justice, a member of ASNMSU may be appointed to the position of ASNMSU Supreme Court Clerk. The term of office shall be for nine (9) months, ending at the conclusion of the spring semester of the year in which the Clerk was appointed. If a Clerk is not appointed, the Chief Justice shall be responsible for performing the Court Clerk’s functions, or delegating an Associate Justice to act in his or her stead.

5-3-3. DISMISSAL

ASNMSU Supreme Court Clerk shall serve at the pleasure of the Chief Justice.

5-3-4. RESIGNATION

Any ASNMSU Supreme Court Clerk may resign by submitting a letter of resignation to the Chief Justice.

5-3-5. DUTIES

The Supreme Court Clerk shall perform the following tasks under the direction of the Chief Justice:

- A. Maintain court records, attendance records and computer files.
- B. Maintain official courts judgments released by the court and keep a checkout record to insure the judgments are returned.
- C. Deliver subpoenas, writs or other documents or orders of the Court to the appropriate parties.
- D. Act as Sergeant at Arms for all Supreme Court hearings.

5-3-6. SALARY

The Supreme Court Clerk shall receive a salary not to exceed one hundred fifty dollars and no cents (\$150.00) per month while performing the duties of the office.

5-4. 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.

5-4-1. 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. A justice should also participate in establishing, maintaining and enforcing high standards of conduct.

5-4-2. A JUSTICE SHALL AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY IN ALL HIS OR HER ACTIVITIES

Respect for the law. A justice shall respect and comply with the law and shall conduct himself or herself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary. A justice shall not allow his or her family, social or other relationships to influence his or her judicial conduct or judgment. He or she shall not lend the prestige of his or her office to advance the private interest of others.

5-4-3. 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
 - 1. A Justice should maintain order and decorum in judicial proceedings.
 - 2. A Justice should be patient, dignified and courteous to all those with whom the Justice deals in the Justice's official capacity, and should require similar conduct of others subject to the Justice's direction and control.
 - 3. 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.
 - 4. A Justice should dispose promptly of the business of the court.
 - 5. 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.

6. 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 subparagraph 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.
7. A Justice shall not permit media personnel and equipment in the courtroom except as may be permitted by rules approved by the Supreme Court.

B. Administrative responsibilities

1. A Justice should diligently discharge the Justice's administrative responsibilities and maintain professional competence in judicial proceedings.
2. A Justice shall observe the standards of confidentiality, fidelity and diligence that apply to the Justice.

5-4-4. DISQUALIFICATION

A Justice is disqualified and shall recuse himself or herself in any proceeding in which:

- A. Personal bias, prejudice or knowledge. He or she has a personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceeding;
- B. Official capacity. He or she acted in his or her official capacity in any inferior court or as Special Master;
- C. Family relationship. Their spouse, or a person by blood, marriage or other relationship to either of them:
 1. Is a party to the proceeding, or an officer, director or trustee of a party;
 2. Is acting as representative counsel in the proceeding;
 3. Is known by the Justice to have an interest that could be substantially affected by the outcome of the proceeding;
 4. Is to the Justice's knowledge likely to be a material witness in the proceeding; or
 5. Employee as a party. A party to the proceeding is an employee of the court whether assigned to the Justice or otherwise.

5-4-5. A JUSTICE SHOULD REGULATE HIS OR HER ACTIVITIES TO MINIMIZE THE RISK OF CONFLICT WITH HIS OR HER JUDICIAL DUTIES

- A. Public hearings on judicial matters. He or she may appear at a public hearing before an executive or legislative body, and he or she 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. Civic and charitable activities. A Justice may participate in civic and charitable activities that do not reflect adversely upon his or her impartiality or interfere with the performance of his or her judicial duties.
- C. Services for committees and organizations. A Justice shall not serve or perform any services for any committee, commission or organization that conflicts with his or her judicial duties.
- D. Conflicting compensated activities. A Justice shall not hold any other paid position, judicial or otherwise, which conflict with the hours and duties the Justice is required to perform for every judicial position.

5-4-6. A JUSTICE SHOULD REFRAIN FROM POLITICAL ACTIVITY INAPPROPRIATE TO HIS OR HER JUDICIAL OFFICE

- A. Non-judicial offices. Notwithstanding other provisions of the ASNMSU Code of Judicial Conduct or except as provided for by ASNMSU law:

1. No Justice of the Supreme Court, while serving, shall be nominated, appointed or elected to any other office.

5-4-7. MISCELLANEOUS PROVISIONS

Applicability. This ASNMSU Code of Judicial Conduct applies to all Justices of the Supreme Court, and Justices/Special Masters of any inferior courts.

5-5. 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.

5-5-1. 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 and no cents (\$1,000.00).

5-6. 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.

5-7. 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;
 1. 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 freezing the accounts of an ASNMSU Base Program or a recognized NMSU student organization or program funded through the ASNMSU;
- C. 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;
- D. Issue a judgment fining an organization or an ASNMSU Base Program a maximum of fifty-thousand dollars (\$50,000.00) 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;
- E. Remove from office an ASNMSU official who has been convicted in an impeachment trial;

5-8. INCOME

Funds resulting from fines imposed on a party are treated as revenue as per the ASNMSU Revenue Disposition Act.

5-9. IMPEACHMENT PROCEEDINGS

All impeachment proceedings against an ASNMSU official are to be treated as a formal trial, of the form of the ASNMSU v. defendant.

5-9-1. INITIATION OF SENATE IMPEACHMENT PROCEEDINGS

Impeachment proceedings against ASNMSU Senators for attendance reasons only are initiated by the ASNMSU Supreme Court in accordance with the ASNMSU Senate Rules.

5-9-2. IMPEACHMENT PROCEEDINGS

- 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 two (2) days with a copy of the resolution detailing the charges alleged.
- B. The Court of Impeachment will convene within five (5) days of this notification.
- C. An impeachment trial shall be held in the Court of Impeachment, with the Chief Justice presiding, according to the rules and regulations of the ASNMSU Supreme Court.
- D. 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 years.

5-10. APPOINTMENT OF A SPECIAL MASTER

If deemed necessary by the Chief Justice, a Special Master may be appointed to dispose of 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.

If a Justice has acted as a Special Master, on a lower court decision, the justice will recuse him/herself if the case is appealed to the Supreme Court.

6. ASNMSU MEDIA

6-1. PUBLICATIONS AND COMMUNICATIONS ACT OF 1988

ESTABLISHING DEFINITIONS TO BE USED IN THE ASNMSU LAW BOOK CONCERNING ASNMSU MEDIA.

6-1-1. DEFINITIONS

As used in the Publications and Communications Act:

- A. "Board" means the ASNMSU Publications and Communications Board;
- B. "Media" means *The Round Up* and KRUX;
- C. "Medium" means one of the media;
- D. "Media manager" means the Executive Director of *The Round Up*, or the General Manager of KRUX;
- E. "Manager" means a media manager;
- F. "Just cause" will be defined by the reasons for dismissal presented in the NMSU Student Employment Handbook;
- G. "Dismissal" means the involuntary separation of an employee from an assigned job for just cause.

6-2. CREATING ASNMSU PUBLICATIONS AND COMMUNICATIONS BOARD

CREATING THE ASNMSU PUBLICATIONS AND COMMUNICATIONS BOARD; AND DEFINING THE MEMBERSHIP, VOTING PRIVILEGES, EMERGENCY BOARD CREATION PROCEDURE, POWERS, AND DUTIES OF THE BOARD

6-2-1. CREATION OF THE BOARD

- A. A Board of Directors for the media is created to be known as the "ASNMSU Publications and Communications Board". The Board shall be responsible for the fiscal and legal operations of the media.
- B. The Board shall be responsible for annually submitting a budget to the Finance Board. This budget shall include salaries for the Media Managers, and other items the Board deems necessary.

6-2-2. APPOINTMENTS, QUALIFICATIONS, TERMS OF AND, REMOVAL FROM THE BOARD

- A. Student membership and terms of office
 - 1. Student members shall be appointed to any vacant positions by the ASNMSU Director of Media Relations within thirty (30) days.
 - 2. In order to qualify for and maintain membership on the Board, student members shall be members of the ASNMSU not suffering from disciplinary or academic probation and shall have a cumulative GPA of at least 2.0. Student members, with the exception of the Executive Director of Media Relations, cannot serve in any other ASNMSU Executive Branch paid position or as an ASNMSU Senator. Appointees shall attend at least one (1) Board meeting during the semester of appointment prior to Senate approval.
 - 3. All terms of office for students shall be two (2) semesters from date of appointment. When possible, appointments will be staggered so as to provide a mixture of new and experienced members on the Board.

4. Any student member accumulating more than two (2) unexcused absences per semester shall be automatically dismissed from that position, or may be removed from the Board for just cause by a two-thirds (2/3) vote of the ASNMSU Senate. The removal must have been placed on the agenda prior to the scheduled meeting.
- B. Faculty or staff membership and terms of office
1. Faculty or staff members shall be appointed by the ASNMSU President with the consent of the President of NMSU.
 2. There are no specified qualifications as of yet.
 3. Terms of faculty/staff appointees shall be one (1) year from appointment for one (1) of the faculty or staff member and two (2) years for one (1) of the faculty or staff members. The two-year term shall be in staggered years.
 4. Any faculty or staff member accumulating more than two (2) unexcused absences per semester shall be automatically dismissed from that position, or by a two-thirds (2/3) vote of the ASNMSU Senate. The proposal for removal must have been placed on the agenda prior to the scheduled meeting.
 5. In the instance that a faculty/staff member of the Board is removed due to absences or by action of the Senate, the Board Chair shall notify the ASNMSU President of the vacancy, who shall notify the President of NMSU.
- C. Media Manager membership and terms of office
1. The Media Managers shall be appointed by the Board.
 2. The Chief Media Managers shall be members of the ASNMSU not suffering academic or disciplinary probation. In order to qualify for and maintain their positions, the Chief Media Managers shall have a cumulative GPA of at least 2.0.
 3. The term of office shall begin on May 15 of the spring semester and shall terminate on May 15 of the following spring semester. An unexpired vacant term shall be filled by appointment by the board. In the interim, the Executive Director of *The Round Up*, and the General Manager of KRUX, shall each be acting Media Manager for their respective medium.
 4. The Board has the authority to dismiss any media manager for just cause. Failure to comply with attendance at a required meeting or to provide information or reports as requested by the Board shall result in a “verbal warning” as per the NMSU Student Employment Handbook. A second failure to comply shall result in a “written warning” as per the Handbook. The dismissal of a media manager shall be accomplished according to the procedures established in the NMSU Student Employment Handbook.
- D. The ASNMSU Comptroller or designated Assistant Comptroller appointment; The ASNMSU Comptroller shall be a member of the Board as a duty of their office. In the instance that the Comptroller is unable to serve on the Board, they may designate the Assistant Comptroller to serve on the Board. The ASNMSU Comptroller or designated Assistant Comptroller shall serve on the Board during their term as Comptroller or Assistant Comptroller.
- E. ASNMSU Senator; An ASNMSU Senator shall be a voting member of the board by appointment of the ASNMSU Senate. The ASNMSU Senator must not be the ASNMSU Finance Board Chair. The ASNMSU Senator shall serve during one term, unless appointed by the ASNMSU Senate for an additional term.
- F. The ASNMSU Finance Board Chair, or an ASNMSU Senator representing the Finance Board Chair, shall be a non-voting member of the Board.
- G. Media advisor appointment: The ASNMSU Media Advisor shall serve as an ex-officio member of the Board as a duty of their office. The Media Advisor shall be a non-voting member of the Board.
- H. Board Chair and Vice-Chair:

1. The Executive Director of Media Relations shall serve as the Chair of the Board. The chair shall act as liaison between the ASNMSU and the media, as described in this section.
2. The Vice-Chair shall be elected by the Board at the first meeting of each newly constituted Board. This position shall only be held by a student member, excluding Chief Media Managers, the Comptroller or the designated Assistant Comptroller.
3. The Vice-Chair shall oversee the creation of the “ASNMSU Publications and Communications Board Policies and Procedures Guide” as described in this section.
4. The Vice-Chair shall chair the meetings in the absence of the Chair, as defined in this act.

I. Membership Summary

1. Voting members:
 - Student members
 - Three members each serving a two (2) semester term
 - Faculty members
 - One faculty member serving a one (1) year term
 - One faculty members each serving a two (2) year term
 - Two chief managers
 - Appointed by the Board
 - ASNMSU Comptroller or designated Assistant Comptroller
 - Hired by ASNMSU
 - ASNMSU Senator
 - Appointed by the ASNMSU Senate
2. Non-voting members:
 - a. ASNMSU Finance Board Chair
 - b. ASNMSU Media advisor
 - c. Business Managers of KRUX
 - d. Business Manager of *The Round Up*

6-2-3. VOTING PRIVILEGES OF BOARD MEMBERS

Each voting member of the board shall be given one vote in all decisions and motions voted upon by the board.

- A. Student members: All student members are voting members, except for the Board Chair, who shall vote only in the event of a tie.
- B. Faculty members: All faculty members are voting members.
- C. Media managers: Media managers, or their representatives, can vote on all matters except those regarding any hiring done by the Board, or on any disciplinary matter concerning themselves.
- D. Comptroller or designated Assistant Comptroller: The Comptroller or the designated Assistant Comptroller is a voting member.
- E. Finance Board Chair or representative: The Finance Board chair or representative is a non-voting member.
- F. ASNMSU Media Advisor: The advisor is an ex-officio member and shall not vote.

6-2-4. EMERGENCY BOARD

In the event that a majority of the voting positions on the Board are not currently filled, the remaining voting members may act as an Emergency Board. All decisions of an Emergency Board will be deemed authoritative but may be reviewed at a later date by a fully constituted Board.

6-2-5. POWERS AND DUTIES OF THE BOARD

- A. The Board shall assist the media in achieving the best possible management so that the media may operate on a highly professional level. The authority of the Board to adopt such written policies and procedures as it deems necessary and proper is explicit and guaranteed. The powers and duties of the Board shall include the following:
1. The hiring of media managers. The Board will submit *The Round Up* to the NMSU hiring website, beginning at the time of job posting for media manager positions. This announcement will include the titles of the positions to be posted, the dates for submission of applications, and application requirements;
 2. The Board has the authority to dismiss any media manager for just cause;
 3. The Board must obtain and maintain knowledge and understanding of the operation of the ASNMSU media. The voting members shall visit the media on at least a semester basis in order to maintain this understanding. The Board shall also visit the media whenever doing so will increase understanding of any issue before the Board;
 4. The Board shall assist the media in any way possible, including advising the media with respect to legal and other problems. The Board shall also assist the media in the preparation and presentation of the annual media budgets to the ASNMSU Finance Board and Senate.
- B. The Board shall act as the final authority for the financial aspects of the media.
1. The Board shall review, monitor and approve the fiscal management, functions and policies of the media.
 2. The Board Chair or a voting student board member designated by the Chair shall represent the interests of the media to the ASNMSU Senate, the ASNMSU President or any committee subdivision of the ASNMSU.
 3. The Board shall have full authority to change or adjust line items from the appropriated budget for each medium.
- C. The Board shall accept and investigate all allegations of malfeasance, misfeasance or nonfeasance involving media personnel provided such allegations are presented in the form of written and substantiated bills of particulars. The Board shall render a full written report of findings to all affected parties. This report shall contain a statement of any actions taken or recommended by the Board. Board members shall not vote on any matter in which they have a clear conflict of interest. A simple majority vote of the voting members shall determine if a member has a clear conflict of interest.
- D. The Board shall annually compile, print, and distribute to all media management personnel, each board member, the ASNMSU President, the ASNMSU Vice President, and the ASNMSU Senate President Pro-Tempore a statement containing all policies, procedures, legislation and other pertinent information concerning the media.
1. The Vice-Chair of the Board shall be responsible for this publication.
 2. The statement shall be known as the “ASNMSU Publications and Communications Board Policies and Procedures Guide”, and may be revised at the discretion of the Board.
 3. The “Guide” shall also contain minutes and records of all Board meetings, activities and actions, as well as the operating rules and regulations for each media.
- E. All appointments by the Board will be salaried at a rate set by the Board and approved by the ASNMSU Senate. This rate and duration of payment will be established as the media budgets are approved by the Senate. The salaries may be budgeted in the Publications Board budget or in the media’s individual budgets as determined by the Board and approved by the Senate. Other media positions may also be salaried, with the decision being made by the media managers and approved by the Board in keeping with Board regulations.

- F. The Board shall be the sole publishing authority for *The Round Up*. This Board shall oversee operation of KRUX in the name of the NMSU Board of Regents, who shall be the sole licensing authority for KRUX.
- G. The Board may appoint non-voting members as it deems necessary.

6-2-6. BOARD MEETINGS

The Board shall meet at least twice per month during the academic year. The Chair or a majority of voting members can call a special meeting. Meetings during the summer will be scheduled as needed. All meetings shall be held in compliance with the ASNMSU Open Meeting Act.

- A. A majority of the voting members shall constitute a quorum.

6-3. STUDENT NEWSPAPER, AND RADIO STATION

CREATING A STUDENT NEWSPAPER, AND A STUDENT RADIO STATION; CREATING THE POSITIONS OF CHIEF MANAGERS OF THE MEDIA; AND DEFINING THE DUTIES OF THE CHIEF MANAGERS.

6-3-1. THE OFFICE OF ASNMSU MEDIA ADVISOR CREATED

The office of the ASNMSU Media Advisor is created within the Executive Branch of the ASNMSU, and within the guidelines, policies, and procedures of the NMSU professional staff.

6-3-2. QUALIFICATIONS OF THE ASNMSU MEDIA ADVISOR

The ASNMSU Publications and Communications Board shall post with the announcement of the position vacancy, those qualifications necessary for the office.

- A. Applicants shall meet the following educational requirements:
 - A Bachelor's degree in journalism or a related field is required.
 - A Master's degree in journalism is preferred.
- B. Applicants should have a minimum of three (3) years experience in journalism, mass communications or related field with at least one (1) year of direct university related experience (Preferred: must have experience in some area of the media and knowledge of media guidelines, media law, advertising, contracts, and bids). Should have demonstrated fiscal management skills, personnel management and organizational skills including the ability to develop a training program for student employees.

6-3-3. DUTIES AND RESPONSIBILITIES OF THE ASNMSU MEDIA ADVISOR

The duties and responsibilities of the ASNMSU Media Advisor:

- A. Serve as an advisor to the two (2) student run campus media.
- B. Provide suggestions to improve the quality of the media.
- C. Advise in the development of publication policy and procedure guidelines.
- D. Give advice relative to media law and FCC regulations to the Media Directors.
- E. Provide advice in the recruitment, training and supervision of media personnel.
- F. Advise in the development of budgets, tracking of expenditures and improvement of funding sources.
- G. Attend a Financial Procedures workshop by the ASNMSU Comptroller, or a representative of the Comptroller, once every academic year.

6-3-4. TERMS OF SERVICE

The ASNMSU Media Advisor will serve in a full time manner as a regular employee.

6-3-5. CREATION OF *THE ROUND UP*

A student newspaper is created to be known as *The Round Up*. *The Round Up* is edited and published by students, is produced primarily for the student community, but its audience also includes faculty and staff members, advertisers, residents of the university area and numerous alumni, public officials and members of the business community. Material published in news and advertising columns of *The Round Up* must be factually correct and must meet contemporary standards of taste and content as reflected in contemporary professional newspapers.

6-3-6. CREATION OF KRUX

A student radio station is created to be known as KRUX. KRUX will provide an additional radio station in Las Cruces and will broadcast at least fifteen (15) of the seventeen (17) weeks of the regular semester and at least one summer session if possible. KRUX will be a hands-on laboratory for any full or part-time student that is interested in learning about radio. In addition to the opportunity for direct broadcasting experience, the station will also provide an opportunity for students to gain management experience by exposing them to problems encountered by all radio stations. KRUX will also work with the other ASNMSU media to promote both the ASNMSU and the University.

6-3-7. SALARIES, POWERS AND DUTIES OF CHIEF MANAGERS

- A. The Media Managers of *The Round Up*, and KRUX shall receive an annual salary not to exceed 100 percent of the annual stipend for a Level graduate assistant, while performing the duties of Chief Manager. The salary shall be apportioned monthly and the actual level set in the General Appropriations Act, with a minimum being three hundred dollars (\$300.00) per month.
- B. The powers and duties of the Media Managers shall include:
 1. Developing and maintaining their own editorial policies. They are to be guided by the constraints of responsible journalism (including, but not limited to: avoiding libel, defamation, undocumented allegations, attacks on personal integrity and harassment or innuendo);
 2. Employing or appointing their respective medium's staff members or employees. Appointments shall be reviewed by the Board if the Board so desires;
 3. Dismissing any of the respective medium's staff members or employees by following the same procedure as specified for the termination of a Board appointee. Any employee so terminated shall have the right to file an appeal with the Board. Written intent to appeal must be delivered to the Board chairperson within one (1) week of dismissal. The deadline for filing the appeal with the Board chairperson is two (2) weeks from the date of dismissal and a hearing on the appeal should be scheduled at the earliest possible time;
 4. Attending all ASNMSU Finance Board meetings concerning their medium;
 5. Attending or having their representatives attend all Board meetings, in accordance with attendance policy as set by the Board;
 6. Presenting in a timely fashion such information and reports to the Board as the Board deems necessary for maintaining the efficient and proper operation of that medium; Act as a voting member of the Board, as per the Publications and Communications Act;
 7. Provide, review and revise internal rules, regulations and procedures for their respective media;
 8. Plan and present the operating budget for their media for the succeeding fiscal year to both the ASNMSU Finance Board and the ASNMSU Senate.
 9. Attending a Financial Procedures workshop by the ASNMSU Comptroller, or a representative of the Comptroller, at the beginning of the Media Manager's term.
- C. The Media Managers shall be responsible to the Board for the execution of the duties and responsibilities defined in this act.

- D. No medium shall make any major operational changes without prior approval of the Board. No changes to these policies outlined here shall be made without the approval of the ASNMU Senate.

6-3-8. CENSORSHIP AND PRIOR APPROVAL PROHIBITED

The media shall be free of censorship and requirement of advance approval imposed by the ASNMSU or the Board.

7. EXECUTIVE ACTS

7-1. CONTINUING DIVERSITY BOARD

AN ACT CREATING THE CONTINUING DIVERSITY BOARD; DEFINING ITS GOVERNANCE; AND RECOGNIZING ITS PURPOSE AND DUTIES.

7-1-1. PURPOSE OF ACT

The continuing diversity board is created to promote and sustain diversity among the members of the ASNMSU. To help establish diversity program funding with the intent of stating new continuing diversity programs.

7-1-2. MEMBERS AND POWERS OF THE BOARD

A. Voting members of the board shall include the ASNMSU Executive Director of Activities, a representative from the ASNMSU Senate, the Comptroller and Assistant Comptroller of ASNMSU, the ASNMSU Director of Media Relations, one (1) student at large, and one (1) student appointed representative from each continuing diversity programming: Black Programs, Chicano Programs, American Indian Programs, Greek Programs, International Programs, the Sexual and Gender Diversity Resource Center, and all future programs fitting the continuing diversity programming criteria as a voting member on the Continuing Diversity Board.

1. Each continuing diversity program will appoint one (1) student representative to serve as a voting member on the Continuing Diversity Board.
2. The student representative shall be appointed by their respective program no later than the second Senate meeting of the Fall semester.
3. Program directors will be responsible for notifying the ASNMSU Director of Activities the name and email of the student who has been appointed to serve on the Continuing Diversity Board.
4. If any of the continuing diversity programs cannot appoint a student to serve on the Continuing Diversity Board, the program director/s will notify the ASNMSU Director of Activities by the second Senate meeting of the fall semester; and they will forfeit the opportunity to have member on the Continuing Diversity Board for the fall semester.
5. If any of the continuing diversity programs can appoint a student to serve on the Continuing Diversity Board for the Spring Semester, the program director/s will notify the ASNMSU Director of Activities no later than the first Senate meeting of the spring semester the name and email of the student who has been appointed.
6. Either the ASNMSU Director of Activities or the Assistant Director of Activities will notify diversity program directors and the appointed student representative of all Continuing Diversity Board meeting times and dates in a timely manner.
7. Students appointed to be a voting member on the Continuing Diversity Board must:
 - a. Be an ASNMSU fee paying member.
 - b. Become familiar with ASNMSU Continuing Diversity Board rules and regulations.
 - c. Attend an ASNMSU Financial Procedures Workshop.
 - d. Be responsible, a team player, and able to attend all meetings called by the Chair of the Continuing Diversity Board.
8. Ex-officio members of the board shall include Program Directors from each of the continuing diversity programs: Black Programs, Chicano Programs, American Indian Programs, Greek Programs, International Programs, the Sexual and Gender Diversity Resource Center, and all future programs fitting the continuing diversity programming criteria.
9. The board shall review specific written requests for funding of diversity programming on campus or around the local community, and shall vote on the expenditures.

- A. No expenditure shall be considered or accepted without a specific written request.
10. No single continuing diversity program shall receive total funding in excess of ten thousand dollars (\$10,000.00) in a single fiscal year.
- A. continuing diversity program is a program that fits these criteria:
 - i. A blanket organization, meaning there are several programs under that program that will all benefits from the continuing diversity programs funds.
 - ii. It must be a program that has the intent of continuing well into the future.
 - iii. They must have a series of events that will last a minimum of three (3) days.
 - iv. They must have established themselves for at least three (3) years before approaching the board for more funding.
 - v. If a Continuing Diversity Program is found to have misused funds during the fiscal year then during the next fiscal year those funds will be taken out of their total appropriation.
11. Any organization describing itself as a cultural entity may approach the committee for funding of Diversity Programming on campus.
- A. These funds can be no more the five hundred dollars (\$500.00)
 - B. Cultural programs can receive this funding to hold a one-time event or to help establish them as a continuing diversity program.
12. The Continuing Diversity Board shall set a request deadline within two (2) weeks of the beginning of the fall semester for each academic year. The ASNMSU Executive Director of Activities shall notify leaders of diversity programs of the request deadline and publicly announce the request deadline.
12. Events that are not advertised and available to an ASNMSU member at large shall not receive funding from this board.
13. Events will not allow any donation as a form of payment to enter or be present at an event.
14. The continuing diversity board reserves the right to refuse funding of any event, and may choose to fund Diversity Programming in emergency situations. If the Board refuses to fund a continuing diversity program they must give written notice to the program that has been denied.
15. The meeting shall be run according to Roberts Rules of Order (revised).

7-2. PETE’S PICK-UP

AN ACT CREATING THE ASNMSU ESCORT SERVICE, ESTABLISHING A DIRECTORSHIP; DEFINING THE DUTIES AND AUTHORITY OF THE DIRECTOR; CREATING THE POSITIONS OF ESCORT AND DISPATCHER; DEFINING THE SELECTION OF ESCORTS; DEFINING THE DUTIES OF ESCORT AND DISPATCHER; DETERMINING THE SALARY OF THE DIRECTOR; ESTABLISHING A PROCEDURE FOR REVIEW.

7-2-1. PURPOSE OF ACT

The Pete’s Pick-Up Act is created to increase the safety of ASNMSU members crossing the campus through the principle of safety in numbers.

7-2-2. DEFINITION

As used in Pete's Pick-Up Act:

- A. "Escortee" is the ASNMSU member requesting an escort to a location on the NMSU campus.

7-2-3. THE DIRECTORSHIP

- A. The position of the Pete's Pick-Up Director shall be filled by the ASNMSU Assistant Director of Services.
- B. The Director shall have the authority to retain and remove escorts and dispatchers; to request in budget form, funding for the promotion and maintenance of the Pete's Pick-Up, and to cooperate with the NMSU PD in investigating the backgrounds of the escorts.
- C. The director shall have the authority to set the hours of the Pete's Pick-Up at the director's discretion.

7-2-4. POSITIONS OF ESCORTS AND DISPATCHERS

- A. The position of escort shall be filled by ASNMSU members in good standing who sign a release form and a police record authorization form.
- B. The escort shall have the duty to respond to calls from escortees and to accompany the escortee to a destination on campus. The escort must check in with the dispatcher after completing each escort trip.
- C. Escorts are not bodyguards and have no authority to enter into physical contact with any would-be assailants.
- D. The position of dispatcher shall be filled by ASNMSU members in good standing as defined by the ASNMSU Student Code of Conduct.
- E. The duties of the dispatcher are to man the Pete's Pick-Up phone; to relay requests for escorts to the on-duty escort, and to document the movements of the escorts from the time of request to completion of assigned task, as well as assist with routine maintenance and act as an ASNMSU answering service.
- F. Escorts shall receive a wage not to exceed minimum wage and shall not work more than twenty (20) hours a week. Dispatchers shall receive a wage not to exceed minimum wage and shall not work more than twenty (20) hours a week.
- G. An Escort or Dispatcher shall not hold any other position within ASNMSU.

7-2-5. PETE'S PICK-UP COMMITTEE

The Pete's Pick-Up Committee shall consist of the ASNMSU Attorney General, a current Pete's Pick-Up dispatcher, a current Pete's Pick-Up escort, the Assistant Director of Services, the ASNMSU Director of Services, and a student-at-large member who has utilized the Pete's Pick-Up.

7-2-6. PROCEDURE FOR REVIEW

The Pete's Pick-Up committee shall review the Pete's Pick-Up yearly and may submit recommendations to the Senate.

7-3. STUDENT DISCOUNT PROGRAM ACT

AN ACT ESTABLISHING A STUDENT DISCOUNT PROGRAM; DEFINITIONS; PRESCRIBING WHO SHALL HAVE JURISDICTION; LIMITATION OF APPROPRIATION; AND REVIEW OF SUCH A PROGRAM

7-3-1. PURPOSE OF ACT

The ASNMSU Student Discount Program is established to provide NMSU students with the means to acquire merchandise and services at a discount at local businesses.

7-3-2. JURISDICTION

The Executive Director of Services of the ASNMSU will be the coordinator of the ASNMSU Student Discount Program during the summer. The Director has the option to form a committee which may consist of ASNMSU Senators, students, and ASNMSU staff. The purpose of this committee is to recruit businesses of the Las Cruces/NMSU community to participate in the ASNMSU Student Discount Program, organize the necessary campaigns for the advertising of the ASNMSU Student Discount Program, and insure that the ASNMSU Student Discount Program will be in operation at the beginning of the fall semester. The Executive Director of Public Relations will, in cooperation with the Executive Director of Services, do the contracted advertising for the program.

7-4. ASNMSU ROADRUNNER PROGRAM ACT

7-4-1. PURPOSE OF ACT

The purpose of the ASNMSU Roadrunner Program Act is to provide incoming NMSU students with an understanding of the workings of student government by bringing them into the organization in an apprentice fashion and allowing them to participate in the process of student government. The ASNMSU Roadrunners will consist of twenty-five(25) first year members of ASNMSU selected from the applicant pool.

7-4-2. JURISDICTION

The ASNMSU Director of Community Outreach will be the chief supervisor, with the Assistant Director of Community Outreach for Leadership Development being the chief coordinator of the ASNMSU Roadrunner Program and will be permitted to enlist executive support and as many volunteers as is necessary to ensure the success of the program.

7-4-3. ORIENTATION PRESENTATIONS

An ASNMSU Executive, the president, or president's appointment, will coordinate a presentation to be given at Aggie Welcome Orientation. The presentation will provide an overview of the student government and will be designed to spark the interest and encourage the involvement of the incoming students, especially through the ASNMSU Roadrunner Program. Membership into the ASNMSU Roadrunner Program will be made available and the application deadline will be announced for the second week of classes. Applications can also be turned in during the Aggie Welcome Orientation.

7-4-4. APPLICATION PERIOD

At the beginning of the fall semester, advertisements will be posted to inform students of the ASNMSU Roadrunner Program, announce the application deadline, and encourage more applicants. Applications will be available in the ASNMSU office and, after the application deadline, will be compiled and reviewed.

If needed, a second application process will occur in the spring semester to maintain a team of twenty-five (25) ASNMSU Roadrunners.

If an opening occurs in the ASNMSU Roadrunner Program during a semester, the open position will be filled from the pool of that semester's applicants.

7-4-5. SELECTION PROCESS

Selection process will consist of an individual application review and a group interview. Applicants selected during a blind review will be contacted and assigned a group interview time. The group interview will be designed to highlight the applicants' skills in the areas of teamwork and creativity and will occur in groups of ten. The group interview will be conducted by a panel of five (5) members of the ASNMSU and/or former ASNMSU Roadrunners.

7-4-6. DUTIES AND RESPONSIBILITIES OF ASNMSU ROADRUNNERS

An ASNMSU Roadrunner's duties will include the following:

- A. Serving as aides to the ASNMSU Executive officers;

- B. Maintaining four office hours per week, serving as a receptionist on a need-basis, assisting in the duties of the ASNMSU officers and staff, and working on Roadrunner initiatives;
- C. Attending bi-weekly ASNMSU Roadrunner meetings;
- D. Serving as pages on a rotational basis for ASNMSU Senate meetings with a maximum of four (4) serving at each meeting;
- E. Serving on various university committees, advisory boards, and task forces;
- F. Executing initiatives formulated by the ASNMSU Roadrunners;
- G. Serving as aides to the ASNMSU Supreme Court;
- H. Performing other duties as assigned.

7-4-7. ASNMSU ROADRUNNER PREVENTATIVE CLAUSES

- A. The ASNMSU Roadrunners will not be considered the personal assistants to any single ASNMSU Executive or elected officer.
- B. While serving as pages to the ASNMSU Senate, ASNMSU Roadrunners will be solely present for the purposes of observation and appreciation of ASNMSU Senate procedures and events as aides to the Senate Clerk and for the capacity of passing necessary written information between the members of the ASNMSU Senate.

7-4-8. TERM OF OFFICE

The ASNMSU Roadrunners will serve a term of up to one (1) year, beginning after the fall interview process is complete and terminating with the completion of the following year's application and selection processes. Any Roadrunner member introduced after the initial fall selection will serve less than one (1) year.

7-4-9. FUNDING LEVEL

The ASNMSU Roadrunner Program will be appropriated an amount not to exceed five thousand dollars and no cents (\$5,000.00) during the General Appropriation Act under the account of the ASNMSU Director of Community Outreach.

7-5. INTRAMURAL ACT

AN ACT RELATING TO INTRAMURALS; DEFINING THE RELATIONSHIP OF THE ASNMSU TO THE INTRAMURAL PROGRAM AT NEW MEXICO STATE UNIVERSITY; TO CREATE AN INTRAMURAL POLICY BOARD; DEFINING THE POWERS AND DUTIES OF THE BOARD.

7-5-1. RELATIONSHIP OF THE ASNMSU TO INTRAMURALS

The ASNMSU hereby joins with NMSU through the Department of Physical Education and Recreational Dance in providing the student, faculty and administrative members of the NMSU community an intramural athletic and activities program. The ASNMSU Senate may appropriate to the intramural program the funds it deems necessary, in the form of a Senate bill, to support the intramural program except for the salary of the intramural director and the maintenance and operational cost of the facilities used by the intramural program. The ASNMSU recognizes the director of the intramural program as selected by the President of ASNMSU, as per section 3-27, as the Executive Director of the intramurals.

7-5-2. INTRAMURAL POLICY BOARD CREATED

The Intramural Policy Board is created to establish policy and rules for the operation of and participation in the Intramurals at NMSU.

7-5-3. MEMBERSHIP OF BOARD

The Intramural Policy Board shall consist of seven (7) members.

1. Executive Director of Intramurals who shall Chair the committee;
2. Faculty Representative: One (1) year term appointed by the Faculty Senate
3. Two (2) Student Head Referees: One (1) year term appointed by the NMSU Director of Recreational Sports;
4. ASNMSU Assistant Director of Intramurals
5. Two (2) Students at large: One (1) year term chosen by the ASNMSU President.

Terms will commence on the first business day after the end of spring semester and terminate on the last day of the following spring semester.

7-5-4. POWERS AND DUTIES OF THE BOARD

The Intramural Policy Board shall direct the operation of the intramural athletic and activities program for men and women of the NMSU community. The powers and duties of the Board shall include but not be limited to the responsibility and authority to:

- A. Develop policies and procedures for the operation of the Intramural Program, including policy for the division of Intramural expenditures among the various Intramural sources;
- B. Establish rules and regulations for participation in Intramural athletic events, activities and sports;
- C. Make recommendations on the proper use of Intramural money and approve all single item expenditures over five hundred dollars and no cents (\$500.00);
- D. Review Intramural expenditures and report any expenditure the board feels is improper to the Attorney General of ASNMSU (The Attorney General will then investigate the matter and respond according to the Financial Operations Section of the ASNMSU Law Book);
- E. Provide student representation for Intramural professional staff search committees and for committees dealing with the expansion, construction, acquisition, or use of Intramural facilities;
- F. Evaluate the Intramural Program every year and assist the Executive Director of Intramurals in preparing a report for the Executive and Legislative branch;
- G. Has the power to sponsor any championship intramural team for a regional or State Wide Competition. Allowed to take up to fifteen (15) athletes and/or referees and up to three (3) selected staff members.
 - i. "Staff members" include: ASNMSU Director of Intramurals, Activity Center Director of Intramurals, and Assistant Director of Intramurals
- H. Determine which intramural sports offered each year. During the spring semester, the board shall provide input opportunities to the student body of NMSU, and finalize intramural sports offered by the end of the spring semester each year.
- I. The board shall act as means of appealing disqualifications and suspensions form intramural sports.
- J. Other duties the Board may feel it necessary to undertake.

7-5-5. MEETINGS - QUORUM - DISPUTES - GRIEVANCES

A majority of the voting members with at least two (2) being students and at least one (1) being non-student shall constitute a quorum to conduct business. The Board shall determine how often, where, and when the Board will meet. However, the Board shall meet at least once every full month during each semester and once during the summer. A regular meeting may be omitted by a two-thirds (2/3) vote of the Board. If necessary the chair or a majority of the board members may call an emergency meeting of the board. Any disputes between the Intramural Policy Board and the Intramural Director concerning ASNMSU matters will be resolved by the Supreme Court of ASNMSU. Any person that may have a grievance with the Intramural Program may bring that problem to the policy board by presenting their grievance, in writing to any member of the Board. The policy board will then take steps to remedy the problem. If the party with the grievance is not satisfied with the Policy Board's decision then the Board will forward its decision with

a recommendation to the Vice President of Student Affairs, who will then decide if the problem warrants more investigation.

7-6. THE ASNMSU STUDENT ADVOCACY BOARD

7-6-1. THE ASNMSU STUDENT ADVOCACY BOARD CREATED

The ASNMSU Student Advocacy Board is created within the Office of the ASNMSU Executive Director of Governmental Affairs, as per section 3-30.

7-6-2. CHAIR AND VICE CHAIR OF THE ASNMSU STUDENT ADVOCACY BOARD

The Director of Governmental Affairs shall serve as Chair and the Assistant Director of Governmental Affairs as Vice Chair of the ASNMSU Student Advocacy Board.

7-6-3. MEMBERSHIP OF THE ASNMSU STUDENT ADVOCACY BOARD

The Student Advocacy Board shall be made up of five (5) voting members, who shall consist of the Chair of the Student Advocacy Board and four other members. One (1) member shall be appointed by the Chair of the Student Advocacy Board, one (1) member shall be a student-at-large appointed by the Chief of Staff, one (1) shall be a Senator elected by the Senate, and one (1) shall be a Supreme Court Justice elected by the ASNMSU Supreme Court. In addition, the Executive Director of Governmental Affairs may appoint as many ex-officio members as they deem necessary.

7-6-4. QUALIFICATIONS OF THE MEMBERS OF THE ASNMSU STUDENT ADVOCACY BOARD

- A. Individuals serving on the ASNMSU Student Advocacy Board shall be ASNMSU fee paying students.
- B. Members of the ASNMSU Student Advocacy Board shall not be on either academic or disciplinary probation.

7-6-5. DUTIES AND RESPONSIBILITIES OF THE ASNMSU STUDENT ADVOCACY BOARD

The ASNMSU Student Advocacy Board will be expected to:

- A. Advocate on behalf of ASNMSU before the New Mexico State Legislature on issues concerning the ASNMSU;
- B. Formulate the ASNMSU platform with the Committee of Campus Affairs (The issues of the platform should take priority in the establishment of the Associated Students of New Mexico platform);
- C. Maintain records containing:
 - 1. Information on how to contact various legislators, committees, offices and others;
 - 2. Information regarding advocacy activities meetings and pertinent legislation;
- D. Assist with the voter registration drive;
- E. Recommend resolutions concerning off-campus activities to the ASNMSU Senate.

7-7. THE ASNMSU HOMECOMING COMMITTEE REVIEW BOARD

7-7-1. THE ASNMSU HOMECOMING COMMITTEE REVIEW BOARD CREATED

The ASNMSU Homecoming Committee Review Board is created within the office of the ASNMSU Executive Director of Activities.

7-7-2. CHAIR OF THE HOMECOMING COMMITTEE REVIEW BOARD

The ASNMSU Homecoming Committee Chair, appointed through section 3-13-4-J-2, shall serve as the Chair of the ASNMSU Homecoming Committee Review Board.

7-7-3. MEMBERSHIP OF THE ASNMSU HOMECOMING COMMITTEE REVIEW BOARD

The ASNMSU Homecoming Committee Review Board shall include the ASNMSU Director of Activities, ASNMSU Assistant Director of Activities, ASNMSU Bonfire Chair, ASNMSU Parade Chair and may include a delegate from each student organization or NMSU department that has previously registered for the Homecoming Week Events.

7-7-4. QUALIFICATIONS OF THE MEMBERS OF THE ASNMSU HOMECOMING COMMITTEE REVIEW BOARD

Members must be an appointed ASNMSU position or a member of the student organization or NMSU department

7-7-5. DUTIES AND RESPONSIBILITIES OF THE ASNMSU HOMECOMING COMMITTEE REVIEW BOARD

The ASNMSU Homecoming Committee Review Board will be expected to:

- A. Review and amend only homecoming rules pertaining to the competition (s) taking place during the homecoming week. Such amendments must be agreed upon twenty-five (25) days prior to the Homecoming Parade. If such an agreement is not reached the rules set forth by the ASNMSU Director of Activities will be enacted.

7-8. EMERGENCY MEETING ACT

7-8-1. NAME

This act shall be called the "ASNMSU Emergency Meeting Act."

7-8-2. PROCEDURES AND REGULATIONS FOR EMERGENCY MEETINGS

Any ASNMSU policy making body, as defined in Chapter 4 of the ASNMSU Lawbook, may convene an Emergency Session if:

- A. A simple majority of the voting members of the policy making body, in writing or by petition, may request an Emergency Session of the policy making body to the Chair Person of the policy making body and the ASNMSU Advisor. In the absence of the Chair Person of the policy making body, the ASNMSU Advisor may receive requests for an Emergency Session.
 1. In their written request the members of the policy making body must propose a time and place for the Emergency Session, and subject matters to be discussed at the Emergency Session.
- B. A quorum of the policy making body must be achieved for any business to be transacted at any Emergency Session.
- C. The Chair Person or the person designated to keep the minutes of the policy making body shall sign and date the minutes of the Emergency Session, and submit them to the ASNMSU Vice-President with a signed and dated letter explaining the need for the emergency session and what, if any, actions were undertaken or ordered by the policy making body.
 1. The ASNMSU Vice-President shall make the minutes of the policy making body and the letter of explanation available to any member of the ASNMSU that requests it.
- D. The policy making body shall abide by all standard rules and procedures. Only exception the business for which the Emergency Session was convened may be discussed and acted upon.
- E. The Presiding Officer of an Emergency Session shall be the policy making body's Chair Person

1. If the policy making body's Chair Person is unable or unwilling to preside over the Emergency Session, the Vice-Chair Person of the policy making body shall serve as the Presiding Officer.
 2. If the Vice-Chair Person of the policy making body is unable or unwilling to serve as the Presiding Officer of the Emergency Session, the ranking ASNMSU Senator of the policy making body shall serve as the Presiding Officer of the Emergency Session.
 3. If the ranking ASNMSU Senator of the policy making body is unable or unwilling to serve as the Presiding Officer of the Emergency Session, the ASNMSU Vice-President shall serve as the Presiding Officer, of the policy making body until the policy making body can elect, from its voting membership, a new Presiding Officer.
- F. The Chair Person or acting Chair Person shall notify all student media (The Roundup, KRUX, and KRWG) in writing at least two (2) hours prior to an Emergency Session being convened.
- G. The ASNMSU Advisor may, with proper and due cause, request that the ASNMSU Senate review any actions undertaken or ordered during an Emergency Session of an ASNMSU policy making body at the next regularly scheduled ASNMSU Senate meeting.
- H. The ASNMSU Senate may choose, independently of the ASNMSU Advisor, to review any actions undertaken or ordered by any policy making body of ASNMSU in an Emergency Session, and may overturn any action or decision undertaken or ordered by any policy making body of ASNMSU made in an Emergency Session.
- I. The actions undertaken or ordered during an Emergency Session of any ASNMSU policy making body may be appealed to the ASNMSU Supreme Court.
1. The ASNMSU Supreme Court may render illegal or improper actions and decisions undertaken or ordered by any ASNMSU policy making body during an Emergency Session null and void, and may prescribe such remedy as is proper and just under the law.
 2. Any review of an Emergency Session of an ASNMSU policy making body 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 Session of any ASNMSU policy making body from being appealed to the ASNMSU Supreme Court.
- J. The Senate Secretary shall be present at any emergency session to take the minutes,

7-9. THE ASNMSU COMMITTEE OF CAMPUS AFFAIRS

7-9-1. THE ASNMSU COMMITTEE OF CAMPUS AFFAIRS CREATED

The ASNMSU Committee of Campus Affairs is created within the Office of the ASNMSU Executive Director of Governmental Affairs.

7-9-2. GOVERNANCE OF COMMITTEE

Following the election and certification of the results of the ASNMSU Presidential Election, the President-Elect of ASNMSU shall submit to the Committee of Campus Affairs the state legislative initiatives. The Committee of Campus Affairs will hold governance over the review of such initiatives and suggest changes to reflect the priorities of students, student organizations, and ASNMSU.

7-9-3. MEMBERSHIP OF THE ASNMSU COMMITTEE OF CAMPUS AFFAIRS

The Committee of Campus Affairs shall be made up of eight (8) voting members, which shall be each College Council President (or any other Council representative). Non-voting members shall be an ex-officio A representative from the Dona Ana Community College Branch shall serve as an ex-officio member of the Committee and the Director of Governmental Affairs. The Director of Governmental Affairs shall act as Presiding Chair of the Committee, as the Director is most familiar with proposed state legislative initiatives by the incoming ASNMSU President and shall represent the President on the Committee. The Assistant Director of Governmental Affairs shall act as the vice Chair of the Committee.

7-9-4. DUTIES AND RESPONSIBILITIES OF THE ASNMSU COMMITTEE OF CAMPUS AFFAIRS

The ASNMSU Committee of Campus Affairs will be expected to:

- A. Review and rank the state legislative initiatives as proposed each year by students, student organizations, and the President of ASNMSU;
- B. Suggest any changes of the state legislative initiatives to the President of ASNMSU for re-submission to the Committee;
- C. Recommend reviewed and ranked state legislative initiatives to the ASNMSU Senate for confirmation. If a confirmation is not provided by the Senate, the reviewed and ranked initiatives shall proceed back to the Committee of Campus Affairs for re-review, which will initiate the process again.
- D. Work to oversee and produce longevity of the eight (8) college councils.
- E. Promote ASNMSU events, University events, and college council events to the student organizations within each respectable college council.

7-10. THE ASNMSU VISUAL MEDIA BOARD

7-10-1 THE ASNMSU VISUAL MEDIA BOARD CREATED

The ASNMSU Visual Media Board is created within the Office of the ASNMSU Executive Director of Media Relations, as per section 3-11.

7-10-2 CHAIR OF THE ASNMSU VISUAL MEDIA BOARD

The ASNMSU Director of Media Relations shall serve as the Chair of the ASNMSU Visual Media Board.

7-10-3 MEMBERSHIP OF THE ASNMSU VISUAL MEDIA BOARD

The Visual Media Board shall be made up of six (6) members, who shall consist of the Chair of the Visual Media Board, three (3) voting members, and two (2) ex-officio members. Voting members shall consist of the ASNMSU Visual Media Assistant, ASNMSU Public Relations, one (1) student at large appointed by the ASNMSU Director of Media Relations. Ex-officio member shall be a representative from SODA and the ASNMSU President.

7-10-4 QUALIFICATIONS OF THE MEMBERS OF THE ASNMSU VISUAL MEDIA BOARD

- A. Individuals serving on the ASNMSU Visual Media Board shall be ASNMSU fee-paying students

7-10-5 Members of the ASNMSU Visual Media Board shall be in good standing as defined by the NMSU Student Code of Conduct.

7-10-6 DUTIES AND RESPONSIBILITIES OF THE ASNMSU VISUAL MEDIA BOARD

- A. Meet once a month;
- B. Create policies for check out of film equipment and liability;
- C. Contract ASNMSU events to be filmed monthly;
- D. Oversee progress on SODA projects;
- E. Plan an annual short film festival;

- F. Recommend Senate appropriations to the Executive Director of Media Relations for improvements or changes to equipment.

8. FINANCIAL OPERATIONS

8-1. SUPPORTING FEES ACT

8-1-1. ASNMSU MEMBERSHIP FEE

In order to obtain and maintain membership in the ASNMSU, students of NMSU shall pay to the NMSU Business office (per semester):

- A. A thirty three dollar and fifty cent (\$33.50) membership fee for full-time students and for part-time students for both the fall and spring semester. The summer session fee for full-time students is six dollars (\$6.00) per session, and the summer session fee for part-time students is three (\$3.00) per session;
- B. A five dollar (\$5.00) club endowment fee for full-time students and a half-dollar (\$2.50) fee for part-time students. The endowment fee shall not be charged for summer sessions.

8-1-2. PRIVILEGES OF ASNMSU MEMBERSHIP

All members of ASNMSU are entitled, upon the presentation of a valid, current Student I.D., to:

- A. Free admission to events and activities substantially funded by ASNMSU unless otherwise provided for by law;
- B. Participate in all intramural athletic and activities programs;
- C. Participate, without charge, in all other ASNMSU substantially funded programs unless otherwise provided for by law;
- D. Receive without financial charge *The Round Up*;
- E. All other rights and privileges of membership in ASNMSU.

8-1-3. EXECUTIVE DIRECTOR OF ACTIVITIES AND EXECUTIVE DIRECTOR OF SPECIAL EVENTS EMPOWERED TO SET ADMISSION CHARGE

The Executive Director of Activities and the ASNMSU Executive Director of Special Events are empowered to set an admission charge upon the members of the ASNMSU for contractually arranged events or performances presented under the auspices of the ASNMSU Activities or the ASNMSU Special Events provided the admission charge shall be at least one (\$1.00) dollar less than the price of a corresponding ticket charged to the general public.

8-1-4. INTRAMURAL POLICY BOARD SHALL ASSESS FEES

The Intramural Policy Board shall assess such fees as it deems necessary upon those non-ASNMSU members of the NMSU community and ASNMSU members who participate in the intramural program.

8-2. REVENUE DISPOSITION ACT

8-2-1. DEFINITIONS

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

- B. “Insufficient revenue” occurs when ASNMSU Revenue is inadequate to cover all expenses incurred by ASNMSU.

8-2-2. ASNMSU REVENUE DEFINED

ASNMSU Revenue means all revenue collected or received:

- A. By the University Accounts Receivable Office from the payment of the ASNMSU membership fees;
- B. From the sale of admission tickets to activities or performances presented under the auspices of the ASNMSU Department of Activities or Special Events;
- C. In fees assessed by the Intramural program;
- D. By *The Round Up*, KRUX Radio from the sale of advertising (this revenue shall not be considered in a determination of insufficient revenue);
- E. By any agency or organization created by ASNMSU;
- F. Interest from all the ASNMSU accounts;
- G. From the profit of any promotional activities sponsored under the auspices of ASNMSU or any agency or organization of ASNMSU.

8-2-3. DISPOSITION OF ASNMSU REVENUE

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

8-2-4. INSUFFICIENT REVENUE

A state of insufficient revenue shall be declared and repealed by the Senate, in the form of a resolution. During the summer, a state of insufficient revenue may be called by either the Senate, in the form of a resolution, or by the Summer Finance Board. If the ASNMSU revenue is insufficient to cover all appropriations made by law, and insufficient revenue is declared, ASNMSU shall, at the President's discretion, discharge the deficit through:

- A. Surplus Account;
- B. Media Reversions;
- C. Cardinal Account;
- D. Comptroller Maintenance Account;
- E. Base Program Accounts.

8-2-5. SUMMER FINANCE BOARD, SENATE VALIDATION

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

8-2-6. APPROVAL REQUIRED FOR WITHDRAWAL

No money shall be withdrawn from any account funded by ASNMSU except by voucher signed by the executive of the account, the ASNMSU Comptroller, the ASNMSU President, and the Dean of Students. Approval for withdrawal:

- A. Shall be denied by the ASNMSU Comptroller or ASNMSU Fiscal Advisor only for reasons of:

1. Insufficient funds;
2. Failure to comply with the written procedures for the financial operation of the ASNMSU or any subdivision thereof as prescribed by the ASNMSU Comptroller;
3. Failure to comply with the procedures for the financial operation of the ASNMSU as prescribed by law;
4. Withdrawal of funds for the purchase of goods or services not approved in the budgeted pools of the executive of the account.

B. May be denied by the ASNMSU President.

8-2-7. SENATE MAY OVERRIDE PRESIDENTIAL DENIAL OF WITHDRAWAL

The ASNMSU Senate may, in the form of a resolution, override a presidential denial of withdrawal of funds with a two-thirds (2/3) vote.

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

The Finance Board may override a presidential denial of withdrawal during the summer with a two-thirds (2/3) vote.

8-2-9. PRESIDENT EMPOWERED TO IMPOUND FUNDS

The ASNMSU President is empowered to impound the funds of any agency or organization that has received funds from ASNMSU for reasons of:

- A. Insufficient funds or revenue;
- B. Failure to comply with the ASNMSU law;
- C. Failure to comply with state or federal law;
- D. To protect the financial well-being of ASNMSU;
- E. The presidential impoundment order shall be a written memorandum to the Fiscal Advisor in the Comptroller's Office. If the presidential impoundment order is still in effect for three (3) working days, the President will inform, in writing, the Vice President and all agencies and organizations directly affected by the impoundments.

8-2-10. SENATE MAY OVERRIDE PRESIDENTIAL IMPOUNDMENT

The ASNMSU Senate may, in the form of a resolution, override a presidential impoundment order with a two-thirds (2/3) vote.

8-2-11. FINANCE BOARD MAY OVERRIDE PRESIDENTIAL IMPOUNDMENT DURING THE SUMMER

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

8-3. ASNMSU GENERAL FUNDING RULES ACT

AN ACT ESTABLISHING THE ASNMSU SENATE APPROPRIATION GENERAL REGULATIONS THAT APPLIES TO ALL FUNDING APPROPRIATIONS.

8-3-1. DEFINITIONS

- A. "Recognized organization" means any agency, club or student group on file as prescribed by the Campus Activities Office and approved by the Dean of Students.

- B. "Represented in a college council" means an organization is a member of only one (1) college council and abides by the rules and regulations set by the council.
- C. "Community service project" means any project performed by a recognized organization that has improved the quality of life in the community. Community service projects must be of human interest in nature and non-profit. Projects performed by organizations must be verifiable.
- D. "Operating expenses" are those expenses that reoccur and are required for the normal functioning of the organization over the course of the academic year. Operating expenses shall not include funding for items or activities that are intended to provide something that is available to the general membership of ASNMSU, such as speakers and other service-oriented activities.
- E. "Team" means only those individuals destined to compete in a competition.
- F. "Community Service Organization" means any group whose purpose is primarily service oriented (service being to either NMSU or the community at large). The decision as to whether or not a group is service oriented shall be made by the Community Affairs Committee.
- G. "Traveling Expenses" means covered expenses relating to conference, research, competition, and community service travel include but are not limited to airfare, lodging, registration costs (excluding food), parking, rental cars, shuttles, and other travel related expenses. Refer to the university's policy on funding to ensure expenses are eligible.

8-3-2. PURPOSE OF ACT

To clarify and to regulate the allocation of ASNMSU funds.

8-3-3. MAIN PROVISIONS

- A. Before a recognized organization or Base Program may be funded by the ASNMSU Senate, the head of the organization will sign a Procedural Release Form stating that the leaders of the organization understand ASNMSU financial procedures, have attended the financial procedures workshop (unless the club is newly chartered, or has changed all its leadership), and will follow these regulations or will forfeit any right to the allocated funds. The financial procedures workshop shall be advertised three weeks prior to the first financial procedures workshop to be held within the first full month of each calendar semester and followed by another workshop within thirty (30) days. The workshops shall be made known to the public through all ASNMSU media and shall be posted at all colleges by the finance board chair. The use of the forms will be handled by the ASNMSU Comptroller certifying that the leaders have demonstrated sufficient knowledge in the procedures. The text of the Release Form shall read: "The undersigned representative of ____ (organization) ____ agrees the organization will:
 - 1. Follow the revised ASNMSU Financial Procedures Guide, in its possession, in dealing with ASNMSU monies appropriated to the organization;
 - 2. Failure to follow these procedures will result in the organization's forfeiture of any rights to the allocated funds.

The Release Form shall be signed and dated by the head of the organization and the ASNMSU Comptroller.

- B. All requests for allocations not included in the General Appropriations Act must include a detailed line item breakdown.
- C. No organization shall exceed one appropriations bill per event, research project, or conference, unless otherwise provided for or required by the ASNMSU Lawbook.
- D. No funds will be allocated to any recognized student organization or Base Program sponsored function to which attendance would be denied to any student currently enrolled at NMSU.
- E. All funds allocated by ASNMSU shall follow NMSU's Business Procedures Manuel. ASNMSU reserves the right to supervise and inspect all funds allocated by ASNMSU.

- a) For students/organizations traveling internationally, an “International Travel; Student International Travel Form” to the Finance Committee.
 - i) All forms will be due at twelve (12:00) p.m. the day before the committee meets.
 - ii) The Comptroller shall collect the forms after every meeting.
- F. If any revenue is to be generated from the allocation of said funds, all monies generated shall revert to the ASNMSU Surplus Account thirty (30) days after such event, unless special circumstances indicate otherwise and as acknowledged in the appropriation act.
- G. Extrajudicial purchase restrictions. The following items will be prohibited due to legal restrictions on ASNMSU allocations:
 - 1. Donations. Donations or gifts of any kind will be prohibited by ASNMSU. This includes cash awards to employees;
 - 2. Alcohol. No funds will be allocated for purchase or consumption of alcohol or liquor;
 - 3. Holiday decorations. ASNMSU will not allocate funds to clubs or organizations for holiday decorations;
 - 4. Athletic or entertainment events. ASNMSU will not reimburse clubs or organizations for the cost of tickets to athletic or entertainment events;
 - 5. Operating expenses will not include: external medications not in a first aid kit, coffee or refreshments, chamber of commerce dues, and personal care products not required for the conduct of university business.
- H. The ASNMSU Senate shall make appropriations only if a bill enters into first readings by the first senate meeting following the departure for the trip.
 - 1. If an appropriation is requested for conference or competitive travel during the time when Senate is not in session, a bill for the organization may be introduced only if all of the following are met:
 - a. The organization did not get accepted to the event until Senate was no longer in session;
 - b. An official letter or e-mail from the event stating the late date of acceptance is introduced to the Rules Committee;
 - c. The bill is introduced to committees no later than the second Senate meeting of either the Fall or Spring Semester;
 - d. The organization requesting the reimbursement understands and agrees that the summer travel funding will be treated as a Fall Semester appropriation.
 - 2. If an appropriation is requested for research or community service travel during the time that Senate is not in session, a bill for the organization may be introduced only if all of the following are met:
 - a. The bill is introduced to committees no later than the second Senate meeting of either the Fall or Spring Semester;
 - b. The organization requesting the reimbursement understands and agrees that the summer travel funding will be treated as a Fall Semester appropriation.
- I. The ASNMSU Senate shall not make appropriations for any reason to any College Council, club, organization, or base program recognized by New Mexico State University and the Associated Students of New Mexico State University to promote any person running for ASNMSU elected office.
- J. Appropriations made to the Comptroller's Maintenance Account shall not revert.
- K. All ASNMSU revenue and appropriated funds remaining in ASNMSU funded accounts shall revert to the ASNMSU Surplus Account each June 30th, unless otherwise prescribed by law.

1. The last day to file reimbursements for funds appropriated from the Spring Semester will be June 15th for trips taken prior to June 15th.
- L. Trips with appropriated funds from the Spring Semester scheduled after June 15th, but before the first Senate meeting shall file reimbursement requests within thirty (30) days of returning or the funds will be lost.
- M. All Funding Rules identify the maximum amount that can be appropriated; but the amount actually appropriated is at the discretion of the Senate.

8-4. ASNMSU SENATE APPROPRIATION ACT

AN ACT ESTABLISHING THE ASNMSU SENATE APPROPRIATION REGULATIONS FOR CLUBS AND ORGANIZATIONS.

8-4-1. DEFINITIONS

- C. "Research Travel" means travel for groups or individuals for the express purpose of collecting research for an Honors Thesis, Master's Thesis, or Dissertation.
- D. "Conference Attendance Travel" means travel for groups or individuals for the express purpose of attending an academic, professional, leadership, humanitarian, community service, or national club conference without the intent to present research.
- E. "Conference Presentation Travel" means travel for groups or individuals for the express purpose of presenting previously conducted research at an academic conference to which they have been accepted.
- F. "Competition Travel" means travel for teams or individuals with the express purpose of competing for recognition, reward, or any other objective which distinguishes that team or individual from others; this competition must further the organization's objective.
- G. "Community Service Travel" means travel for the express purpose of promoting human welfare, or improving the quality of life of a community of human beings.
- H. "Humanitarian travel" means travel for the express purpose of promoting human welfare only pertaining to active federal disaster areas as indicated by FEMA;
- I. "Operating Expenses" means those expenses that re-occur and are required for the normal functioning of the organization over the course of the academic year. Operating expenses shall not include funding for items or activities that are intended to improve something that is available to the general membership of ASNMSU, such as speakers and other service oriented activities.
- J. "Banquet" means any meal for a team, club, or organization for the purpose of said club, team or organization members only.

8-4-2. PURPOSE OF ACT

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

8-4-3. MAIN PROVISIONS

- A. Funds may be allocated to any recognized student organization that requires its members to pay dues to fulfill any local or national mandate. ASNMSU funds cannot be used to pay these dues.
- B. Funds may not be allocated to a Base Program under Section 8-4.

- C. Trips with multiple purposes as defined in 8-4-1-A through 8-4-1-F are required to draft separate bills for each purpose.
- D. Any recognized organization requesting a Senate appropriation shall meet all of the following community service requirements:
 - 1. At least twenty-five percent (25%) of the organization's active members must complete four (4) hours each of community service for every three thousand dollars (\$3000.00) appropriated; two (2) hours must benefit the southern New Mexico community outside the NMSU campus and the other two (2) hours must particularly benefit the campus of NMSU per approved appropriation:
 - a. Only organizations competing, in events within one semester may submit up to four (4) appropriations per bill not to exceed a grand total of three thousand dollars (\$3000.00) for that bill. Any organization that is only attending events within one semester of each other is limited to sending a total of four (4) students for the entire bill.
 - i. Events occurring from January 1 through June 15 will count towards the spring semester.
 - ii. Events occurring from June 16 through December 31 will count towards the fall semester.
 - 2. Any student traveling for the purpose of Research Travel, Conference Presentation Travel, or Graduate Student traveling for Conference Attendance Travel can fulfill community service requirements by either complying with Section 8-4-3-D-1, or by completing five (5) hours of community service for every three thousand dollars (\$3000.00) appropriated. These community service hours may be completed on or off of the NMSU campus;
 - 3. Each community service project shall occur within one hundred and eighty (180) days prior to the appropriation request. No day from the last day of classes to the first day of classes between the Fall and Spring Semesters, as defined by the Registrar's Office, shall be counted as part of the one hundred and eighty (180) days allowed for the required Community Service Project. All university recognized holidays are excluded from the one hundred and eighty (180) days as well;
 - 4. A community service project form must be submitted to the Community Affairs chair before noon on the day before the committee meets at which legislation requesting funding is to be discussed. If the day before the Community Affairs meeting shall fall on a Saturday, Sunday, or a university recognized holiday, the form shall be due the closest business day prior to the committee meeting. Failure to do so will result in immediate retention of the legislation. These community service projects shall be approved by the Community Affairs Committee before the appropriation request may enter second readings.
- E. An organization may not be funded beyond the maximum number of students as mandated by the subsection the organization is applying under per year; the caps shall be reset at the first ASNMSU Senate meeting of the Fall semester.
- F. The ASNMSU Senate shall not make appropriations for food, alcoholic and non-alcoholic beverages, banquets, gifts, favors, anything to be given away with monetary value, furniture, office equipment, computer software or computer hardware to any College Council, club, or organization recognized by New Mexico State University and the Associated Students of New Mexico State University.
 - 1. ASNMSU can fund food and non-alcoholic beverages in the event that the meals are included in the mandatory registration fee for conference and competition.
- G. The ASNMSU Senate shall make no appropriations for trips or other expenses of clubs, organizations, or teams which are not expressly prescribed in 8-4.
- H. The ASNMSU Senate shall only fund airfare within the United States, Mexico and Canada.
- I. Funding for operating expenses (including teams) shall require fifty-one percent (51%) matching funds from the group requesting funding.

1. Decision as to whether or not an appropriation is for operating expenses shall be made by the ASNMSU Senate Rules Committee before the request for appropriation enters second readings if the purpose of the funding is not clear.
- J. The ASNMSU Senate shall make appropriations for Conference Attendance Travel according to the following procedures:
1. The ASNMSU Senate may provide up to forty-nine percent (49%) of the total funds requested but no more than five thousand dollars (\$5000.00) to help defray the traveling expenses
 2. The number of participants shall be limited to four (4) individuals.
 3. Organizations must submit proof to the chair of the Rules committee in the form of a letter from the organization's faculty advisor and copy of the conference agenda;
 - a. Letters must include at least: who is attending, what conference they are attending, where the conference is located, and the duration of the trip. Said letter must be on letterhead including contact information for the faculty or organization advisor.
- K. The ASNMSU Senate shall make appropriations for Conference Presentation Travel according to the following procedures:
1. The ASNMSU Senate may provide up to forty-nine percent (49%) of the total funds requested to help defray the traveling expenses for all student presenters at an academic conference;
 2. The number of participants shall be the presenters whom have been accepted to present research by the conference;
 3. Participants must submit proof to the chair of the Rules committee that the presenters are indeed presenting research at an academic conference; Proof shall be in the form of the acceptance letter from the academic conference or a conference program/agenda listing the Presenter(s)'s research and a letter from the faculty advisor.
 - a. Letters must include at least: who is attending, what conference they are attending, where the conference is located, and the duration of the trip. Said letter must be on letterhead including contact information for the faculty or organization advisor.
- L. The ASNMSU Senate shall make appropriations for Competitive Travel according to the following procedures:
1. The ASNMSU Senate may provide up to forty-nine percent (49%) of the total funds requested to help defray the traveling expenses for all student competitors;
 2. The number of alternates for a team is limited to twenty percent (20%) of the minimum number of members required to participate in the competition. Teams who compete in physically strenuous activities, or in competitions where there is a strong likelihood of injury, may take alternates for no more than sixty percent (60%) of the minimum number of members required to participate in the competition.
 3. Organizations must submit proof to the chair of the Rules committee in the form of a letter from the organization's faculty advisor and copy of the competition schedule or bracket.
 - a. Letters must include at least: who is competing, what competition they are attending, where the competition is located, and the duration of the trip. Said letter must be on letterhead including contact information for the faculty or organization advisor.
- M. The ASNMSU Senate shall make appropriations for Research Travel according to the following procedures:
1. The ASNMSU Senate may provide up to forty-nine percent (49%) of the total funds requested to help defray the traveling expenses to conduct research;
 2. The number of participants will be limited to the people conducting research.
 3. Organizations must submit proof to the chair of the Rules committee in the form of a letter from the organization's faculty advisor.
 - a. Letters must include at least: who is conducting research, where the research is taking place, and the duration of the trip. Said letter must be on letterhead including contact information for the faculty or organization advisor.

- N. The ASNMSU Senate shall make appropriations for Community Service Travel according to the following procedures:
1. The ASNMSU Senate may provide up to forty-nine (49%) of the total funds requested to defray traveling expenses;
 - a. The ASNMSU Senate will not fund for program or application fees for Community Service Travel;
 2. The number of participants shall be limited to those performing community service;
 3. Organizations must submit proof to the chair of the Rules committee in the form of a letter from the organization's advisor;
 - a. Letters must include at least: who is performing community service, where the community service is taking place, and the duration of the trip. Said letter must be on letterhead including contact information for the faculty or organization advisor;
- O. The ASNMSU Senate shall make appropriations for Humanitarian Service Travel according to the following procedures:
1. The ASNMSU Senate may provide up to forty-nine (49%) of the total funds requested to defray the traveling expenses for Humanitarian Service Travel;
 2. The number of participants shall be limited to those necessary for performing Humanitarian service;
 3. Organizations must submit proof to the chair of the Rules committee in the form of a letter from the organization's advisor and proof of the active FEMA declaration.
 - a. Letters must include at least: who is performing Humanitarian service, where the Humanitarian service is taking place, and the duration of the trip. Said letter must be on letterhead including contact information for the faculty or organization advisor.
- P. The ASNMSU Senate shall make appropriations for student organizations recognized by New Mexico State University to fund for conferences, renowned public speakers and presenters, seminars, and workshops.
1. The ASNMSU Senate may provide up to forty-nine percent (49%) of the total funds requested to defray the cost of travel expenses, lodging, venue costs, and booking fees or five thousand dollars (\$5000.00) whichever is less.
 2. All student organizations requesting funds for such an event will be required to present a petition with no less than two hundred (200) undergraduate or graduate student signatures and Aggie ID number and a letter from the organization advisor presented to the Rules committee.
 - a. Letters must include at least: who is speaking, where the event is taking place, and the duration of the event. Said letter must be on letterhead including contact information for the faculty or organization advisor.
 3. Conferences can last no more than two (2) days.
 4. If a similar event has already received appropriations from the ASNMSU Senate in an academic year the event cannot be funded.
 5. All events must be free to members of ASNMSU.
 6. Organizations cannot ask for funding for conferences, renowned public speakers and presenters, seminars, and workshops events more than one time in an academic year.
 7. Any organization that receives this sponsorship must list ASNMSU as a sponsor with an inclusion of the ASNMSU Logo for that specific event.

8-5. BASE PROGRAMS ACT

AN ACT CREATING ASNMSU BASE PROGRAMS AND REGULATING THEIR SPENDING.

8-5-1. DEFINITION

"Base Programs" are those which facilitate the operation of the ASNMSU and are budgeted for in the General Appropriations Act.

8-5-2. MEMBERSHIP

ASNMSU Base Programs are: ASNMSU Departments, the *Round Up*, KRUX, and all college councils.

8-5-3. PURPOSE OF ACT

To clarify and regulate the allocation of ASNMSU funds to Base Programs.

8-5-4. MAIN PROVISIONS

- A. The ASNMSU Base Programs are not subject to section 8-4.
- B. The maximum amount of the General Appropriations Act for the next fiscal year shall be no higher than the actual income from the current fiscal year.
- C. Only Base Programs and Surplus Account Repayments (as per Section 8-9) shall be budgeted for in the General Appropriations Act.
- D. General Appropriations Act Operating Procedures:
 1. The General Appropriations Act is an itemized summary of estimated or intended expenditures for a given period, with proposals for financing;
 2. ASNMSU is an NMSU Department and in its operations will follow the NMSU Accounting Procedures, the NMSU Business Procedures Manual, and the State of New Mexico Purchasing Guidelines;
 3. Base programs cannot spend in excess of the total appropriation to the program in the General Appropriations Act;
 4. If any Base Program Account ends the year in deficit, the amount of the deficit must be repaid to the Surplus Account out of the next fiscal year's budget.
 5. Comptroller Authority:
 - a. The Comptroller is allowed to manage the General Appropriations Act according to these legal procedures;
 - b. The Comptroller is allowed to maintain and update Base Programs directors on their financial status;
 - c. The Comptroller is authorized to divert funds up to forty percent (40%) within specific Base Programs during a fiscal year between line items in order to keep the programs financially viable;
 - d. The Comptroller must report any diverted funds in a report to the ASNMSU President and this report is to be kept on file until the next General Appropriations Act is in effect;
 - e. The Comptroller can only divert funds between different Base Programs, not to exceed twenty percent (20%) within a fiscal year, with the authorization of the Finance Committee.
 6. Extra Base Program Funding. Base programs are permitted to approach the Senate for funding outside of the General Appropriation Act in the form of a bill. Funding will be provided by the Surplus Account.
 7. If Base Programs require travel appropriations in addition to the General Appropriation Act, they must follow these guidelines:
 - a. Conference travel for Base Program operations will only be allowed according to the following:

- i. The number of participants attending a conference will be limited to a maximum of two (2) individuals;
 - ii. Appropriations for conference travel to a Base Program will only be made once per year;
 - iii. Participants must be presenting, participating in a sponsored round-table, or attending for a specific panel or component of the conference. This reason must be given in the rationale of the bill;
 - iv. Upon returning within one month from their conference the program must report to the Senate on their learning experiences.
 - b. All Base Programs who are to receive funds from the ASNMSU Senate for travel purposes will have their bills introduced and passed before they use any student fees for purchasing items needed for the aforementioned travel, unless special circumstances indicate otherwise and as acknowledged in the Appropriation Act.
- E. The Intramural budget maximum shall be determined by the following formula:
- 1. Budget for the following fiscal year will equal no more than twenty-five percent (25%) of the total General Appropriations Act;
 - 2. The Intramural program may approach the Senate for funding for the purchase of athletic and recreational equipment (as defined by line item 4030 of the General Appropriations Act) with the written recommendation of the Vice President 's appointee to the Intramural Policy Board, which shall be given to the Rules committee during which time such a bill is under consideration. With this exception, no additional appropriations shall be made to the Intramural program other than what is appropriated in the General Appropriations Act.
- F. Proposed budgets for each Base Program shall be presented to the Finance Board prior to the introduction of the General Appropriations Act into first readings.
- G. The College Councils may request, in the form of a bill, a maximum of one thousand dollars (\$1000.00) each academic year, or five hundred (\$500) per semester to support council events on campus as a base program.

8-6. OFFENSES AND ENFORCEMENT ACT

8-6-1. IRREGULARITIES

The ASNMSU Comptroller is empowered to:

- A. Verify the availability of the organization's matching funds as prescribed by law;
- B. Not allow any money to be transferred to organizational accounts until the prescribed matching funds are available;
- C. Verify that the appropriated monies were spent in the manner set forth by the appropriation request, including the General Appropriations Act;
- D. Find that expenditure irregularities exist and inform the Attorney General and the Chair of Senate Finance Committee, who will then investigate the irregularity.

8-6-2. OFFENSES

- A. Violation of any portion of the financial procedures of ASNMSU.
- B. Any appropriated funds which have been expended for purposes other than the approved line items.
- C. Fraud:
 - 1. Accepting ASNMSU Senate appropriation without possessing the previously described matching funds;
 - 2. Reporting false statements to the ASNMSU or its officers with intent to defraud.

- D. Fraudulent signing of vouchers or financial reports concerning requests of any ASNMSU funds by either ASNMSU personnel or the requesting body.

8-6-3. PUNISHMENT

- A. For clubs or organizations, the following shall be permitted:
 - 1. Impoundment of funds;
 - 2. Loss of ASNMSU funding for one (1) year after citing of offense by resolution passed through the Senate;
 - 3. Censure.
- B. For Base Programs, the following shall be permitted:
 - 1. Impeachment;
 - 2. Censure;
 - 3. Senate Finance Committee can audit the Base Program;
 - 4. Impoundment of funds;
 - 5. No Senate funding, excluding the GAA, can be appropriated to the Base Program for one (1) year after citing of offense by resolution passed through the Senate.
- C. For the Comptroller, the following shall be permitted:
 - 1. Impeachment;
 - 2. Censure.

8-6-4. Enforcement.

- A. Any alleged infraction can be brought forward by any party within ASNMSU and directed to the Attorney General.
- B. The Attorney General will be invested with sole investigation responsibility.
- C. The Attorney General is instructed to write an opinion within 48 hours to be given to the ASNMSU President and the chairs of all Senate committees.
- D. Proper penalty should be determined based upon the Attorney General's investigation and by the Senate and implemented through the following procedures:
 - 1. Impeachment must follow the specific guidelines established for the specific office;
 - 2. Censure is to be passed by a resolution outlining the specific violation and passed by two-thirds (2/3) of the Senate;
 - 3. Impoundment of funds shall be passed by the Senate through resolution with two-thirds (2/3) vote and shall be implemented by the Comptroller;
 - 4. Loss of funding shall be passed by resolution of the Senate by resolution with two-thirds (2/3) vote.
- E. If it is not during the regular scholastic year, the Attorney General's office shall write an opinion and the matter will be dealt with by the Judicial Branch of ASNMSU.

8-6-5. SENATE MAY OVERRIDE

The Senate may, upon a three-quarters (3/4) majority vote, override any provision of Chapter 8-6.

8-7. CLUB ENDOWMENT ACT

ESTABLISHING PROCEDURES FOR MAINTAINING A CLUB ENDOWMENT AND A SEPARATE CLUB ACCOUNT.

8-7-1. PURPOSE OF ACT

The Club Endowment is established to provide stable funding for recognized organizations. The income earned from this endowment is to be allocated to recognized organizations to provide consistent funding for them regardless of the financial status of ASNMSU.

8-7-2. DEPOSITS

Beginning the Fall Semester of 1991, one dollar (\$1.00) for each full-time student and fifty cents (\$0.50) for each part-time student shall be deposited into the Club Endowment each Fall and Spring Semester.

8-7-3. ENDOWMENT MANAGEMENT

The Club Endowment shall be a permanently endowed fund of the NMSU Foundation. The principal shall be invested and reinvested in a common investment trust fund for endowments in accordance with the investment policies of the NMSU Foundation. The principal cannot be removed without an act of the ASNMSU Senate and Board of Regents approval. Income earned from the Club Endowment shall annually be transferred to the Club Account in the Treasury Services Office according to the policy of the NMSU Foundation. The ASNMSU Comptroller shall be responsible for reporting the balance on the Club Endowment as well as the interest generated from this account.

8-7-4. WITHDRAWALS

The ASNMSU Senate, by a simple majority, may withdraw funds from the Club Account for recognized organizations. This shall be done through the normal appropriations process.

8-7-5. TRANSFERS

The ASNMSU Senate, by a three-quarters (3/4) vote, may transfer money out of the Club Account to the Surplus Account, providing the July 1 balance of the Club Account is a minimum of twenty thousand dollars (\$20,000.00). An amount no greater than the July 1 balance minus twenty thousand dollars (\$20,000.00) can be transferred. This account must be used to support Student Organizations. However, unless the surplus account drops to seventy-five thousand dollars (\$75,000.00), the club endowment fund must maintain a minimum balance of one hundred sixty-five thousand dollars (\$165,000.00). This shall be done through normal appropriation methods.

8-7-6. RATIONALE

The establishment of a club endowment and a separate club account will prevent ASNMSU from repeating the problems of 1988-89. During that year, clubs were given no direct allocations from the Senate beyond those funds awarded to the college councils in the general appropriations act. By establishing this endowment, ASNMSU will allow for the growth of both base programs and club funding. As the yield grows from the endowment, clubs will have enough funds to be the dynamic force on campus they can be.

8-8. MEDIA REVENUE ACT

8-8-1. DEFINITIONS

As used in the Media Revenue Reversion Act:

- A. "Media" includes a student newspaper known as the *Round Up*, and a student radio station known as KRUX;
- B. "Revenue" means advertising revenue generated by the *Round Up* and underwriting revenue generated by KRUX;
- C. "Deficit" means a negative balance when subtracting the General Appropriations Act projected earnings or income from actual earnings.

8-8-2. DEFINING THE USE OF MEDIA REVENUE

Revenue generated by the media shall follow the same provisions as Base Programs.

8-8-3. DEFINING A CONTINUOUS MEDIA REVENUE ACCOUNT

Revenue generated by each respective medium shall stay within the accounts of each respective medium and shall not revert at any time during the fiscal year.

- A. Fifty percent (50%) of each medium's surplus shall remain in that medium's account.
- B. Fifty percent (50%) of each medium's surplus shall revert to a continuous account known as the "Media Contingency Account."
 - 1. The Media Contingency Account shall be used by the media for unforeseen expenses or equipment purchases before the request is made to the Senate.
 - 2. Money in the Media Contingency Account may be spent with the approval of the Publications and Communications Board.
 - 3. If any single expenditure exceeds five thousand dollars (\$5,000.00), the Senate, in the form of an Act, must approve the expenditure prior to its occurrence.
 - 4. The media may place more than fifty percent (50%) of its surplus into the Media Contingency Account with the consent of the Publications and Communications Board.
 - 5. When the Media Contingency Account reaches no less than zero dollars (\$0.00), the media will have the option to approach the Senate to request separation from ASNMSU.
 - 6. Before separation, the media must acquire an NMSU account separate from ASNMSU. The media will be allowed by ASNMSU to transfer the entire Media Contingency Account balance to the new account.
 - a. The media will be responsible for creating a fiscally sound policy of distribution and implementation, along with a governing structure to handle the business of each individual medium.
 - b. Any portion of the media that does not wish to separate from ASNMSU shall be allowed to continue as a base program.
- C. If any medium ends the year in deficit, the amount of the deficit must be repaid to the Surplus Account out of the next fiscal year's budget.

8-8-4. PRESCRIBING A CHECK ON MEDIA REVENUE

- A. The ASNMSU Publications and Communications Board shall report, in writing, to the Comptroller and the Vice President the projected media revenue figure:
 - 1. After publication of *The Round Up* ceases for the spring semester;
 - 2. After the final broadcast of KRUX for the spring semester.
- B. The ASNMSU Publications and Communications Board shall report, in writing, to the Comptroller and the Vice President an actual media revenue figure at the first Finance Board meeting in the following Fall semester for each media. Revenue generated through June 30 of the fiscal year should also be included in the report.

8-8-5. INSUFFICIENT REVENUE

In times of insufficient revenue, media revenue may revert, with the consent of the ASNMSU Publications and Communications Board, to the General Surplus Account. In such cases, 8-8-1 through 8-8-4 will not apply.

8-9. ASNMSU SURPLUS ACCOUNT MINIMUM BALANCE ACT

AN ACT ESTABLISHING A MINIMUM BALANCE OF MONIES TO BE IN THE ASNMSU SURPLUS ACCOUNT; ESTABLISHING A BEGINNING BALANCE; DEFINING THE METHOD OF MINIMUM BALANCE MAINTENANCE; PRESCRIBING USES OF THE MINIMUM BALANCE;

ESTABLISHING EXEMPTIONS; OUTLINING AMENDABLE RESTRICTIONS; AND DETERMINING AN EFFECTIVE DATE.

8-9-1. PURPOSE OF ACT

The purpose of the ASNMSU Surplus Account Minimum Balance Act is to assure that a minimum amount of monies will be kept in the account at all times so as to provide monies for use by the ASNMSU should situations such as those outlined in the Insufficient Revenue Section of the ASNMSU Law Book occur.

8-9-2. ESTABLISHMENT OF BEGINNING BALANCE

Seventy five thousand dollars (\$75,000.00) shall be the ASNMSU Surplus Account Minimum Balance.

8-9-3. USE OF MINIMUM BALANCE

The ASNMSU Surplus Account Minimum Balance of seventy five thousand dollars (\$75,000.00) shall not be made available to any ASNMSU or NMSU department, branch, service or function other than for the prescribed use outlined in the Insufficient Revenue Section (Section 8-2-4) of the ASNMSU Law Book.

8-9-4. REPLENISHMENT OF SURPLUS ACCOUNT MINIMUM BALANCE

If, after implementation of NMSU procedures, the ASNMSU Surplus Account Minimum Balance should fall below the minimum balance level of seventy five thousand dollars (\$75,000.00) the return to the minimum balance level shall be accomplished by:

- A. Use of any excess monies in the ASNMSU Club Endowment Account;
- B. The decreasing of the forthcoming fiscal year's ASNMSU General Appropriations Act by an amount equal to the deficit.

8-9-5. EXEMPTIONS

The ASNMSU Surplus Account Minimum Balance Act is hereby exempted from Sections 8-2-4 and 8-2-5 of the ASNMSU Law Book.

8-9-6. AMENDMENTS

Amendments to the ASNMSU Surplus Account Minimum Balance Act may be made only after the following requirements have been met:

- A. The ASNMSU Senate shall be informed, in writing, two (2) weeks prior to the introduction of any motion to propose amendments to the ASNMSU Surplus Account Minimum Balance Act;
- B. The ASNMSU Senate shall, before allowing the introduction of any legislation that proposes amendments to the ASNMSU Surplus Account Minimum Balance Act, vote on the motion to allow such legislation to be introduced. (The vote on the motion to allow the introduction of such legislation shall be no less than three-quarters (3/4) in the affirmative);
- C. The motion to allow the introduction of amendatory legislation to the ASNMSU Surplus Account Minimum Balance Act has been introduced and passed by the ASNMSU Senate at the previous, regularly scheduled ASNMSU Senate meeting.

8-10. ASNMSU CARDINAL ACCOUNT ACT

8-10-1. PURPOSE

The ASNMSU Cardinal Account shall be used to fund major nonrecurring purchases of equipment and other permanent, non-recurring, special projects for the ASNMSU Base Programs and other similar groups that potentially affect all students.

8-10-2. Deposits

The ASNMSU Cardinal Account is established to provide stable funding for major expenses through ASNMSU. A fee of at least one dollar (\$1.00) for each full or part-time student shall be deposited in the ASNMSU Cardinal Account each fall, spring, and summer sessions.

8-10-3. Withdrawals

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

8-10-4. Transfers

The ASNMSU Senate, by a three-quarters (3/4) vote, may transfer money out of the ASNMSU Cardinal Account to the Surplus Account, providing that the July 1st balance of the ASNMSU Cardinal Account is a minimum of fifty thousand dollars (\$50,000.00).

8-10-5. Floor of Account

A floor for the account shall be set at thirty-thousand dollars (\$30,000.00). The ASNMSU Senate shall not appropriate or transfer money out of the ASNMSU Cardinal Account which will bring the balance on the account before June 30th below this amount.

8-10-6. Interest

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

8-11. COMPTROLLER MAINTENANCE ACCOUNT ACT

- A. A continuous maintenance account is established.
- B. Appropriations made for maintenance in the General Appropriations Act will be deposited into the continuous maintenance account.
- C. The Comptroller may spend money from this account for the purposes of maintenance and capital asset purchases. If the expenditure for maintenance is more than one thousand dollars (\$1,000.00), or if the expenditure from capital asset purchases is more than five hundred dollars (\$500.00), then the Comptroller must get Senate approval, in the form of an act, except during the summer when the Comptroller must get the approval of the Finance Board.
- D. Interest from the continuous maintenance account shall be deposited in the continuous maintenance account.

8-12. COLLEGE COUNCIL FUNDING ACT

AN ACT ESTABLISHING COLLEGE COUNCIL FUNDING PROCEDURES.

8-12-1. PURPOSE OF ACT

The purpose of funding the college councils is:

- A. To encourage recognized organizations to participate in college council activities;
- B. To organize events which aid the students and organizations of the respective colleges;
- C. To send representatives to ASNMSU Boards and Committees as stipulated in the law book;
- D. To streamline funding procedures for very small expenditures.

8-12-2. DEFINITIONS

- A. As used in the Council Funding Act, the following formula will be utilized to generate appropriations to Councils:

1. $CCF = ACT/TCO \times (.035 \times ATI)$;
 2. CCF means the amount funded per year to a college council from the General Appropriation Act. ACT means the number of recognized organizations that are represented in a college council and active in its activities;
 3. TCO means the number of recognized organizations within all college councils;
 4. ATI means the actual total income for the fiscal year before the year affected by the GAA in question.
- B. The College Councils figured into the College Councils Funding Act are:
1. Agricultural, Consumer, and Environmental Sciences;
 2. Arts and Sciences;
 3. Business Administration and Economics;
 4. College of Extended Learning;
 5. Education;
 6. Engineering;
 7. Health and Social Services.
- C. The Graduate Student Council is exempt from provisions outlined by sections 8-12-3-A and will not receive funding through 8-12-2. The Graduate Student Council will receive no fewer than one thousand dollars (\$1,000.00) per active organization for council expenditures and ten thousand dollars (\$10,000.00) for the Graduate School Research and Arts Symposium. The Graduate Student Council is considered a base program pursuant to Base Programs Act (8-5).

8-12-3. MAIN PROVISIONS

- A. College Council Presidents will submit a list of recognized organizations within the Council to President Pro Tempore, no later than the fourth week of the spring semester. President Pro Tempore shall verify with the Student Organizations and Programming (SOAP) Office, individual organization's funding eligibility and submit findings to the Finance Board.
- B. The Finance Board will determine appropriation amounts based on the formula.
- C. College Council Presidents and Treasurers will be required to attend an ASNMSU Financial Procedures workshop each semester.
- D. College Councils may request additional funding for its organizations in accordance with 8-5.
- E. College Councils shall not appropriate more than five hundred dollars (\$500.00) of ASNMSU monies to each recognized organization within the council.
- F. All monies must be appropriated in accordance with NMSU regulations and the ASNMSU laws.

8-13 ASNMSU SPECIAL EVENTS ACCOUNT ACT

Establishing a reverting account to provide a readily available fund for the purpose of providing special events and concerts at New Mexico State University

- A. Any money set aside for the issue of Special Events shall be deposited into the ASNMSU Special Events Account. The remaining balance at the end of the fiscal year shall not revert to the ASNMSU Surplus Account, but shall be continuous.
- B. Funds in the Special Events Account shall be appropriated by the Senate through normal appropriations methods. In an effort to maintain these funds specifically for Special Events and concert purposes, any alternative use of the funds shall require a three-quarters (3/4) vote of the Senate.
- C. After reaching one hundred thousand dollars (\$100,000.00) in the ASNMSU concert account, allocation of funds in line 6100 of the GAA will cease. In the event that the ASNMSU concert account

goes below one hundred thousand dollars (\$100,000.00), Special Events may request funds in line 6100 of the GAA, not to exceed one hundred thousand dollars (\$100,000.00).

8-14. INTEREST

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

8-15. SUSPENSION

The ASNMSU Senate may suspend any portion of Chapter 8 with a three-quarters (3/4) majority vote.

8-16. INVALIDITY

If any portion of Chapter 8 (Financial Operations Act) is found invalid by the ASNMSU Supreme Court, only that portion of Chapter 8 will be considered invalid.

9. RULES OF THE SENATE

9-1. OFFICER—DUTIES

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 President Pro Tempore, Parliamentarian, Chief Clerk, Senate Secretary, 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.

9-2. ORDER OF BUSINESS

If the President and a quorum are present, the order of business shall be as follows:

- A. Roll call;
- B. Reading and approval of the Journal;
- C. Petitions and remonstrations;
- D. Reports of standing committees;
- E. Motions to adopt committee reports;
- F. College council reports;
- G. Reports from senate appointments on special committees;
- H. Business on the President's desk;
- I. Open forum;
- J. First readings;
- K. Second readings;
 - 1. Legislation with guests in attendance;
 - 2. Remaining legislation.
- L. Final readings;
- M. Unfinished business;
- N. Adjourn.

9-2-1. 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.
- B. Each individual piece of legislation will proceed directly from second readings to final readings before other legislation will be considered.
- C. The Rules Committee may sit at any time for the purpose of consideration on rule changes or executive communications. Consideration of such reports shall always be in order. Debate on their adoption shall not exceed thirty (30) minutes, fifteen (15) minutes for, and fifteen (15) minutes against; and no other motion shall be in order until the vote of the Senate is had thereon.

9-3. DUTIES OF THE VICE PRESIDENT

- A. The Vice President shall preserve order and decorum. In case of disturbance or disorderly conduct in the lobby or galleries, the Vice President may cause the same to be cleared. The Vice President shall sign all process directed to the Sergeant-at-Arms of the Senate and issue by order of the Senate or by order of the Vice President's motion in the performance of the Vice President's duties prescribed by law or rule. The Vice President shall decide all questions of order, subject to the Senate. On every appeal, the Vice President shall have the right in the President's place to assign reasons for the President's decision.
- B. It shall be the duty of the Vice President to faithfully and adequately perform the following:
 - 1. Have extensive knowledge of the latest edition of Roberts Rules of Order and the ASNMSU Law Book.
 - 2. Schedule six (6) Senate meetings per semester for the entirety of the Vice President's elected term by June 5 of each academic year.
 - 3. Schedule all standing committee meetings for the entirety of the Vice President's elected term by June 5 of each academic year.
 - 4. Inform all senators and executive members of ASNMSU of scheduled Senate and standing committee meetings by July 1 of each academic year according to Section 9-9.
 - 5. Assign 1 (one) senator per standing committee to serve as Chair of each standing committee by July 1 of each academic year according to Section 9-9-B-2.
 - i. If an appointed Chair resigns from the position, the Vice President must immediately decide upon a replacement.
 - 6. Assign each senator to serve on a standing committee by August 1 prior to the fall semester and January 1 prior to the Spring semester according to Section 9-9.
 - 7. Inform all senators of their assigned standing committee appointment by August 1 of each academic year.
 - i. If a senator must resign from his/her appointed committee, the Vice President must assign the senator to another standing committee as prescribed by Section 9-9-B-1.
 - 8. Be responsible for calling an Emergency Session of the Senate according to Section 7-11-2.
 - 9. Schedule the ASNMSU Fall and Spring Retreat according to Section 4-4.
 - 10. Be responsible for ensuring that each Senate Special Committee has an appointed senator for the entirety of the Vice President's elected term.
 - 11. Assign points to senators via the Point System according to Section 9-8-J.
 - 12. Attend meetings as assigned by the ASNMSU President.

13. Serve as the Chair of the Committee of Committees as prescribed by Section 9-9-A.
14. Create a Vice President Transition Manual for the purposes of training the newly elected Vice President no later than 2 (two) weeks before the current Vice President's term has ended.

9-4. PRESIDENT PRO TEMPORE

Whenever the President is not in the chair, the President Pro Tempore, or some member designated by the President Pro Tempore or, elected by the Senate shall preside and shall be with all the powers and duties conferred by these rules upon the President.

9-5. CHIEF SENATE CLERK

- A. The Chief Senate Clerk appointed by the ASNMSU Vice President and approved by the Senate shall be the official custodian of all bills, documents, paper writings, and all other records of the Senate. The Clerk shall be entitled to the possession thereof and shall not allow any record, paper, or document of any kind to be taken from the Clerk's desk or out of the Clerk's custody by any person, except the chair or vice chair of the committee to which the same has been referred. The Chief Senate Clerk shall take the written receipt of such chair or vice-chair for such bill, paper, or document and upon return of such instrument or record receipted for. Such return shall be noted in the receipt record book.
- B. It shall be the duty of the Chief Senate Clerk for the Senate to:
 1. Attend every session, call roll and make record of the Senators present, absent, or excused as provided by rule;
 2. Read all bills, amendments, resolutions, and all papers ordered to be read by the Senate or by the presiding officer;
 3. Prepare and furnish each member with a copy of the daily calendar which shall include all bills upon the general order, all bills upon the third reading, and such other matters as may be required by these rules; and to see that all bills and general or special orders shall be 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;
 4. Insert the correct referred to date on all legislation which will be the day that legislation has entered First Readings;
 5. Supervise all copying and work to be done for the Senate;
 6. Transmit, subject to the Rules of the Senate, to the ASNMSU President, all bills, resolutions, and memorials which have passed the Senate; before doing so, the Chief Senate Clerk shall certify at the foot thereof the fact and date of passage and the vote by which it passed;
 7. Post on a bulletin board provided for such purpose a sheet showing by number the bills pending before each standing committee; by Friday of each week publish for distribution to each member of the Senate and to the student publications a schedule for the succeeding week of all Senate committee hearings; the schedule shall show by number and short title the bills to be heard, the committee which will conduct the hearing and the time, date and place of the hearing;
 8. Prepare a list showing the status of legislation either on the President's table or in committee at the time of final adjournment; this list shall be included in the Journal and;
 9. Perform any other duty required by these rules or required by the Senate.

9-6. SENATE SECRETARY

- A. The Senate Secretary appointed by the ASNMSU Vice President and confirmed by the Senate shall be the official custodian of Senate meeting minutes, Standing Committee meeting minutes, and the Senate Bill Tracker.
- B. It shall be the duty of the Senate Secretary to:

1. Attend all Senate meetings;
2. Attend all Standing Committee meetings;
3. Attend any other special Senate of Committee meetings;
4. Take minutes at every Senate, Special or Committee meetings;
5. Keep a correct journal of the proceedings of the Senate record in full;
6. Update and publish all minutes;
7. File and make available all voting records taken during any meeting of the ASNMSU Senate in both electronic and/or hard copy within one week of each senate meeting adjournment;
8. Update and maintain the Bill Tracker and;
9. Create and maintain a transition manual for the position.

9-6-1. SALARY LIMIT FOR THE ASNMSU SENATE SECRETARY

The ASNMSU Senate Secretary shall receive a salary not to exceed the current applicable minimum wage (as allowed by title 51 of the U.S. Code) plus the ASNMSU minimum wage adjustment factor for sixty (60) hours per month while performing the duties of the ASNMSU Senate Secretary.

9-6-2. QUALIFICATIONS OF THE ASNMSU SENATE SECRETARY

The Vice President shall post with the announcement of position vacancy, those qualifications necessary for the office of the ASNMSU Senate Secretary.

- A. Applicants for the position of ASNMSU Senate Secretary shall be full-time or part-time students of NMSU
- B. Applicants for the position of the ASNMSU Senate Secretary shall have been members of the ASNMSU for the fall or spring semester prior to their appointment taking effect.
- C. Preference in selection of the ASNMSU Senate Secretary should be given to those individuals who are familiar with or have been subject to the daily operations and procedures of the ASNMSU Senate, such as ASNMSU Roadrunners.
- D. Applicants for the position of the ASNMSU Senate Secretary shall not be on either academic or disciplinary probation.
 1. Waivers on academic progress or waivers on GPA will not be permitted in order to allow the individual to apply for or work in the position of the ASNMSU Senate Secretary
 2. Once appointed to the office of Senate Secretary, the individual shall maintain a semester GPA of at least 2.0. Failure to maintain this semester GPA will result in immediate dismissal from office by the ASNMSU
 3. The ASNMSU Senate Secretary will be subject to the academic and disciplinary requirements throughout the entire term of office
 4. While working in the position, the ASNMSU Senate Secretary shall be a member of the ASNMSU.

9-7. SERGEANT-AT-ARMS

The Sergeant-at-Arms shall be elected by the Senate. The Sergeant-at-Arms, except when absent in the discharge of the Sergeant-at-Arms duties, shall be in constant attendance upon the session of the Senate and, under the direction of the President, aid in enforcing order on the floor of the Senate and in the rooms

adjoining the Senate Chamber, and also see that no person remains on the floor unless entitled to the privileges of the same. The Sergeant-at-Arms shall 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, verify attendance and identification during a recess or any other significant interruption of the Senate's order of business, and allow the speaker to proceed once the speaker has been recognized by the Chair. The Sergeant-at-Arms shall have control of the Open Forum public address system, when used, and shall use their discretion in situations not directly addressed in Rules 75-85 of the Rules of the Senate. The Sergeant-at-Arms shall execute the demands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to the Sergeant-at-Arms by the President.

9-8. PARLIAMENTARIAN

The Senate Parliamentarian and Vice Parliamentarian shall be appointed, without objection from the Senate, by the ASNMSU Vice President.

9-9. RIGHTS AND DUTIES OF SENATORS

- A. The duties and responsibilities that an ASNMSU Senator shall be expected to perform are:
1. Serve as a link between the student of their respective college and the ASNMSU;
 2. Hold at least one office hour (sixty minutes) per week in the ASNMSU office during the course of an academic school year, with the exception of the two weeks prior to the end of each semester;
 3. Attend any and all required meetings, as set forth by the Rules of the Senate and the President of the Senate;
 4. Be responsible for being familiar with the current ASNMSU Law Book and the latest edition of Robert's Rules of Order;
 5. Be responsible for knowing the ASNMSU Senate legislative procedures;
 6. Be responsible for knowing the ASNMSU financial procedures;
 7. Be responsible for familiarizing groups approaching the ASNMSU Senate with the legislative and judicial procedures, especially those outlined in the Senate Appropriation Act;
- B. The Chair and the Vice Chair of the Faculty Senate or their representatives shall be appointed as ex-officio members with all rights of an ASNMSU Senator excluding voting rights.
- C. 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 (so help me God)."
- D. Every Senator shall be present within the Senate Chambers during the sessions of the Senate unless duly excused or necessarily prevented and shall vote on each question stated from the Chair, unless that Senator has a direct personal or pecuniary interest in the event of such question.
- E. A majority of the members elected and qualified shall constitute a quorum of the Senate. In case a number less than a quorum of the Senate shall convene, those present are authorized to send the Sergeant-at-Arms for the absent Senators during the sessions of the Senate. The Senators present may take measures as they deem necessary to secure the presence of absentees and may initiate procedures for such censure or penalty as they may deem just on those who may not render sufficient excuse for their absence or conduct. Any Senator who desires to leave the Chamber for the remainder of the meeting must be excused by a simple majority vote of the Senate or acquire an unexcused absence.
- F. A Senator rising to debate, to present a petition or other paper, to give notice or to make a motion, shall address the President and shall not proceed further until recognized by the Chair.

- G. No Senator shall speak more than twice on any motion without consent of the Senate. Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.
- H. A Senator having the floor may yield for purposes of question, clarification or explanation, but may not yield for purposes of debate except to the Chair.
- I. No person shall be interrupted while speaking, except as otherwise provided, and no question shall be asked of them except through the presiding officer.
- J. The author of a bill, motion, or resolution shall have the privilege of closing the debate.
- K. Point System:

1. It is the elected duty of each Senator to attend Senate Meetings, Spring and Fall Retreats, Senate Standing Committee meetings, College Council meetings, the meetings of any Senate Special Committee to which they are appointed to, and the Financial Procedures Workshop at the beginning of each term, to ensure communication between the college and the ASNMSU government;

2. For each meeting missed, the Senator shall receive penalty points for that missed meeting according to the following point system:

Senate meeting (unexcused)	2 points
Senate meeting (excused)	0 points
Standing Committee meeting (unexcused)	1 point
Standing Committee meeting (excused)	0 points
College Council meeting (unexcused)	1 point
(Upon the request of the President of said Council providing that a quorum is present)	
College Council meeting (excused)	0 points
Special Committee Meeting (unexcused)	1 point
Special Committee Meeting (excused)	0 points
Financial Procedures Workshop	2 points
Financial Procedures Workshop (late attendance)	1 point
Retreat (unexcused)	2 points
Retreat (excused)	0 points
Retreat (low participation)	1 point.
Weekly office hours (unexcused)	½ points
Weekly office hours (excused)	0 points

3. Upon accumulation of six (6) points and any subsequent increase thereof, the Senator shall be referred to the Council of the college that Senator represents. The Council will then have the discretion of whether or not to refer the Senator to the ASNMSU Supreme Court for impeachment proceedings. A two-thirds (2/3) vote of those present and voting of the Council is required for the Council to do so provided a quorum is present. The Council shall not have the power to decrease a Senator's points, only to decide if a Senator who has accumulated six (6) points or more should be referred to the ASNMSU Supreme Court for impeachment proceedings;

4. If the college council does not or is not able to refer the senator to the Supreme Court for impeachment proceedings upon the accumulation of the seventh (7) point, the senator in question shall be referred to the ASNMSU Senate. The Senate will then have the discretion of whether or not to refer the Senator to the ASNMSU Supreme Court for impeachment proceedings. A two-thirds (2/3) vote of those present and voting of the Senate is required for the Senate to do so provided a quorum is present. The Senate shall not have the power to decrease a Senator's points, only to decide if a Senator who has accumulated seven (7) points or more should be referred to the ASNMSU Supreme Court for impeachment proceedings;

5. Upon notification of a senators absence, either by a letter to the Senate or through the vice-president, the senators present shall then vote on awarding the senator an excused absence by a majority vote, excusals of personal nature can be decided by the Vice President;
 6. Excusals from retreat shall be presented to the Senate during the Senate meeting prior to retreat;
 7. Any Senator who has not made prior arrangements with the person running a Senate or Committee meeting and is fifteen (15) or more minutes late shall be counted absent from that meeting;
 8. Each Senator shall begin each term of office with zero (0) points;
 9. Proxy Votes in any form will not be allowed under any conditions;
 10. The President of the Senate shall keep track of as well as issue all Senators' penalty points and notify the Senator and the Council President of the college of the Senator in question when a Senator accumulates six (6) points;
 - a. During Retreat, Senators will be issued verbal reprimand by the President of the Senate for unsatisfactory participation during legislative business.
 - b. If necessary, issue of a Retreat penalty point due to low participation during Retreat will be decided upon by majority vote of the Committee on Committees.
 - c. In the event of a tie in the committee of committees the issue will be referred back to the senate for a two thirds (2/3) vote.
 11. At any time that a roll-call vote is held, a Senator will, upon that Senator's request, be granted thirty (30) seconds following their vote in which they may explain their votes.
- L. No Senator who has not attended the Financial Procedures Workshop shall be able to write any legislation.
1. Completion of the Financial Procedures Workshop will be in effect for 1 full term. Once a Senator has completed their term, their completion of the Financial Procedures Workshop is null and void.

9-10. STANDING COMMITTEES

- A. There shall be a committee known as the Committee of Committees which shall be composed of the ASNMSU Vice President and the Chair of the standing committees.
- B. There shall be the following standing committees: Community Affairs, Rules, and Finance.
 1. All members shall serve on no more than one standing committee. No members shall be allowed, after standing committee assignments have been approved by the Senate, to resign from a committee unless that member has arranged to serve on another standing committee with the approval of the Committee of Committees.
 2. Committee Chairs shall be appointed by the ASNMSU Vice President and shall not be removed without two-thirds (2/3) affirmative vote of the Senate by those present and voting. Vice Chairs shall be elected by members of the respective committees.
 3. The order in which the standing committees shall meet should be Community Affairs, Rules and then Finance. Each standing committee shall hold regular meetings, once between each Senate meeting during the fall and spring semesters, at a permanent time and location as assigned by the Chair of the committee and may hold such other meetings as are announced in open session by the Chair or as announced by a notice on all the ASNMSU committee boards at least forty-eight (48) hours prior to a meeting.
 4. All presidential nominees for positions within the Executive and Judicial Branches of the ASNMSU will be required to appear before all standing committees before their nominations can be confirmed by the Senate.
 5. Every piece of legislation that is to be considered by the Senate shall be sent to all standing committees.

- C. Members of the ASNMSU Legislative Branch shall be assigned membership on standing committees by the Vice President, who shall make assignment on the basis of the member's preference whenever possible.
 - 1. A quorum for a standing committee shall be fifty (50) percent plus one of the number of members assigned. Therefore, if fifty (50) percent plus one of the total number of members assigned to a standing committee is not present, the bills, resolutions, memorials, or person(s) seeking confirmation shall be unable to move to the next committee or to the Senate floor, whichever comes first.
 - 2. Any Senator whose name is on the byline, meaning an author, may present a bill, resolution, or memorial. Senators whose names are not on the byline are unable to present a bill 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 during standing committee meetings or the Senator floor, whichever comes first.
 - a. This excludes senators who have graduated, been impeached, quit, or were not re-elected. If this is the case, another senator can pick that bill, resolution, or memorial up and claim authorship as their own.
- D. Any Senator presenting a bill, resolution, or memorial before a committee, other than the one they serve on, will present first if they have a NMSU class that is held at the same time of the committee meeting. Any Senator presenting a bill or resolution with guests in attendance will present second. All other legislation shall be discussed in numerical order unless the committee Chair and Senators on the committee approve the order change.
- E. The standing committees shall have responsibility for, but shall not be limited to sections 9-9-1,2,3,&4.

9-10-1. 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 made by doing one of the following:
 - 1. The ASNMSU Senate, with a 2/3 vote during a senate meeting, may send a piece of legislation to a temporary select committee at any time after it has reached second readings.
 - 2. Or, a resolution can be written and passed addressing an issue that the Senate deems worthy of investigation and research.
- C. Selection of committee members for a temporary select committee:
 - 1. The President of the Senate will appoint a chair with the approval of the committee of committees.
 - a. If no appointed senator wishes to chair a temporary select committee, the President of the Senate will act as chairmen.
 - 2. Each college will appoint, during the creation of the committee, at a minimum, one senator; however any senator may sit on the committee if he or she would like to.
- D. Rules of a temporary select committee
 - 1. The ASNMSU senate will be notified five (5) days prior to the first scheduled meeting.
 - 2. The Chairman will prepare the agenda for each meeting.
 - 3. All meetings will conform to the current ASNMSU Law Book and the latest edition of Robert's Rules of Order
 - 4. A report consisting of the committee's findings will be given during each of the senate meetings that the select committee is in session.

5. At the conclusion of a select committee, if necessary, the committee will give written recommendations for legislation concerning the topic at hand.

9-10-2. DEFINITIONS

1. “Do pass” means that a majority of the committee has voted in favor of the bill, resulting in the movement of the bill to the next committee or to the Senate floor, whichever comes first.
2. “Do pass with proposed amendments” means that the committee has the power to amend the bill with approval of one of the bill’s authors. The committee may also suggest a substitute bill.
3. “Do not pass” means that a majority of the committee has not voted in favor of the bill, resulting in the movement of the bill to the next committee or to the Senate floor, whichever comes first.
4. “Favorable recommendation” means that the majority has a favorable opinion regarding the resolution or confirmation, resulting in the movement of the resolution or person(s) seeking confirmation for an ASNMSU position to the next committee or to the Senate floor, whichever comes first.
5. “Unfavorable recommendation” means that the majority has an unfavorable opinion regarding the resolution or confirmation, resulting in the movement of the bill or person(s) seeking confirmation for an ASNMSU position to the next committee or to the Senate floor, whichever comes first.
6. “No recommendation” means that the majority has no opinion regarding the resolution or confirmation, resulting in the movement of the resolution or person(s) seeking confirmation for an ASNMSU positions to the next committee or to the Senate floor, whichever comes first.
7. “Retain in committee” meaning the majority of the committee has voted to stop motion on the bill, resolution, or memorial in question. This means the bill, resolution, or memorial will not continue on to the next committee meeting or the Senate floor, whichever comes first.
8. “Refer to previous committee” meaning the bill, resolution, or memorial is problematic outside of the jurisdiction of this committee, and requires additional action from the previous committee on the bill, resolution, or memorial. The bill, resolution, or memorial in question does not move on to the next committee or Senate floor, whichever comes first.
 - a. A bill may only be referred to a previous committee due to a conflict of the primary interests of the respective committee.
9. “Considered as a block” meaning the majority of the committee has voted to consider the said separate pieces of legislation as a singular piece of legislation dependent upon a majority vote.
 - a. There is no limit to how many pieces of legislation may be considered as a block.
 - b. Appropriations considered as a block for the purposes of one total appropriation are subject to Roberts Rules of Order and Section 9-14-V.

9-10-3. COMMUNITY AFFAIRS COMMITTEE

- A. To review the validity of the community service presented by clubs and organizations using the final criteria:
 1. All appropriation bill requests for student organizations must satisfy community service requirements in 8-4-2-B;
 2. Once 180 days has passed, the community service project that was performed has expired and cannot be used to receive funding by the ASNMSU Senate.

3. Any community service that results in any monetary award for the club or organization will not be accepted as community service;
 4. Service oriented organizations are not required to do community service. The community affairs committee will determine an organization as service oriented according to the following requirements:
 - a. A set of the organization's university bylaws is presented to the committee.
 - b. The purpose of the organization is primarily to provide services and resources to groups outside its membership. The majority of activities hosted by the organization are in goodwill nature.
 - c. Proof of the organization's service oriented nature is also presented to the committee in the form a letter from the organization's advisor.
 - d. The organization is chartered through the Department of Campus Activities as Special Interest, at the discretion of the committee.
 - e. Newly chartered organizations must be active and engaged in community service for at least 60 days before approaching the community affairs committee.
 - f. Organizations must provide one (1) copy of their community service based activities completed the previous year to the community affairs chair.
 5. Community service project forms must be submitted to the Community Affairs Committee chair by noon the day before the committee meets. If the community service form has not been submitted by noon the day before the committee meets, the organization in question will be required to wait until the next committee meeting, at the discretion of the chair;
 6. All community service validity is at the discretion of the community affairs committee. If community service requirements have not been completed or if there is no proof of community service fulfillment at the time the bill is submitted then the bill is retained in the community affairs committee until the community service is completed or there is proof that the community service has been fulfilled;
 - a. The community affairs committee must contact and confirm the validity of the community service, including verification of the club's charter, for 25% of the bills presented for that week.
 - b. The confirmation is picked at random.
 - c. The community affairs committee must contact and confirm the head of the community service or non-profit organization that the community service was performed on behalf of.
 - i. Appointing these duties is at the discretion of the chair.
 7. Persons requesting funding by use of group community service points will be required to have the signature of the student organization president, advisor, and beneficiary organization representative present on the community service form;
- B. Any matters concerning the ASNMSU functions of interest with the public or governmental agencies;
- C. All legislation referred to the committee for consideration must have one of the following recommendations no later than the first regular committee meeting after its introduction on the Senate floor:
1. Do pass,
 2. Do pass with proposed amendments,
 3. Do not pass,
 4. Favorable recommendation,
 5. Unfavorable recommendation,

6. No recommendation,
7. Retain in committee.
 - a. A bill, resolution or memorial can only be taken off the table in the committee that it was retained in.
 - b. Retaining a bill in the community affairs committee will only be allowed under the circumstance that the infraction of the bill is within the jurisdiction of 9-9-2-A, B, and C.
 - c. A bill may also be retained for the lack of representation. Lack of representation means that none of the bill's authors and organization representatives are present to introduce the bill.
 - d. This committee will not be allowed to retain a bill for circumstances such as rules or financial operations and procedures. However, a report may be made and is recommended by the committee.

9-10-4. RULES COMMITTEE

- A. Keeping the Rules of the Senate up to date and insuring that all bills and resolutions abide by ASNMSU Law.
- B. The Chair of the Rules Committee, or some member of that committee designated by the Chair, shall examine and correct bills referred to him/her by the ASNMSU Vice President or Chair of a committee or by the Senate for the purpose of avoiding repetition and for insuring 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.
- C. The Rules Committee shall examine all bills, resolutions, and memorials. The committee is required to take action on the bill, resolution, or memorial before they enter second readings. A report on each bill, resolution, or memorial must be made accessible to the senate.
- D. 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.
- E. All legislation referred to the committee for consideration must have one of the following recommendations, no later than the first regular meeting after its introduction:
 1. Do pass,
 2. Do pass with proposed amendments,
 3. Do not pass,
 4. Favorable recommendation,
 5. Unfavorable recommendation,
 6. No recommendation,
 7. Retain in committee,
 - a. A bill, resolution or memorial can only be taken off the table in the committee that it was retained in.

- b. A bill, resolution, or memorial may be retained for the lack of representation. Lack of representation means that none of the bill's authors are present to introduce the bill.
 - c. This committee will not be allowed to retain a bill for circumstances such as community affairs or financial operations and procedures. However, a report may be made and is recommended by the committee.
8. Refer to previous committee, meaning the bill, resolution, or memorial is problematic outside of the jurisdiction of this committee, and requires additional action from the previous committee on the bill, resolution, or memorial. The bill, resolution, or memorial in question does not move on to the next committee or Senate floor, whichever comes first.
- a. The same bill, resolution, or memorial cannot be referred more than once. After the bill, resolution, or memorial has been referred to the previous committee and an additional action has been taken by this committee, whether it be the same or different action, it must be sent to the next committee or Senate floor, whichever comes first.

9-10-5. FINANCE COMMITTEE

- A. Keeping the financial procedures up to date, and ensuring that all bills abide by ASNMSU financial procedures.
- B. Annually review budgets and appropriations requests and formulate a budget analysis with respect to such requests.
- C. Examining the laws governing the finances and operations 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.
- D. Review 8-12-2-A, under the 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;
- E. All legislation referred to the committee for consideration must have one of the following recommendations, no later than the first regular meeting after its introduction:
 - 1. Do pass,
 - 2. Do pass with proposed amendments,
 - 3. Do not pass,
 - 4. Favorable recommendation,
 - 5. Unfavorable recommendation,
 - 6. No recommendation,
 - 7. Retain in committee,
 - a. A bill, resolution, or memorial can only be taken off the table in the committee that it was retained in.
 - b. A bill, resolution, or memorial may be retained for the lack of representation. Lack of representation means that none of the bill's authors are present to introduce the bill.

- c. This committee will not be allowed to retain a bill for circumstances such as community affairs or rules of the senate. However, a report may be made and is recommended by the committee.
8. Refer to previous committee.
- a. The same bill, resolution, or memorial cannot be referred more than once. After the bill, resolution, or memorial has been referred to the previous committee and an additional action has been taken by this committee, whether it be the same or different action, it must be sent to the next committee or Senate floor, whichever comes first.
- F. The finance committee must verify the validity of the financial procedures workshops attended by the club or organizations requesting funding. If a financial procedure workshop has not been attended by that club or organization, their bill will be retained in that committee and they will not be allowed to receive funding from ASNMSU until the workshop has been attended by their club or organization.

9-11. COLLEGE COUNCIL REPORTS

During each regular Senate meeting a representative from each college council must make a college council report similar to a Senate committee report to the Senate. This report must include the respective council's recommendations on all legislation before the Senate and an account of Senators attendance. These reports will not be accepted by the Senate without the acknowledged signature of the council's president.

9-12. COMMITTEE OF THE WHOLE

- A. When the Senate shall resolve itself into the Committee of the Whole, the President Pro Tempore or a Senator designated by the President Pro Tempore or the Senate shall preside. Only two (2) minutes shall be allowed to any member of the Senate for the purpose of explaining their vote.
- B. The rules of the 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 the Committee of the Whole. Whenever the Committee is engaged in the investigation of any charge against any of its members, the rules of the Senate will apply.
- C. There shall be an active calendar of the Committee of the Whole on which shall be entered, in the order reported by the Committee on Rules, all bills and other measures referred to the Committee of the Whole.
- D. Bills committed to the Committee of the Whole shall be considered by sections. The report shall state whether or not said bills have been amended in the Committee of the Whole. If there are no objections from the floor to any section, the section stands approved with a simple majority. The Senate may reconsider any section.
- E. Upon bills committed to the Committee of the Whole, the bill shall be read by the Chief Senate Clerk unless otherwise required by the sponsor and debated, leaving the title to be last considered. The body of the bill shall not be defaced or underlined, but all amendments, noting the page and line, shall be duly entered by the Chief Senate Clerk on a separate paper as the same shall be agreed to by the Committee and or reported back to the Senate.
- F. A motion that the Committee rise and report progress on any bill shall always be decided without debate.
- G. The ASNMSU Vice President shall be allowed to enter debate from the floor during meetings of the Committee of the Whole, but may not vote therein. The President Pro Tempore may not enter the debate from the Chair nor vote except to break a tie.
- H. When a bill is under debate in the Committee of the Whole, the following recommendations are in order:
 - 1. Do pass;

2. Do pass as amended;
 3. Recommitted to committee for further study;
 4. Postponed indefinitely;
 5. Do not pass;
 6. Be retained on the calendar of the Committee of the Whole.
- I. The following motions are in order in the Committee of the Whole to:
1. Adjourn;
 2. Appoint, authorize or discharge committees;
 3. Take roll call vote;
 4. Call for the previous question.

9-13. GENERAL ORDERS

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

- A. The Senate of the Associated Students of New Mexico State University may appropriate no more than fifteen percent (15%) of the surplus account balance minus seventy five thousand dollars to chartered student groups and members of the Associated Students of New Mexico State University.
- B. The Senate of the Associated Students of New Mexico State University may continue to appropriate more than fifteen percent (15%) of the surplus account balance minus seventy five thousand dollars (\$75,000) providing that the appropriation bills beyond the seventy thousand dollar fall semester limit be approved by two-thirds (2/3) of the Senate voting for the purpose.
- C. The Senate of the Associated Students of New Mexico State University may appropriate no more than thirty percent of the surplus account balance minus seventy five thousand dollars (\$75,000) to charter student groups and members of the Associated Students of New Mexico State University in the spring semester of every academic year, beginning with the first senate meeting and ending on the last senate meeting of the spring.
- D. The Senate of the Associated Students of New Mexico State University may continue to appropriate more than fifteen percent (15%) of the surplus account balance minus seventy five thousand dollars (\$75,000) providing that appropriation bills beyond the fifteen percent (15%) of the surplus account balance minus seventy five thousand dollars (\$75,000) spring semester limit be approved by two-thirds (2/3) of the Senate voting for the purpose.
- E. The Senate of the Associated Students of New Mexico State University will not consider appropriations made to base programs to count against the total appropriation limit for either semester.
- F. The Senate of the Associated Students of New Mexico State University may appropriation no more than one hundred thousand dollars and no cents (\$100,000.00) beyond the General Appropriations Act to base programs of the Associated Students of New Mexico State University during every fiscal year, as defined by New Mexico State University.
- G. The Senate of the Associated Students of New Mexico State University may continue to appropriate more than one hundred thousand dollars and no cents (\$100,000.00) beyond the General Appropriations Act providing that the appropriation bills beyond the one hundred thousand dollars (\$100,000.00) fiscal year limit be approved by two-thirds (2/3) of the Senate

voting for the purpose.

- H. The Senate Secretary will maintain a ledger of the appropriations made by the Senate of the Associated Students of New Mexico State University; this ledger will be updated by Tuesday at noon before regularly scheduled Senate meetings; this ledger will be included with the Senate packets to be distributed to Senators at the time of regularly scheduled Senate meetings; the ledger will be published to the ASNMSU webpage and will be freely available to any member of the Associated Students of New Mexico State University requesting a copy.
- I. The Senate Clerk will request from the Comptroller the difference between the appropriated and allocated money each week and will add that money back to the ledger kept by the Senate Secretary.
- J. Any money not allocated in the fall shall be added to the ledger and reallocated in the spring.

9-14. SPECIAL ORDERS

- A. 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 calendar as a special order in the order of business in which it was considered.
- B. No law shall be passed except by a bill and no bill shall be altered or amended on its passage so as to change its original purpose as determined by the Rules Committee. The enacting clause of all bills shall be: "BE IT ENACTED BY THE SENATE OF THE ASSOCIATED STUDENTS OF NEW MEXICO STATE UNIVERSITY."
- C. The subject of every bill shall be clearly expressed in its title and no bill embracing more than one 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.
 - 1. Legislation considered as a block for the purpose of considering said block as one total appropriation will be subject to Section 9-14-V.
- D. 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.
- E. If any bill makes an appropriation the fact shall be stated in the title.
- F. The bill shall then be printed and a printed copy shall be supplied to each senator. At the time of this first reading or any time thereafter, each bill shall be referred by the Senate to all standing committees or the Committee of the Whole.
- G. 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.
- H. 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.
- I. 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.
- J. Committee reports and committee amendments to a bill, resolution or memorial shall be prepared in writing, preferably typed and attached to the bill, resolution or memorial on file.
- K. 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.

- L. 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.
- M. 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.
- N. 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.
- O. 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.
- P. A motion or proposition requesting information from any office of the ASNMSU shall be in order at any time unless otherwise determined by a majority of the Senate and when adopted, the Chief Senate Clerk shall cause the same to be forwarded immediately to the President of the ASNMSU.
- Q. On taking the yeas and nays during a role 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 shall be called last.
- R. 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.
- S. Any matter may be made the Special Order for any particular time or day by consent of a majority of the Senators elected.
- T. No legislation will be allowed into first readings for the final senate meeting. All legislation must be submitted into first readings before the final meeting of the Senate for the session.
- U. All community service forms must be submitted by noon on the day of the final meeting of the Community Affairs Committee for the regular session. Organizations that turn in their forms late will forfeit their opportunity to have their bill considered at the final Senate meeting.
- V. Legislation considered as a block for the purpose of one total appropriation can only be considered as a block in this manner according to the following guidelines:
 - 1. If said legislation is for the purpose of competitive, conference, research, or presentation travel for the same recognized organization, only two (2) pieces of legislation may be considered as a block.
 - 2. If said block meets the requirements of section 9-14-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 9-14-V-3.
 - 3. If said block meets the requirements of section 9-14-V-1, and is travel outside of the United States, with the exception of Mexico and Canada, the travel must be for the purpose of the same event.
 - 4. Any block of legislation that meets the guidelines of section 9-14-V will be considered as one total appropriation and must adhere to section 8-3-3 and 8-4-2.
 - 5. All other legislation considered as a block for the purposes of appropriation, defined as 3(three) or more appropriations, will not be considered as one total appropriation but instead, will be considered as separate appropriations.

9-15. CLOSING DEBATE

- A. When any bill, resolution, or motion has been under debate for one-half (1/2) hour, it shall be in order for any Senator to move the previous question.
- B. 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.

9-16. 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 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 or not 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.

9-17. OPEN FORUM

- A. Any and all members 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. The members shall be referred to as speakers, and there shall be no more than ten (10) speakers in each Open Forum.
- B. All speakers will limit the content of their speech to no more than five (5) minutes.
- C. A speaker may be allotted additional speaking time, in five (5) minute increments, with consent of the Senate. Each senator may only move to increase the speaking time once per speaker. The motion to allot speakers more time will be non debatable, and require a majority vote.
- D. Prior to speaking at a regularly scheduled meeting, speakers must:
 - 1. Register by signing the Open Forum Log, located in the ASNMSU office, no later than 5:00 pm of the day of the regularly scheduled meeting;
 - 2. Read, sign, and abide to the rules and regulations followed by the Senate concerning the public address system;
 - 3. Be present with a NMSU ID with current sticker, and accounted for fifteen 15 minutes prior to the scheduled starting time of the regularly scheduled meeting. Speakers must also be present with their student ID and accounted for during a recess or any other significant interruption of the Senate's order of business;

4. A speaker in Open Forum will not be required to answer questions from the Senate. However, the speaker may answer questions from the Senate at the conclusion of his or her speaking time if he/she desires to do so and declares that willingness to the Senate at the conclusion of said speaking time.
- E. Failure to comply with 9-16-D, provisions 1 and 3, will result in being scratched from the Open Forum speaker's list, therefore forfeiting the opportunity to speak until the next regularly scheduled meeting, with all provisions applying.
- F. Failure to comply with 9-16-D-2 will result in forfeiture of any further opportunities to speak at an Open Forum while a student at NMSU.
- G. A "Kill Switch", a switch rendering the Open Forum microphone powerless, shall be used and operated by the Sergeant-at -Arms to comply with FCC Regulations and to enforce 9-16-D-2.
- H. Any speaker not present and accounted for at the commencement of the orders of business, as stated in 9-16-D-3, will forfeit their right to speak until the next regularly scheduled meeting, with all provisions applying.
- I. The speaking order followed will be on a first come, first served basis. Speaker's whose opportunity to speak were forfeited must re-register in the Open Forum Log.
- J. No speaker substitutions will be allowed under any circumstances.
- K. Prior to addressing the Senate, the speaker must be recognized by the chair and asked to approach.

The Senate Agenda cannot be amended to move the Open Forum from its assigned position which precedes the agenda items designated as First Readings, Second Readings, and Final Readings.

9-18. VOTING PROCEDURES

- A. Voting during a senate meeting will be done by the use of an Interactive Personal Response System. Voting will be interpreted as follows:
 1. The number one (1) indicates a vote in favor of the motion, bill or resolution;
 2. The number two (2) indicates a vote in the negative of the motion, bill, or resolution;
 3. The number three (3) indicates an abstaining vote;
 4. All those that wish to recuse their vote will not respond with a number;
- B. The ASNMSU Senate shall use an Interactive Personal Response System to properly vote on all legislation during formal meetings of the ASNMSU Senate.
- C. The Chief Senate Clerk shall be responsible for the keeping of the Interactive Personal Response System.
- D. In the event that the Interactive Personal Response System is unavailable for any ASNMSU Senate meeting, the ASNMSU Senate shall proceed to vote using methods defined in Roberts Rules of Order.
- E. All Voting Records shall be kept by the Chief Senate Clerk both electronically and in hard copy.
- F. Records will be made available one week after each senate adjournment.

10. DRAFTING MANUAL

INTRODUCTION AND PROCESSING OF LEGISLATION

(Part 1)

A. INTRODUCTION OF BILLS

A draft is introduced and becomes a bill by the action of the Senator handing the Chief Senate Clerk an original copy.

DRAFTING MANUAL PROCESS

After introduction, the bill is printed up by the Chief Senate Clerk. Bills are printed in a uniform style, with lines numbered on punched paper which fits a ring binder.

Bills are seldom reprinted after amendment with the exception of the committee or floor substitutes.

After the bill is printed, it is distributed to members of the Senate and to any student requesting a copy.

B. MECHANICS OF INTRODUCTION AND PROCESSING OF LEGISLATION PROCESSING OF THE BILL AFTER INTRODUCTION

The original bill is the one that makes the journey through committee action, undergoing consideration by the Senate and the eventual recopying into final form which is called the "enrolled and engrossed bill."

After its introduction and first reading by title, the original bill is delivered to the committee to which the bill is referred. Committee amendments, together with all amendments, are attached to this bill when it is reported. It is then delivered to the Chief Senate Clerk for final typing. The enrolled and engrossed bill is signed by the President of the Senate and is delivered to the President of the ASNMSU.

A substitute bill may be submitted by a committee for a bill referred to the committee, or a floor substitute may be introduced from the floor. The form for typing a substitute bill is the same as for the bill prepared for introduction, except that the heading states that it is either a committee or floor substitute for a named bill; and, since there is no introducing member, the phrase "INTRODUCED BY" is left blank. Example:

SENATE FINANCE COMMITTEE SUBSTITUTE FOR
BILL #0

TYPES OF LEGISLATION

(Part 2)

A. BILLS

A bill is in the form used to propose laws. It is the only form which carries the phrase "AN ACT" in its title and the enacting clause. Bills, in order to become law, must be passed by the Senate and signed by the ASNMSU President. The Senate may override the ASNMSU President's veto by a two-thirds (2/3) vote of the members present after the bill is vetoed and returned.

If the ASNMSU President fails to act on a bill within two weeks after receipt of it, it is enacted into law as though the President signed it, unless the Senate prevents its return by its adjournment for the year.

Bills may create, empower, impose duties or obligations, prohibit acts, confer powers or privileges, appropriate money, or any combination of these. Bills may be broadly classified according to the manner in which they solve legislative problems. These classifications are not mutually exclusive, and most problems may be solved by any one or a combination of two or three methods. The classifications are: 1) original enactments; 2) amendatory acts; 3) repealing acts, and; 4) acts which revise or codify.

Original enactments cover some situations which have not yet been covered by law, or some situations in which it is desired to repeal the existing law and replace it with a new law.

Amendatory acts are ordinarily used when the change is slight and can be achieved by changing words, phrases, or sections within the framework of the existing statutes.

Repealing acts are used when it is desired to withdraw from a certain field or remove conflicts. At times, repealing acts have been used to extract the teeth from existing statutes or change their effect by repealing one of several independent sections. From a drafting viewpoint, this is an expedient method of achieving a result.

Codification or revision of the laws is aimed at cleaning up the statutes and re-passing them in better form.

B. RESOLUTIONS

A resolution is a formal declaration of the legislature concerning some subject which it either cannot or does not wish to control by law. Resolutions are either constitutional, simple, joint, or procedural. Depending upon the form of the resolution, the resolving clause either follows the title or follows a series of "WHEREAS" paragraphs.

A constitutional resolution is a declaration by the Senate. It is used to declare a referendum proposing amendments to the ASNMSU Constitution. When the constitutional resolution proposes an amendment to the Constitution, the resolving clause appears two lines before the title:

BE IT RESOLVED BY THE SENATE OF THE ASSOCIATED STUDENTS OF NEW MEXICO STATE UNIVERSITY:

Each section of the ASNMSU Constitution proposed to be amended appears within a separate section in the body of the constitutional resolution. Example:

- Section 1. It is proposed to amend Article 3, Section 1 of the ASNMSU Constitution to read: "Senate membership shall be based on enrollment of the individual undergraduate colleges and the school of graduate students within the University."
- Section 2. It is proposed to amend Article 3 of the ASNMSU Constitution to read: "In the spring semester of each year the Senate shall fix the number of senators to be elected in the general elections."
- Section 3. It is proposed to amend Article 3 of the ASNMSU Constitution by adding a new Section 14 to read: "No person over the age of ninety-nine is eligible to serve as a senator."

According to the ASNMSU Constitution, before becoming effective as a provision of the Constitution, a constitutional resolution must be expressly approved by the President of NMSU or designee, as well as being approved by two-thirds (2/3) of the Senate and a majority of those ASNMSU members voting for the purpose.

A simple resolution is a declaration of the Senate and is used to express the feeling of the Senate on some subject. It does not require the approval of the ASNMSU President or the President of the University. It must include a title followed by a series of "Whereas" statements outlining the reasons for the position taken and a resolution clause expressing the feelings of the Senate.

A joint resolution is an expression the ASNMSU and the NMSU Faculty Senate concerning some subject of concern to both bodies which they cannot control themselves. Joint resolutions are usually addressed to the Administration or the Board of Regents. It must include a title followed by a series of - "Whereas" statements outlining the reasons for the position taken and a resolution clause as follows: **BE IT ENACTED BY THE SENATE OF THE ASSOCIATED STUDENTS OF NEW MEXICO STATE UNIVERSITY IN CONJUNCTION WITH THE FACULTY SENATE OF NEW MEXICO STATE UNIVERSITY:**

A procedural resolution is a declaration of the Senate and is used for the adoption of rules of the Senate. Since the rules under which the Senate acts have not been approved by the ASNMSU President or the

President of the University, there is no need to have a procedural resolution signed. They simply become effective upon passage. It must include a title followed by a series of "Whereas" statements outlining the reason for change in the rules, the old material and a resolution clause to include the new material.

C. MEMORIALS

A memorial is an expression of the Senate's desire, usually addressed to another governmental body, in the form of a petition or declaration of intent. Memorials do not require the approval of the ASNMSU President or the President of the University.

PARTS OF BILLS

(Part 3)

A bill contains several parts. Some of the parts are essential such as the title, enacting clause, and main provisions. Other parts are not required in every bill but may be useful in certain cases. If the bill contains a number of sections, the provision should be arranged in the following order:

- A. Title
- B. Enacting Clause
- C. Short Title (optional)
- D. Definitions (optional)
- E. Purpose of Act (optional)
- F. Main Provisions, Creation of Agency, Tenure, Finance, etc.
- G. Liberal Interpretation (optional)
- H. Saving Clause (optional)
- I. Temporary Provisions (optional)
- J. Appropriations (optional)
- K. Repeal (optional)
- L. Effective Date (optional)

A. TITLE

The subject of every bill should be clearly expressed in its title. The title should cover every part of the subject matter contained in the bill. Either draft the title last or after writing the bill. Then go over the title to make sure everything in the bill is covered by the title. The title should contain only the general subject of the bill, not an index of what the bill contains. The title should be expressed in broad terms. If it is necessary to go into detail, first state the broad category and work down. The phrase "for other purposes" added to the title of an act does not take care of stray matters related to the subject matter of the bill. If the bill makes an appropriation, the phrase "MAKING AN APPROPRIATION" is required. In an original enactment, state the object of the act as concisely as possible. Example:

AN ACT

CREATING THE ASNMSU PUBLICITY BOARD; AND DEFINING ITS POWERS AND DUTIES

If the act amends several sections of existing laws, the title should begin with the general subject, should state what the bill is doing to do about it, and then should list the sections of the law that will be amended. If any one section of the law has been amended since its original enactment, insert the words "AS AMENDED" at the end of the section number.

If the act amends only one section, it may be clearer to the reader to state the general subject, name the section being amended, and then state what the amendatory act is going to do. Example:

AN ACT

RELATING TO THE SALARY SCALES OF EXECUTIVE OFFICERS; AND AMENDING SECTION 1 OF THE ASSOCIATED STUDENT ACT XV-71-72-#2 TO INCREASE THE SALARY OF THE ASNMSU PRESIDENT

If the act merely repeals a related section or two, which would be in conflict with the new act, it is permissible to add a repeal section at the end of the title, without setting out exactly what the section being repealed does. Example:

AN ACT

REPEALING ASSOCIATED STUDENT ACT VI 66-67-#9 RELATING TO THE ESTABLISHMENT OF WHO'S WHO COMMITTEE

If the act amends a section, repeals a section, enacts a new section, or contains any two of these drafting methods, the selections should be listed in numerical order by amendments, repeals and new numbers assigned. Example:

AN ACT

ESTABLISHING THE ASNMSU INFORMATION SERVE; AMENDING SECTION 1 OF THE ASSOCIATED STUDENT ACT VII 63-64-#13; REPEALING SECTIONS 2, 3, AND 4 OF THE ASSOCIATED STUDENT ACT VII 63-64-#13; AND MAKING AN APPROPRIATION

B. ENACTING CLAUSE

The Senate rules provide the following exact wording for the enactment clause for bills:

BE IT ENACTED BY THE SENATE OF THE ASSOCIATED STUDENTS OF NEW MEXICO STATE UNIVERSITY

C. SHORT TITLE (optional)

If the draft of original legislation is long and comprehensive, it is wise to give it a short title. A short title, however, must be short to be worthwhile. The short title section should either be the first or second section of the draft. Example:

Section 1. SHORT TITLE--This act may be cited as the "Publications Act."

D. DEFINITIONS (optional)

A definition section should be used only if the act is long and only if the words need defining; or, if it is declared, to substitute a single word for a long phrase which has to be used many times. Superfluous definitions cloud the meaning. If a word or phrase is used in only one section, the word should be defined in that section. The definition section need not state that the definitions "control unless the context requires otherwise;" this is understood. Each definition should be a subsection and the defined word should be in quotation marks. If the definition is restrictive, use the word "means"; if the definition is extensive, use the word "includes."

Whether the defined word is singular, plural, or a collective term, both verbs, "means" and "includes", remain always in the singular. It may be necessary at times to exclude a meaning from an extensive definition. To exclude the meaning, add the phrase "but does not include". Example:

Section 2. DEFINITIONS--As used in the Public Relations Act:

- A. "Committee" means the Public Relations Committee;
- B. "Public relations" includes lobbying; and
- C. "Lobbying" includes both community and legislative relations but does not include inter university relations.

E. PURPOSE OF ACT (optional)

It is generally not necessary to include a "purpose of act" section. For those rare cases in which it is used, the following is apparently as effective as any other:

Section 1. PURPOSE OF ACT--The purpose of the PUB Board Act is to promote greater efficiency in the operation of the media.

F. MAIN PROVISIONS

The main provisions state the intent of the bill and if necessary, create an agency for administration or designate an existing agency to perform additional duties. The format of the main provisions is the most flexible of all the parts of the bill and depends entirely upon the bill's purpose.

G. LIBERAL INTERPRETATIONS (optional)

Liberal interpretation sections are of doubtful value, but if one is desired, the following is suggested:

Section 10. LIBERAL INTERPRETATION--The Publications Act shall be liberally construed to carry out its purpose.

H. SAVING CLAUSE (optional)

If the bill makes changes which may affect pending litigation in an ASNMSU Supreme Court, it is usually desirable to except this pending litigation. Example:

Section 10. SAVING CLAUSE--The Public Relations Act does not apply to pending litigation.

I. TEMPORARY PROVISIONS (optional)

In some cases, it is necessary to make temporary provisions for a one-time change. Labeling this type of provision as temporary informs the compiler that the section need not be compiled with the permanent laws. Example:

Section II. TEMPORARY PROVISIONS--RECORDS--On the effective date of this section, all records of the ASNMSU Senate are transferred to the office of the ASNMSU Vice President.

J. APPROPRIATION (optional)

If money is needed for the administration of the act, it is usually necessary to make an appropriation, at least for the first year. Thereafter, the appropriation can be made in the General Appropriation period for which the money is appropriated, indicating the purposes for which the money is to be used. Example:

Section 10. APPROPRIATION--One thousand two hundred fifty-two dollars (\$1,252.00) is appropriated from the Activities Surplus Account to the Round-Up 1972-fiscal year for the printing of one additional newspaper week.

Remember most appropriations are made for the fall and spring semesters, and in special cases, it may be necessary to specify for what period the appropriations are being made.

K. REPEAL SECTION (optional)

Sections in conflict with the bill and sections not necessary after the passage of the bill should be expressly repealed. A general phrase states an obvious fact and does not remove conflicting, obsolete, or unnecessary laws.

L. EFFECTIVE DATE (optional)

If the law is to be effective at a date later than passage, state the date desired in a separate section. Effective date sections are also used when the effective date of the act is to be contingent on the happening of some event, such as the passage of a constitutional amendment, when it is necessary that the act be effective at different times for different categories of affected students.

IMPORTANT DRAFTING NOTES

(Part 4)

A. ONE SUBJECT

A bill should embrace only one subject but may include appropriations for events in compliance with 8-4-2-B-a. Frequently the way in which the drafter expresses the idea of the bill can make the difference between whether the bill is considered to cover one or two subjects. It should also be pointed out that the Senate forbids a bill to be amended in such a way as to change its intention or to cover more than the original intent of the bill.

B. THIS ACT

In original legislation, the phrase "this act" is a rather clear statement. If amendments were never made, or if all of the sections of a certain act were amended when it was amended, it would remain clear. Unfortunately, this is not the case. When amendments are made, then the meaning of "this act" becomes uncertain. If the phrase is included in the original section which is to be amended and it is allowed to remain, it may refer to the amended act or to the entire original act as previously amended, but excluding the present amendment.

The drafter should avoid the use of "this act" whenever possible, in the drafting of original legislation. The can be done by:

1. referring to the short title of the act;
2. referring to the specific action being referred to; and
3. referring to the specific section numbers.

This will enable the reader to identify the provisions and force a subsequent drafter into being specific when one amends this act.

In amendatory legislation, the drafter should be careful to avoid the phrase in the added language and to replace the phrase "this act" with a specific statutory citation where it occurs in the original language.

C. CAPITALIZATION

The ordinary capitalization usage is too cumbersome for use in bill drafting. Laws always speak in terms of titles and under ordinary usage, would be filled with capital letters. This is objectionable because typists are slowed down. The following rules of capitalization are suggested as being easiest to read as well as the easiest and quickest to type:

CAPITALIZE--

1. Every letter of the heading of a bill down to and including the inaction clause.
2. Every letter of section headings. Example:
Section 10. BOARD CREATED--POWERS--DUTIES OF CHAIRS--etc.
3. The first letter of proper names, derivatives of proper names specific division of calendar and short titles of acts.

DO NOT CAPITALIZE--

1. Generic political subdivisions, whether used in conjunction with a proper name or not. Examples: state of New Mexico, college of Arts & Sciences.
2. Boards, commissions, and other bodies. Examples: board of regents, senate.
3. Titles of officials, whether elected or appointed, unless the title is used in addressing them. Examples: Mr. or Mrs. President, president, senator.
4. The first letter of the first word of subsections or paragraphs following a colon. Example:

- A. Section 3: DEFINITIONS--As used in the Publications Act:
- B. A "media " means the Round-Up, KNMS-AM and the ASNMSU information service.

D. PUNCTUATION

The following special rules of punctuation are particular to bill drafting; other bills follow normal usage.

SEMICOLON: In the title of an act, use semicolons to designate the break between one thought and another. Example: RELATING TO THE ASNMSU; DEFINING POWER AND DUTIES; AND AMENDING SECTION 4 OF THE ASSOCIATED STUDENT ACT VII-62-63-#15.

COLON: The enacting clause is followed by a colon. Example: BE IT ENACTED BY THE SENATE OF THE ASSOCIATED STUDENTS OF NEW MEXICO STATE UNIVERSITY:

QUOTATION MARKS: Use quotation marks when amending existing laws to set the amended section off from the rest of the bill. Example:

Section 1. Section 7 of Associated Student Act VII-63-64-#2 is amended to read:
"CHAIRS--POWERS AND DUTIES;--The chair of the Publications Board has
the power to call special meetings."

Use quotation marks in first stating the short title of an act or the name of a board, committee, or fund created by act.

HYPHEN AND DASH: Words such as Vice President and Ex officio are not hyphenated when used as nouns but are hyphenated when used as adjectives. Use a hyphen between elements of compound number from twenty-one through ninety-nine, and in compounds with a numerical first element. Use a hyphen between elements of a fraction except when one element contains a hyphen. Use a hyphen between the numbers of a compound section number when referring to the compilation. Use two hyphens (a dash) with no spaces on either side between the elements of a section heading and a period followed by a dash at the end of the section heading to indicate the break between the section heading and beginning of the act.

PERIOD: Use periods after section numbers. Use periods at the end of titles.

COMMAS: Use sparingly under rules of ordinary usage and with particular caution about changing meaning. DO NOT USE commas before "and" and "or" in a series. If in doubt, do not use a comma.

NUMBERS: Use numbers spelled out, followed by figures and symbols to express amount of money. Use Arabic numerals to express dates, formulas and in tables and charts. Use Arabic numerals to express reference to statutes and to the constitution. Articles of the constitution should not be express in Roman numerals. They should always be written as Arabic numerals in drafts. All other numbers in the body of a bill are written out and the figures enclosed in parentheses do not follow.

E. BRACKETS AND UNDERSCORING

New material in amendatory sections should be underscored and material which is deleted should be set forth within brackets. Bracketed material and underscoring will be deleted in the enrolling and engrossing process.

Brackets and underscoring allow legislators and other interested persons to tell from the bill itself, during its passage, just what it accomplishes without the time consuming task of comparing the bill with existing law.

Amendatory material drafted without brackets and underscoring is in effect, blind legislation.

Obviously there is no problem in the case of all new legislation or if all sections of the bill are amendatory. The difficulty arises when a bill has one section which is all new and another section which is amendatory and uses brackets and underscoring. it would be possible to underscore all new language in any bill which has an amendatory section, but this would require almost as much typing time even with repeat keys on electric typewriters. Something must be inserted which will warn senators that the entire bill is not amendatory and that they must read the language carefully even though it contains no underscoring or brackets. In any bill which is not all new material, a complete new section must contain the bracketed and

underscored words "NEW MATERIALS" in capital letters. This phrase is deleted during the enrolling and engrossing process so that it will not appear in the law, but serves as a warning during the passage of the bill. Example:

Section 1. [NEW MATERIAL] The ASNMSU President is prohibited from sword swallowing.

When in ordinary amendatory legislation, only a word or phrase is deleted and a new word or phrase is inserted, the material to be deleted should be set out with brackets, followed by the underscored materials. Example:

The fee for practicing sword swallowing in the Senate Chamber is [five dollars (\$5.00)] ten dollars (\$10.00).

It is unnecessary to delete words or letters for the purpose of reenacting them with or without capital letters; and it is generally unnecessary to bracket deleted punctuation if there is no word accompanying the punctuation in the bracket. Likewise, it is unnecessary to underscore new punctuation standing alone. When changing the tense, the ending of a word, or the spelling of a word, bracket or underscore the entire word and not just the part to be changed, deleted or added.

F. SUBTOTAL FORMULAS FOR APPROPRIATIONS, EXAMPLES, TABLES AND LISTS

1. The subtotal sections of bills that are appropriating funds to any account must include detailed line items, a line item subtotal, Less Council Funds, a subtotal to reflect the Less Council funds that have been subtracted, Less Matching Funds, and a Total Appropriation. These numbers will be calculated as follows:
 - a. First, after all line items are listed, a line item subtotal must be calculated. Second, a section for Less Council Funds must be calculated. Once Less Council Funds have been subtracted from the line item subtotal, a second section for Less Matching Funds must be calculated. Less Matching Funds will be calculated by multiplying 51% by the subtotal that is calculated after Less Council Funds are subtracted. The Total Appropriation section of the bill will be calculated by subtracting the Less Matching Funds from the Less Council Funds subtotal.
 - b. Each subtotal section will read "SUBTOTAL" in all capital, underlined, and bold font letters. The subtotal amounts will be in bold font and underlined. The total appropriation section will read "TOTAL APPROPRIATION" in all capital, underlined and bold font letters. The total appropriation amount will be in bold font and underlined. TOTAL APPROPRIATION and the total appropriation amount will be connected by a continuous underline.
2. Administrators have long since found that some materials are much easier to read, understand and compare if it is set out in a table, explained with a formula or illustrated with an example. For this reason, they make great use of these devices in translating laws for the layperson. The drafter should use these devices whenever possible.

G. DIVISIONS OF A BILL

1. The body of a bill is divided into numbered sections. The sections should be short to make amending easier. If the section is a long one, it will be easier to read, understand and refer to if it can be broken into subsections and sometimes even into paragraphs and subparagraphs.
2. The subject of the bill will determine to what extent this division should be carried. To enable persons reading the bill to know the rank of division without checking back to the prior section, the following standard form established by the NM legislature should be used;

Section 1.

A. subsection

(1) Paragraph

- (a) subparagraph containing (1) items. When used in a bill, the section carries the number designation, "Section 1.", followed by the section title. The other division of a section carries just their number or letter designation.

3. A bill for the purpose of appropriation will determine the total appropriation allotted to the account specified in the title. To enable persons reading the bill to know the total dollar amount to be appropriated, the following standard should be used;

Section 2: Main Provisions

(All line items should be listed according to ASNMSU Financial Operations)

LINE ITEMS

<u>SUBTOTAL</u>	<u>\$0.00</u>
Less Council Funds	\$0.00

<u>SUBTOTAL</u>	<u>\$0.00</u>
Less Matching Funds (51%)	\$0.00

<u>TOTAL APPROPRIATION</u>	<u>\$0.00</u>
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- a. The line items will demonstrate those items and the dollar amount of those items that are being requested for allocation according to ASNMSU Financial Operations.
- b. The line item subtotal, located as the first subtotal, will demonstrate the amount of funds requested before Less Council Funds and Less Matching Funds are subtracted.
- c. The Less Council Funds dollar amount will demonstrate the total amount of funds to be received from the organization's college council.
- d. The second subtotal will demonstrate the amount of funds calculated after Less Council Funds are subtracted from the line item subtotal.
- e. The Less Matching Funds dollar amount will demonstrate 51% of the amount of funds calculated by multiplying 51% by the second subtotal.
- f. The Total Appropriation section of the bill will be calculated by subtracting the Less Matching Funds from the second subtotal.

4. A bill composed of multiple appropriations (up to four) will follow the standard format;

Section 1: Purpose of Act

Sub A: (The first event) To provide funding for (number of students, male and female) students to (attend/present/compete) in (event) on (date) in (location).

Sub B: (The second event)

Sub C: (The third event)

Sub D: (The fourth event)

Section 2: Main Provisions.

Sub A:

LINE ITEMS

<u>SUBTOTAL</u>	<u>\$ 0.00</u>
Less Council Funds	\$ 0.00

<u>SUBTOTAL</u>	<u>\$ 0.00</u>
Less Matching Funds (51%)	\$ 0.00

<u>TOTAL APPROPRIATION</u>	<u>\$ 0.00</u>
-----------------------------------	-----------------------

Sub B:

LINE ITEMS

SUBTOTAL **\$ 0.00**
Less Council Funds \$ 0.00

SUBTOTAL **\$ 0.00**
Less Matching Funds (51%) \$ 0.00

TOTAL APPROPRIATION **\$ 0.00**

Sub C:

LINE ITEMS

SUBTOTAL **\$ 0.00**
Less Council Funds \$ 0.00

SUBTOTAL **\$ 0.00**
Less Matching Funds (51%) \$ 0.00

TOTAL APPROPRIATION **\$ 0.00**

Sub D:

LINE ITEMS

SUBTOTAL **\$ 0.00**
Less Council Funds \$ 0.00

SUBTOTAL **\$ 0.00**
Less Matching Funds (51%) \$ 0.00

TOTAL APPROPRIATION **\$ 0.00**

GRAND TOTAL APPROPRIATION **\$ 0.00**

Section 3: Appropriation.

Grand total appropriation (Total appropriation \$0.00) shall be appropriated to the account of the (the name of the organization) from the ASNMSU (Cardinal/Club/Surplus) account.

Section 4: Rationale.

Sub A: (An appropriate rationale shall be described in detail for each event whether it is for attendance, presentation, or competition.

Sub B:

Sub C:

Sub D:

LANGUAGE SUGGESTIONS

(Part 5)

- The singular includes the plural.
 1. Use "person", never "person or persons."
- Never use gender specific pronouns.
- Statutes speak in the present, not the future tense.

- Never use "and/or".
 1. If the intent is that all items are necessary, use the conjunction "and".
- Avoid the phrase "directly or indirectly".
 1. The phrase is generally unnecessary.
- Use short sentences rather than long drawn-out phrases or paragraphs.
- Never use "as provided in this act" or "as defined in this act".
 1. These phrases are superfluous and should be omitted.
- Never abbreviate.
 1. Exceptions: a.m., p.m.; ASNMSU nouns should be used instead of pronouns.
- Use "the petitioner" rather than "he".
- Never use "that" at the beginning of a section or sentence.
- Never use a phrase when a word will suffice.

USE

AVOID

void	absolutely null and void, or is null and void and of no effect
after	subsequent to, or from and after
is authorized (or may)	is hereby authorized and empowered to
appoint	constitute and appoint
a year	per annum
on June 15, 1970	on and after June 15, 1970
June 15, 1970	the fifteenth day of June, 1970
if	in the event that, or whenever
may	it shall be lawful, or one shall; in one's discretion
consider	give consideration to
applies	is applicable
sole	sole and exclusive
is	be and the same is hereby
fail	fail, refuse and neglect
means	is defined and shall be; construed to mean
about	with reference to
percent	per cent or percentum
full	full and complete
in force	in force and effect
do	do and perform
by	by and with
each (or every)	each and every
parts (or portions)	parts and portions
money	money or monies

any person who violates	if any person shall violate
evidence	evidence, documentary or otherwise
shall	it shall be one's duty to, or is ordered and directed to, or is hereby
vested with	power and authority and it shall be one's duty in carrying out the
provisions of	this act
conclusive	final and conclusive
mail	matter transmitted through the mail
the (or that)	such, said, aforesaid, or same

LANGUAGE SUGGESTIONS AVOID THE PHRASE this act.

This phrase is especially troublesome in amendatory legislation and should be avoided whenever possible in other legislation, especially where the section is to become part of the compiled law. Certain sections, such as appropriations, effective date, severability, etc., which have limited life, are not so important. At times, the phrase is almost unavoidable but should be used with extreme caution and understanding.

LANGUAGE SUGGESTIONS USING THE PHRASE EX-OFFICIO.

The phrase "ex-officio" indicates only that a person holds one office by virtue of holding another office. The phrase doesn't restrict any powers or duties of an officer while serving in one's ex-officio capacity. Any misunderstanding may be avoided by using the word "automatically", as in the example: "the finance chair is automatically chair of the finance board".

LANGUAGE SUGGESTIONS NEVER USE ROMAN NUMERALS

Most people cannot decipher Roman numerals above ten and even below that they are confusing. Even when referring to the articles or our constitution, Arabic numerals should be used. The only exceptions are when a section of the Constitution is being amended or when a specific act is being used as a referral.

Example: Associated Student Act XIV-70-71-#9.

SPELLING PREFERENCES

Webster's New International Dictionary and Fowler's Modern English Usage are the standard authorities on all spellings.

The Drafting Manual of the ASNMSU Senate was adopted by the Senate Rules Committee on May 1, 1972, in accordance with rule 73 of the Senate Rules.

**SENATE OF THE ASSOCIATED STUDENTS
OF NEW MEXICO STATE UNIVERSITY**

BILL #00

1997-1998

FORTY-FIRST SENATE

INTRODUCED BY _____

DATE _____

REFERRED TO _____

DATE _____

COMMITTEE ACTION _____

DATE _____

SENATE ACTION _____

DATE _____

AN ACT

XLIV-04-05

TYPE TITLE IN THIS SPACE. CAPITALIZE EACH LETTER OF EACH WORD AND DOUBLE SPACE THE LINES. MARGINS ARE ALWAYS THE SAME AS FOR THE TEXT OF THE BILL.

BE IT ENACTED BY THE SENATE OF THE ASSOCIATED STUDENTS OF NEW MEXICO STATE UNIVERSITY:

- Section 1. SECTION HEADING--The first line of the section is indented five spaces. The Body of the Bill is double-spaced with margins as shown.
- A. The first line of the subsection is indented ten spaces. The body of the subsection is not indented;
 - 1. The first line of the paragraph is indented fifteen spaces. The body of the paragraph is not indented; and,
 - a. The first line of the subparagraph is indented twenty spaces.
 - 1) Items are not indented, but follow along in the body of the subparagraph.

The last line of the text is never lower than this line

11. OFFICIAL OPINIONS, REPORTS, AND DECISIONS

11-1. ATTORNEY GENERAL OPINIONS

The Request:

I have been asked by the Chief Justice of the Supreme Court if a conflict would arise from a member of ASNMSU having a program on KRUX.

Applicable Law:

Section 5-4 ASNMSU Code of Judicial Conduct

Section 5-4-5-C. Services for committees and organizations. A Justice shall not serve or perform any services for any committee, commission or organization that conflicts with his or her judicial duties.

Opinion Rendered:

It is the opinion of the Office of the Attorney General that the Chief Justice may be involved with ASNMSU and KRUX as long as Section 5-4, ASNMSU Code of Judicial Conduct, is upheld at all times and does not conflict with his or her judicial duties. As the Chief Justice will be hosting an eighties music program I do not see a conflict arising between the two positions.

Carlann Unger
Attorney General

The Request:

I have been asked to issue an opinion on whether or not the Vice-President has the authority to not recognize two senators who have been found in violation of the ASNMSU Law Book.

Background Information:

It has been found that two Senators, Christopher Schoonover and William Ash are not members of the college they are representing. Since this a violation of the ASNMSU Constitution two resolutions of impeachment have been written and entered into first readings. The two Senators are being allowed onto the Senate floor, but are being asked not to participate in any discussion not pertaining to their impeachment as it gives six representatives to a college that has been apportioned four Senate Seats.

Applicable Law:

Section 1-3-2. Senate Membership Qualifications and Officers

“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 he is elected.”

“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.”

Section 2-6-1 Senate Positions Available

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

1. ACES 1,23,28
2. A&S 2,9,14,16,24,29,31,32
3. BA & ECON 3,10,17,25”

Opinion Rendered:

IT IS THE OPINION OF THE OFFICE OF THE ATTORNEY GENERAL THAT, although the impeachment resolutions of Senator Ash and Senator Schoonover have not yet been passed, they should not be recognized on the Senate floor except in the matter of their own impeachment. Considering the situation with the College of Extended Learning, the Senators should be allowed to sit in on Senate meetings to report back to their college council until appropriate representation is found, but not participate in debate, discussion or voting.

The Law Book clearly states that a college may only have the apportioned number of representatives, set in the ASNMSU Law Book, on the Senate floor. As William Ash and Christopher Schoonover are not members of the College of Extended Learning, but of the College of Business, they are adding two more representatives to a college that already has their apportioned representation. According to the 2009-2010 Law Book the College of Business is allowed four Senators. The four Senators that should be allowed to speak on behalf of the College of Business are those that were elected or appointed by that college. Allowing Senator Schoonover and Senator Ash to participate in Senate meetings would be giving more representation than was apportioned to that college.

Carlann Unger
Attorney General

Case No: 09-SCR-011

ASNMSU, Petitioner vs. William Ash, Respondent

Brief in Chief

Filed by: ASNMSU Attorney General Carlann Unger on behalf of ASNMSU

Statement of the Issues

It was brought to the attention of Senator Perez that Christopher Schoonover, appointed Senator to the College of Extended Learning, was not a member of the college to which he was representing. It is clearly stated in the ASNMSU Constitution that a senator must be a member of the college which they are serving. The two Senators brought this issue to the attention of the Attorney General and the Vice President Jeffrey Oxford on Friday, October 16. It is the official opinion of the Attorney General that Christopher Schoonover is in violation of the ASNMSU Constitution and should not be able to hold the Senate Seat. The investigation into Mr. Schoonover led to an investigation into William Ash, the second Senator for the College of Extended Learning. It was found that the respondent, William Ash, was also not a member of the College of Extended Learning.

Mr. Ash was appointed to the position of College of Extended Learning Senator in the spring of 2009. This was the first semester that the College of Extended Learning would have representation on the Senate. The college was unaware that a mandatory qualification of a senator is to be a member of the college they represent. Due to this miscommunication and overlooking of qualifications, Mr. Ash was appointed to the position. As soon as this discrepancy was brought to the attention of the Attorney General, the Vice President and members of the Senate the appropriate action was taken. Mr. Ash was encouraged to submit a letter of resignation but felt that his appointment was valid. A resolution of impeachment was submitted and passed by the Senate on November 5.

Summary of Proceedings

The nature of this case is the Resolution of Impeachment passed by the ASNMSU Senate on November 5, 2009. The resolution was sought due to the respondent not meeting the qualifications of a senator (the specific qualification being a member of the college in which a Senator represents).

The Resolution of Impeachment was submitted into first readings of the ASNMSU Senate on October 22, 2009. It was then passed by the Senate Community Affairs Committee on October 27, 2009, the Senate Rules Committee on October 28, 2009, and the Senate Finance Committee on October 29, 2009. The Resolution of Impeachment was voted on by the Senate on November 5, 2009 and sent to the ASNMSU Supreme Court for ruling.

Facts of Case

According to the ASNMSU Constitution, Section 1-3-2, "Senate Membership Qualifications and Officers":

"No person shall be a Senator who is not, when elected and while in office, a member of the ASNMSU not suffering academic disability by academic or disciplinary probation and a member of the college by which he is elected."

It was confirmed by New Mexico State University that William Ash is not a student in the College of Extended Learning. As William Ash is not a member of the college for which he represents, he is in violation of the ASNMSU Constitution.

The argument made by the respondent at all prior proceedings was the fact that he was appointed and not elected. An individual who is appointed to an elected position must still meet all of the qualifications set forth for the elected office. Section 4-2-7 of the ASNMSU Law Book, "Validity of Appointment", confirms this by stating that a College Council who appoints a Senator must,

"Submit to the Senate a written statement signed by the presiding officer and the advisor of the council certifying that the college 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."

All appointed Senators must meet the provisions set forth in the ASNMSU Constitution, which includes the qualification of being a member of your college at all times of representation.

Section 9-8 sets forth the "Rights and Duties of Senators". The first duty that is listed is to, "Serve as a link between the student of their respective college and the ASNMSU." In order for a senator to be an effective representative to the members of their college they must themselves be a member. In order to properly represent a body of individuals, the representative must be directly affected by the same issues. By the respondent not being a member of the College of Extending Learning he cannot properly deal with and represent the issues the college faces.

Conclusion

Considering that the respondent did not knowingly violate the ASNMSU Constitution, ASNMSU is only seeking a relief of impeachment. Since it was not the sole fault of the respondent, and was the result of mistakes made by multiple other parties, we ask that the respondent not be prohibited from seeking office in the future.

Carlann Unger
ASNMSU Attorney General

The Request:

I have been asked to give an opinion if Senator Arlan Van Dam is in violation of the ASNMSU Constitution, Section 1-3-2, by being on disciplinary probation.

Background Information:

On Tuesday, March 9, 2010, it came to my attention by Senator Schoonover that Senator Arlan Van Dam is currently (and has been all semester) on disciplinary probation. Senator Schoonover has

asked that I render an official opinion as it is a qualification for a member of the ASNMSU Senate to be in good academic standing and not be on disciplinary probation for any reason.

Applicable Law:

1-3-2. Senate Membership Qualifications and Officers

“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 he is elected.”

Opinion Rendered:

IT IS THE OPINION OF THE OFFICE OF THE ATTORNEY GENERAL THAT, Senator Arlan Van Dam is not in accordance with Section 1-3-2 of the ASNMSU Constitution by not meeting all membership requirements. It is clearly outlined in the section that a member of the ASNMSU Senate shall not be on disciplinary probation. Since he is not in accordance with the qualifications he should resign his Senate seat until he is no longer on disciplinary probation.

Carlann Unger
Attorney General

ASNMSU Attorney General Official Opinion

Subject: Elections Board and Open Meetings Act

Date: March 17, 2010

Background Information

An Elections Board meeting was held Monday, March 15, at 7:30pm. Two attendants of the meeting claimed that the meeting was in violation of the ASNMSU Open Meetings Act. I was called to give an opinion. I gave a verbal opinion that an elections board meeting does not fall under the Opens Meeting Act. On March 17 an e-mail was sent by Christopher Muldrow claiming that the Monday meeting was in violation of the Open Meetings Act.

Applicable Law

Section 4-1. ASNMSU Open Meetings Act

“AN ACT ESTABLISHING AN OPEN MEETING POLICY FOR THE ASNMSU POLICY-MAKING BODIES.”

Section 4-1-1-A.

“Policy-making body” means any ASNMSU board, committee or other body that makes policy recommendations or that determines policy including, but not limited to the ASNMSU Senate Committees, the ASNMSU Publications and Communications Board, the ASNMSU Activities Committee, the Intramural Policy Board and the ASNMSU Senate;”

Opinion Rendered

It is the official opinion of the Office of the Attorney General that the March 15th meeting of the Election Board was not in violation of the Open Meetings Act. The Election Board is made up of the vice-presidents of the college councils. They are not senators and have no power to make or change policy. The only purpose of these meetings is to discuss submitted campaign violations and decide on appropriate consequences. The above sections of the Law Book clearly define the Open Meetings Act to be applied to “policy-making bodies.”

Carlann Unger
ASNMSU Attorney General

The Request:

1. What is the definition of "policy" in reference to 4-1-1-A of the 09-10 ASNMSU Law book?
2. What is the definition of "personnel matters" in reference to 4-1-4 of the 09-10 ASNMSU Law Book?
3. Also can you please tell me the proper procedure for requesting records? Such as agendas and minutes of ASNMSU meetings?

Background Information:

The issue of the ASNMSU Open Meetings Act has come into question. It is being decided whether or not the Election Board is a "policy-making body."

Applicable Law:

Section 4-1-1 A. (definition of policy)

Section 4-1-4. Closed Session (Definition of personnel)

Opinion Rendered:

IT IS THE OPINION OF THE OFFICE OF THE ATTORNEY GENERAL THAT, the definition of policy in this context is legislation that encompasses the rules, regulations and procedures of an organization. For this request I looked up the definition of policy in the Miriam-Webster Dictionary and found this definition that I found fitting, "a high-level overall plan embracing the general goals and acceptable procedures especially of a governmental body."

The Section 4-1-4 includes stipulations for a closed session. This stipulation is a policy-making body that is discussing personnel matters. It is my opinion that personnel matters are synonymous with human resources, the management of "persons." Personnel matters include such things as reviewing an employee of ASNMSU's work performance or setting departmental goals.

The proper procedure for obtaining current records and minutes (within the year) is to request them from the Senate Clerk. Any past records can be found at Zuhl Library or in University Archives. If anyone comes into the office seeking past records they should be directed to the Attorney General for assistance.

Carlann Unger
Attorney General

The Request:

What has changed in the ASNMSU Law book or State Law since 2007-2008 that would not make the Election Board a Policy making body that is subject to the Open Meeting Act?

Background Information:

There has been speculation on whether or not the Elections Board is included in the Open Meetings of found in Section 4-1. ASNMSU Open Meetings Act. An opinion issued by a previous Attorney General during 2007-2008 Law Book assumed the board was, but was unable to determine whether or not it was as this invalidation is left under the power or the ASNMSU Supreme Court. It was the current Attorney General's opinion that the Elections Board does not fall under the ASNMSU Open Meetings Act.

Applicable Law:

Section 3-28-4-C.

“Give an opinion, in writing, on any question of the ASNMSU law submitted by any member of the ASNMSU;”

Section 4-1-5 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.”

Opinion Rendered:

IT IS THE OPINION OF THE OFFICE OF THE ATTORNEY GENERAL THAT, no changes have been made to Section 4-1 The ASNMSU Open Meetings Act since the 2007-2008 Law Book. An Attorney General opinion is not made into law unless it goes through the appropriate process of making it into law. An opinion made by an Attorney General is subject to change throughout the years and may be interpreted differently by other Attorney Generals. The Attorney General has the power to write an opinion on the issue of whether or not the Elections Board is subject to the Open Meetings Act, but the power to determine whether or not this board was violating the act falls under the ASNMSU Supreme Court as outlined in Section 4-1-5 Invalidation of Action.

Carlann Unger
Attorney General

The Request:

- 1- Is Arlan suffering a disability because he is on disciplinary probation? What is the intent of the law?
- 2- Define misfeasance, non feasance, and the other one I cant remember what it is right now.
- 3- Because Arlan knew he was on disciplinary probation since November and withheld it is that an impeachable offence?
- 4- Because Arlan took action on committees, and senate while on disciplinary probation with the full knowledge of being illegal and already having received the opinion from the attorney general is that an impeachable offence even when he is off disciplinary probation?

Background Information:

On Tuesday, March 9, 2010, it came to my attention by Senator Schoonover that Senator Arlan Van Dam is currently (and has been all semester) on disciplinary probation. Senator Schoonover has asked that I render an official opinion as it is a qualification for a member of the ASNMSU Senate to be in good academic standing and not be on disciplinary probation for any reason. I have now been asked to render opinion regarding the definition of disability in Section 1-3-2.

Applicable Law:

1-3-2. Senate Membership Qualifications and Officers

“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 he is elected.”

Opinion Rendered:

IT IS THE OPINION OF THE OFFICE OF THE ATTORNEY GENERAL THAT, a Senator is suffering a disability by academic or disciplinary probation when they are (according to the NMSU Code of Conduct) found to be “in violation of University regulations or local, state, and/or federal laws”, and issued a

stipulation based on the violation committed. According to the NMSU Code of Conduct the stipulations for being found to be on disciplinary probation are, “withholding of transcript or degree; suspension of rights and privileges; suspension of eligibility to participate in official extracurricular activities; eviction from University-operated housing; restitution for damages incurred by the University; referral for counseling and/or participation in an educational program.” It is my opinion that all of these are disabilities to a Senator, as they all reflect that the Senator has committed a violation of the University, local, state or federal regulations. A Senator, being a representative to the students, should always uphold the regulations of the University as outlined in the Preamble to the ASNMSU Constitution.

It is the opinion of the Attorney General that nonfeasance is inaction or the failure to act. Misfeasance is an action that is illegal or in violation of regulations or policies. Malfeasance is an act of misconduct, or acting in an unethical manner. In this case the allegation would fall under misfeasance.

It is my opinion that Senator Van Dam is in violation of Section 1-3-2 “Senate Membership Qualifications and Officers.” This violation I feel is impeachable. On the issue of whether or not it is an impeachable offense to be on disciplinary probation and with-hold the information, I feel this is more of an ethical issue. Senator Van Dam should have disclosed the information, but there is nothing in the Law Book that outlines what happens if a Senator is found to be on disciplinary probation during their term after they are no longer on probation.

Carlann Unger
ASNMSU Attorney General

Case No:

Charlene Shroulote, Petitioner vs. ASNMSU Senate Special Committee on Elections, Respondent

Official Answer

Filed by: ASNMSU Attorney General Carlann Unger on Thursday, April 8, 2010.

Official Answer to General Allegations Filed

The background information provided in the complaint filed under general allegations number 7 is correct to my findings. The appeals were filed the day after the Election’s Board meeting and Vice-President Jeffrey Oxford called together a meeting of the Special Committee on Elections at 2pm (postponed to 4pm due to quorum) the very next day, March 18.

In response to number 8 under General Allegations, it was my opinion, which was given to Jeffrey, Matt and Travis that the Special Committee on Elections, as well as the Election Board, are not policy-making bodies and therefore do not have to comply with the ASNSMU Open Meeting Act (Section 4-1). Under Section 4-1-1 “Definitions”, a policy-making body is defined as

“any ASNMSU board, committee or other body that makes policy recommendations or that determines policy including, but not limited to the ASNMSU Senate Committees, the ASNMSU Publications and Communications Board, the ASNMSU Activities Committee, the Intramural Policy Board and the ASNMSU Senate;”

The Special Committee on Elections is a committee that is made of up of Senators (a special committee), but during these meetings those senators do not make policy, vote on policy, determine policy or even make recommendations on policy. They are merely looking at the penalties or lack of penalty assigned by the Elections Board and upholding or changing them. Anyone who is involved in the violations that were appealed have the opportunity to present their evidence and explain why they feel a violation against the Election Code occurred. The findings of the committee are not made into law (policy) and are not recorded in the ASNMSU Law Book.

It is my opinion that this committee should not be subject to Section 4-1 also because of time constraints of the ASNMSU elections. The elections last a week, and violations must be filed within 24 hours of the final results. Run-off elections occur the very next week. There is no guarantee that any violations will even be filed, so if you have to give 48 hours notice of the Election Board, which has 48 hours to render a decision, and then 48 hours to the Special Committee on Elections, 6 days (not counting weekends) will have passed between when run-offs can even start, and the conclusion of the election. With this time period, participation will be lost in the elections.

It is my opinion that the Special Election on Committees does not fall under the ASNMSU Open Meetings Act for the above mentioned reasons.

As for the issue of whether or not ASNMSU is bound by law to follow the New Mexico State Open Meetings Act, it is my opinion, Chris Ray's and the general council of NMSU that it does not. ASNMSU is not a state, federal or city government entity. The laws passed through our student government have no effect on any tax-paying citizens of the state except those students who go to NMSU. I do believe we should be transparent, but I do not believe we should be accountable to the entire NM Open Meetings Act as our state government is definitely on a whole different scale compared to ASNMSU. ASNMSU should not be held liable for some aspects that do not pertain to us or that we are even unable to follow.

In response to allegation number 9, I do believe that a violation of the Law Book took place. However, I do not believe that finding the meeting invalid is appropriate. The instance was a mistake. Mistakes happen within the Executive branch and the Senate all the time. The mistake was noted and corrected. Senators were able to meet and get through all the violations in the meeting. A new meeting would merely be the same people going through the same appeals which would render no different decision.

As for allegation number 10, I was not present for the first thirty minutes of the meeting so I cannot comment on what happened during that time. Once I arrived the committee was finished discussing the Opens Meeting Act and had moved on to quorum. I do not recall President Dulany commenting on quorum. During the 4:30 meeting he merely spoke in his defense.

The last allegation, number 11, discusses giving notice on contest. It was my understanding that CEO Matt Nordaker sent every individual involved an e-mail telling them of the violations filed against them. In my opinion this is a notice of contest. During their meeting there were a limited number of the copies of violations, however these were passed around and anyone who asked to see the copy was not denied.

Carlann Unger
ASNMSU Attorney General.

11-2. PUBLICATIONS AND COMMUNICATIONS BOARD DECISIONS

No decisions were filed in 2009-2010

11-3. ELECTION BOARD DECISIONS

No decisions were filed in 2009-2010

11-4. STUDENT FEE REVIEW BOARD REPORT

New Mexico State University								
Analysis of Fee Breakdown								
For Fiscal Year 2010-2011								
FTE 3 year average for FY2007 through FY2009								
27,401								
	Budgeted Fee Allocation FY2009-2010	FY2009-2010 Fees per Full-time Student	FY2010-2011 Recommended Changes	Budgeted Fee Allocation FY2010-2011	Fee Increase Per Req	Increase for Comp/Utility/	Total Fee Increase	New Fee Rate per Semester
			Request/ recommendation					
Fixed Fees:	\$ 12,400,020	\$ 489.90	\$ -	12,400,020	\$ -	\$ -	\$ -	\$ 489.90
Discretionary Fees:								
ASNMSU Student Activity	787,300	31.00	-	787,300	-	-	-	31.00
ASNMSU Endowment	126,100	5.00	-	126,100	-	-	-	5.00
ASNMSU Cardinal (Bldg Maint)	24,500	1.00	-	24,500	-	-	-	1.00
ASNMSU External Services	95,000	4.25	(95,000)	-	(4.25)	-	(4.25)	-
WAVE (Peer Counseling)	107,250	4.20	(5,000)	102,250	(0.18)	-	(0.18)	4.02
Campus Tutoring Service	12,000	0.50	-	12,000	-	-	-	0.50
Sponsored Activities	-	-	-	-	-	-	-	-
Rodeo Activities	26,000	1.05	-	26,000	-	-	-	1.05
Student Family Resource Center	39,900	1.60	5,100	45,000	0.19	-	0.19	1.79
NMSU Cheerleaders	39,000	1.50	10,000	49,000	0.36	-	0.36	1.86
Children's Village	111,000	4.30	-	111,000	-	-	-	4.30
Campus Activities	342,800	13.65	-	342,800	-	-	-	13.65
Round-up/ Krux	-	-	-	-	-	-	-	-
PIRG	-	-	-	-	-	-	-	-
Sexual Gender and Diversity Ctr	-	-	9,775	9,775	0.36	-	0.36	0.36
Master of Social Work Position	19,400	0.75	19,431	38,831	0.71	-	0.71	1.46
Transit	229,000	8.75	21,000	250,000	0.77	-	0.77	9.52
ICT	1,780,300	68.35	123,621	1,903,921	4.51	-	4.51	72.86
Police Department	82,630	3.20	(7,230)	75,400	(0.26)	-	(0.26)	2.94
Total Discretionary Fees	\$ 3,822,180	\$ 149.10	\$ 81,697	\$ 3,903,877	\$ 2.20	\$ -	\$ 2.20	\$ 151.31
	\$ 16,222,200	\$ 639.00	\$ 81,697	\$ 16,303,897	\$ 2.20	\$ -	\$ 2.20	\$ 641.21

Note 1: Fixed Fees are set based on the Operational Needs of the Unit. Discretionary Fees are based on program activities/needs.

Note 2: Full Time Equivalency for a full year used to coincide with the annual budget. This scenario assumes two summer sessions equal one semester. Provides an average, but may not reflect actual fees that a full-time versus part-time may be charged

K:\TuitionAnalysis\FY 2010-2011\FY11 Tuition and Fee Model.xlsx...T&F Proposal,Original Reque (2)

11-5. ASNMSU STUDENT ADVOCACY BOARD REPORT

No reports for the year of 2009-2010

11-6. ASNMSU SUPREME COURT DECISIONS

Associated Students of New Mexico State University (ASNMSU), Plaintiff vs. Christopher Schoonover, Defendant

Justice Specht delivered the Opinion of the ASNMSU Supreme Court

Facts

Mr. Christopher Schoonover was appointed to the position of College Extended Learning Senator in Spring 2009. It was brought to the Attorney General's, Vice President's, and the Senate's attention that Mr. Schoonover was misrepresenting his College and that his appointment was invalid. Mr. Schoonover was notified that his appointment was invalid and that a letter of resignation was encouraged. Mr. Schoonover did not agree.

Questions

Section 1-3-2 of the ASNMSU Law Book: the definition of a member of the College and College Council.

Section 4-2-3 of the ASNMSU Law Book: the definition of the respective college in which one represents.

Section 4-2-7 of the ASNMSU Law Book: the separation between appointment and election.

Answer/Explanation

As the ASNMSU Supreme Court, we are to set precedent and define word usage that the Executive or the Senate may misinterpret. In Section 1-3-2 of the ASNMSU Law Book the definition of "membership to one's college council" is the college of which one is obtaining their degree from. Although Mr. Schoonover is a member of ASNMSU, he is not a member of the College of Extending Learning nor of the council.

As an ASNMSU Senator as well as the 'College Councils' serves as links to the body which they represent to ASNMSU and the University. In section 4-2-1 of the ASNMSU Law Book, to define again, 'the respective college' is one in which the student is taking classes from and obtaining their declared degree from.

In Section 4-2-7 of the Law Book to define and separate between appointment and election; the college councils are to vote by a "majority of a quorum" of to whom is to be appointed to be an interim Senator of ASNMSU. This action of the council is the Senator's election; although he or she may not have been elected by the entire body of the college their election was by the college council. Therefore any person whose individual council wishes to appoint must follow the ASNMSU Senate election qualification guidelines.

Mr. Schoonover is not a part of the College of Extended Learning as a student and is not a part of the college's council, therefore is not a link from the council/representative body to ASNMSU.

The ASNMSU Supreme Court does encourage Mr. Schoonover to run or be appointed to his respective college council if he and the college council wishes him.

Decision

In the matter of ASNMSU vs. Christopher Schoonover the ASNMSU Supreme Court has come to a unanimous decision. Mr. Schoonover is to be impeached from his post as a

Senator from the College of Extended Learning, for the reasons stated above. We find no need to prevent or prohibit Mr. Schoonover from running for an ASNMSU office.

As it is ordered

Associate Justice Alyssa Specht

Associate Justice Jeff Manganeli

Associate Justice Jacob Deaven

CHARLENE SHROULOTE, PETITIONER v. ASNMSU SENATE SPECIAL COMMITTEE ON ELECTIONS

ORIGINAL JURISDICTION IS HELD BY THIS COURT

[April 23, 2010]

JUSTICE DEAVEN delivered the opinion of the Court.

This Supreme Court has been asked to deliver an opinion in the case of Charlene Shroulote v. ASNMSU Senate Special Committee on Elections.

I

This case was scheduled to be held Tuesday, April 20, 2010. Both parties, Shroulote and Attorney General Unger (representing the ASNMSU), were delivered written notifications, in their office mailboxes, by CHIEF JUSTICE SPECHT on Friday, April 16, 2010, forty-eight (48) business hours before the case was to be heard. On the Tuesday, April 20, 2010 the Petitioner, Shroulote, failed to appear before the Court; there for, the opinion will be delivered in default, in accordance with RP-702-B and 14-6-17-B.

II

Due to her failure to appear, this Court denies the petitioner any requests made in the Damages and Prayer for Relief section of the official complaint. This includes: ruling that the Special Committee on Elections meeting, held on Thursday, March 18, 2010, and the decisions they made there invalid, requests for this meeting to be rescheduled, and any other reliefs.

Opinion of the Court

III

It is important to note that this case holds no precedent. This opinion does not address any questions concerning the ASNMSU Open Meeting Act, 4-1, the New Mexico Open Meeting Act, § 10-51, and any other accused illegalities of the Special Committee on Elections meeting, held on Thursday, March 18, 2010.

It is so ordered.

JUSTICE JACOB DEAVEN

12. ASNMSU HISTORY

EXECUTIVE BRANCH

President and Vice Presidential History

Year	President	Vice President
1910-11	William E. Campbell	Paul Mayer
1911-12	King Olaf Windsor	William Hall Jackson Maynard Dudley Ewing
1912-13	Leonard G. Thomas	A. Burton Fite
1913-14	Kenneth B. Ogilvie	Unknown
1914-15	James Guy Hamilton	Unknown
1915-16	Homer P. Powers	Unknown
1916-17	R. H. Buvens	Unknown
1917-18	William (Pete) Sinnock	Unknown
1918-19	Lawrence C. Campbell	Unknown
1919-20	Milton S. Blackwell	Unknown
1920-21	Joseph W. Lockhart	Unknown
1921-22	Eugene Hilton Stewart	Unknown
1922-23	John Robbins	William E. Will
1923-24	William Everett Will	Archie M. Vance
1924-25	Archie M. Vance	William C. Jackson
1925-26	Robert J. Monical	Herschel M. Bell
1926-27	Herschel M. Bell	Bennie Emil Rutz
1927-28	Bennie Emil Rutz	Unknown
1928-29	Jesse P. Morgan	Unknown
1929-30	Ralph Elsass	Clarence Kent
1930-31	Henry Summerford	Orville Harris
1931-32	Edward Stephen Quinlan	Jesse Mecham
1932-33	Jesse Mecham	Vincent Lee
1933-34	Walter Diffley	Unknown
1934-35	Albert Sackett	Carrol Withers
1935-36	Kenneth Kelly	Unknown
1936-37	William Cann	Gerald Leach
1937-38	Joe Hixon	Richard Kent
1938-39	Pecos U. Finley	Lloyd Lyster
1939-40	Melvin Ritchey	Pete Caviness
1940-41	Wiley Carr	Unknown
1941-42	William Mellinger	Unknown
1942-43	Marvin Hoover	Bobby Carr Vernon Hall
1943-44	Margaret Mobley	Unknown
1944-45	Mary E. Rutledge	Georgia S. Holt
1945-46	John R. Parker	Julia Gifford
1946-47	Herbert Holcomb	Lloyd Sullivan
1947-48	William Sturman	Stanley Thomas

1948-49	John R. Higgins	Jimmy Greathouse
1949-50	Richard Lambirth	Harvey Hutchings
1950-51	Harvey Hutchings	John Mayhill
1951-52	Bob Dwyre	Jim Tackett
1952-53	James T. McClelland, Jr.	Ed Boykin
1953-54	Mike Maloof	Bill Craig
1954-55	A. D. (Deacon) Jones	Floyd B. Bennett
1955-56	Floyd B. Bennett	Jim Quinlan
1956-57	Alan Clouse	Fred Warner
1957-58	Buck Rhodes	Donovan F. Foster
1958-59	Donovan F. Foster	Charles R. McCoy
1959-60	John Paul Raney	Elizabeth Forehand
1960-61	Thomas Crume	James Tigner
1961-62	Herman Hinton	Floyd Strickland
1962-63	James M. Brown	Paul Brune
1963-64	Gene H. Elliot	William K. Roudebush
1964-65	William K. Roudebush	Jerry L. Williams
		J. Richard Ellis
1965-66	Douglas M. Boston	Ned Dennis
1966-67	Lynn Parnell	Terry L. Johnson
1967-68	Houston McKenzie	Joe Uranga, Jr.
1968-69	Steven Pearce	Dennis George
1969-70	Thomas J. McMahon	Richard L. Thomas
1970-71	Richard Thomas	Charles B. Cates
1971-72	Charles B. Cates	Thomas J. Murray
1972-73	Thomas J. Murray	Fernando Macias
1973-74	Fernando Macias	Roberto S. Rios
1974-75	Thomas J. Murray	Mike Benavidez
1975-76	Thomas J. Murray	Forrest Bray
1976-77	Pete Rahn	David C. laBarge
1977-78	Darnell Smith	David T. Cole
1978-79	James D. Masse	Duke Rodriquez
1979-80	Larry L. Sheffield	John C. Alvarado
1980-81	Kelly Crawford	Terry Allison
1981-82	Jim Dempsey	Clay Calhoun
1982-83	Clay Calhoun	Colin Cahoon
1983-84	Lynnne Provencio	Raymond Concho, Jr.
		John J. Chavez
1984-85	Augustine (Gus) Grace	Peter D. Kramer
1985-86	Mitch Lee	Anil Bhalla
1986-87	David G. Harris	Geoffery J. Zanetti
1987-88	Molly S. O'Nan	Jay L. Omdahl
1988-89	Steven Dominguez	Kelley Ridings
1989-90	Tom Scheel	Mike Antiporda
1990-91	Thom Avery	Brian S. Colón
		Smiley E. McKinnon
1991-92	Mike Antiporda	Robert S. Bryce
1992-93	Brian Kennedy	Brad S. Rice
1993-94	Bradley S. Rice	Kimberly A. Richards
1994-95	Michael Stephens	Elena Castruita
1995-96	Michael A. Kozeliski	Manuel A. (Tony) Martinez, III
1996-97	Kelly Neville	Lynn A. Chumbley
1997-98	Lynn A. Chumbley	Nolan C. Wynn
1998-99	Cy Salazar	Ben Wallis
1999-2000	John Jacob Saiz	Clella Nevills
2000-2001	Bill McCamley	Jake E. Hill

2001-2002	Jake Hill	Kelly Jones
2002-2003	Jake Hill	Daniel Balizan
2003-2004	Erin McSherry	Ernesto Alvelais
2004-2005	Austen Fulmer	Jon Holmer
2005-2006	Jennifer Burn	Quentin Ray
2006-2007	Benjamin Hardy	Marisa Ortega
2007-2008	Marisa Ortega	Sarah Balizan
2008-2009	Justin O'Connell	Isaac Polanco
		Travis Dulany
2009-2010	Travis Dulany	Jeffrey Oxford
2010-2011	Travis Dulany	Matt Ellis
2011-2012	Austin Graham	Joseph Baldonado
2012-2013	Breeana Sylvas	David Maestas

2013-2014 ASNMSU Executive Staff

Attorney General	Dallas Davis
Chief Elections Officer	Daniel Sonntag
Comptroller	Diego Kissack
Chief of Staff	Phil Davies
Executive Director of Activities	Elizabeth Fatta
Executive Director of Governmental Affairs	Jeremy Witte
Executive Director of Intramurals	Matthew Bose
Executive Director of Media Relations	Karl Lopez
Executive Director of Public Relations	Michael Pratt
Executive Director of Services	Elizabeth Martin
Executive Director of Special Events	Miguel Chavez
Executive Director of Community Outreach	Chelsea McCoy
Executive Secretary	Nancy Laney

LEGISLATIVE BRANCH

The Fifty-Sixth ASNMSU Senate

Chief Senate Clerk	Anica Chairez
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College of Agricultural, Consumer and Environmental Sciences

Member	Committee Assignment	Term Ends
Alexander Stanojevic	Community Affairs	Dec-12
Jeremy Witte	Rules	May-13
Rachel Burkhard	Rules	May-13

College of Arts & Sciences

Member	Committee Assignment	Term Ends
Zackary Quintero	Rules	May-13
Kirstien Dixon	Community Affairs	Dec-12
Grayce Lovejoy	Finance	May-13
Joseph Moreno	Community Affairs	Dec-12
Amanda Collar	Rules	May-13
April Sartin	Finance	May-13

College of Business Administration & Economics

Member	Committee Assignment	Term Ends
Kelsey Campbell	Rules	Dec-12
Max Haake	Rules	May-13
Dominic Filosa	Finance	Dec-12
Wesley Jackson	Community Affairs	May-13

College of Extended Learning

Christopher Schoonover	Finance	Dec-12
Marcelo Mayagoitia	Rules	May-13

College of Education

Member	Committee Assignment	Term Ends
Emilio Mondragon	Community Affairs	May-13
Nell Baird	Finance	Dec-12

College of Engineering

Member	Committee Assignment	Term Ends
Ogbue Ugochukwu	Finance	Dec-12
Carlos Gomez	Rules	May-13
George Haimes	Finance	May-13

Graduate College

Member	Committee Assignment	Term Ends
Harvind Kumar Reddy	Community Affairs	May-13
Collin King	Rules	Dec-12
Jacob Deaven	Community Affairs	May-13
Nitish Narula	Rules	Dec-12
Mohammad Haque	Finance	May-13
Shanta Thoutam	Community Affairs	Dec-12

College of Health & Social Services

Member	Committee Assignment	Term Ends
Ivan Rodriguez	Community Affairs	Dec-12
Keely Brown	Finance	May-13

The 2010-2011 ASNMSU Supreme Court

Diana Flores	Supreme Court Chief Justice
Patrick Wallace	Associate Justice
Emily Meek	Associate Justice
Alex Mendoza	Associate Justice
Jeremy Britton	Associate Justice

Supreme Court Index

Each case is assigned a Supreme Court Record (SCR) number. The numbers under each case name correspond to a file in the ASNMSU Supreme Court files. These files are public record. Anyone is welcome to check out a case and look through it

Welch v. ASNMSU Senate
67 SCR 120

During a Senate meeting, the Senate moved to break into Committee of the Whole (COW). A motion was made and passed to allow the Vice President to cast a vote. The Court held that the Vice Presidents vote during the COW is unconstitutional.

Ralph Boggs v. ASNMSU Senate
68 SCR 050

After a Senate Election, the Senate altered sections of the Elections Code and attempted to apply the changed to the results of the election that had just occurred. The Court decided that this is unconstitutional.

Garcia Men's Council v. Organized Development of Recreation
68 SCR 110

The Garcia Men's Council of the Organized Development of Recreation (O.D.O.R.) conducted an illegal referendum and sought to abolish an existing dormitory government illegally. The Court held that the referendum by O.D.O.R was illegal and therefore null and void.

Patterson v. ASNMSU Senate
69 SCR 060

ANSMU Senate passed a bill creating the Corbett Center Program Council, which would oversee programs within Corbett Center. This authority belongs to the Corbett Center Advisory Board. The Court held that the Senate Bill #4 is unconstitutional and violates University policies.

Thomas v. ASNMSU Senate
69 SCR 120

The Senate passed Resolution #6 attempting to influence the Recognition Committee's decision regarding a student organization. The organization alleged that the referendum was politically motivated and that a resolution should have been attempted. The Court held that Resolution #6 violates Article I Sec. 2 of the Constitution.

Page Carter v. ASNMSU
71 SCR 040

Mr. Carter said ASNMSU Senate is being constitutionally, since general elections. Also, stated senators are to serve full one year terms. Court held that Senators do hold one year terms and there must be an election every semester.

Richard Ortega v. ASNMSU Senate
71 SCR 041

Two polls closed early during the ASNMSU Elections. Mr. Ricardo stated his standing as a candidate was affected by the closure and fair. Also, the section of the Election Code which grants full authority to judge an election to the Senate is unconstitutional. The Court held that the early closing of the polls for an election is allowed and no new vote is necessary.

Richard Ortega, ASNMSU President; Request for Review of Ortega v. ASNMSU Senate
71 SCR 090

Ambrose, ASNMSU Vice-President v. ASNMSU Senate and Chazz Barclay
72 SCR 060

Senator Barclay had an election violation put against him by the Vice President of Student Affairs. Barclay stated that the Vice President Ambrose has no standing and no right to initiate the action. The Court held that a valid case initiated by the Vice President of Student Affairs has standing and the Court does have jurisdiction. Also, if two sections of the Election Code are contradictory, then the Court has the power to declare one section invalid.

Ambrose, ASNMSU Vice President v. ASNMSU Senate and Larry Cable
72 SCR 061

The Vice President of Student Affairs initiated a complaint against the ASNMSU Senate for illegally changing the Election Code to violate itself and the ASNMSU Constitution. The Court held that the ASNMSU Senate does not have the right to add qualification, other than being an ASNMSU member.

Ambrose, ASNMSU Vice President v. ASNMSU Senate and Tom Murray
72 SCR 062

In question is the constitutionality of the Constitutional Amendments during the general election. The Court held that the adoption of Amendment 2,3,4,6,7, and 11 were in violation with Article III, Sec 10 and Article IX of the ASNMSU Constitution.

John O'Brien and Joel Geldin v. Tom Murray, ASNMSU President and Fernando Macias, ASNMSU Vice President
72 SCR 100

O'Brien and Geldin were disqualified by William M. Walz, the acting Chairman of the Election and Membership Committee, for not meeting qualifications listed under Article IV, Sec 2 and 4 of the ASNMSU Election Code. The Court held in favor for O'Brien and Geldin.

Russell D. Gray Jr. v. ASNMSU
72 SCR 110

The Livestock Team was appropriated \$350 by the ASNMSU Senate. Later it was discovered that the Livestock Team did not qualify for the appropriation. The Court held that the money given to the Livestock Team cannot be recovered.

Pat McGrath, Chairman of the Election and Membership Committee; Request for Declaratory Judgment
73 SCR 040

The Election and Membership Committee extended the deadline for accepting pictures of candidates for election posters. The Court held that the Committee officials do have the rights to make special rules regarding the election.

George N. Dilbert v. ASNMSU Senate and Gustavo Carrera
73 SCR 110

Mr. Dilbert stated that Mr. Carrera was not property appointed by the College of Education Council. The Court held that there are no precise rules for appointments therefore the Court cannot review. Carrera's appointment is valid.

Pete Rahn v. ASNMSU Senate
75 SCR 110

Mr. Rahn's candidacy for ASNMSU President was illegal by the Senate, he had not attended the main NMSU campus in spring or fall prior to candidacy, but did attend Alamogordo branch of NMSU during that spring and fall, and spring '75 at the main campus.

ASNMSU Senate Rules Committee v. Tom Murray, ASNMSU President
75 SCR 111

ANMSU President Tom Murray vetoed portions of the 'General Appropriations Action of 1975-76'. The Court held that the ASNMSU President violated the ASNMSU Constitution.

ASNMSU Senate Rules Committee and Richard Moolick v. Stephen G. Sylvester, ASNMSU Treasurer
76 SCR 040

Mr. Sylvester was serving as ASNMSU Treasurer, was appointed and confirmed as Co-Senate clerk. Holding these two positions is a violation of the principal of separation of powers under the ASNMSU Constitution. The Court held that Mr. Sylvester shall no longer hold the positions of Treasurer.

K. Zeno Kiehne v. The Council of the College of Education and Anton Mytrue, ASNMSU Senator
77 SCR 010

Senator Mytrue is on Academic Probation and has been since the previous semester. He voted in the Education Council's election for vacant senate seats. The Court held the case moot, Senator Mytrue resigned.

Dave Slade, ASNMSU Attorney General v. Pete Rahn, ASNMSU President
77 SCR 020

Two Supreme Court Justices were appointed during their graduating year, unable to fulfill their two year terms. The AG stated that these two were no 'qualified'. The Court did not hear the case.

Jenny Chavez v. ASNMSU Elections Board
77 SCR 022

The ASNMSU Senate passed Bill #23, allowing students in the Cooperative Education Programs were eligible to seek the office of the ASNMSU President. Ms. Chavez fell under this bill and ran for President. The Court held that Ms. Chavez is not a legitimate candidate under Article IV, Sec 1-4-1 of the ASNMSU Constitution.

Tom D. Barna v. ASNMSU Senate
77 SCR 030

Mr. Barna challenged the ANSMU Senates decision to impeach him from the Office of Chief Justice of the Supreme Court; and the constitutionality of the ASNMSU Law Book of 1977, Sec 1-3-3. The Court held that Mr. Barna was improperly impeached and the Court is allowed to intervene in the General Election under the ASNMSU Constitution.

Douglas A. Echols v. Dennis Holmberg, ASNMSU Chief Elections Officer
77 SCR 100

ASNMSU Senate passed Resolution 1, which called for a referendum. Since the election was cancelled, the Chief Election Officer Holmberg wanted the referendum on the ballot of the new election. The Court held that the referendum should be withheld.

Jay Sullivan, ASNMSU Attorney General v. The Council of the College of Arts and Sciences

77 SCR 110

The College of Arts and Sciences Council allowed two ASNMSU Senators to vote for the filling of the two vacant positions. The AG sued the Council, stating it was in violation of Article III Sec 2 of the Councils bylaws. The Court held that the Council was in violation of Article III Sec 2 of their bylaw, and the two appointments for the Senators are invalid.

Jay Sullivan, ASNMSU Attorney General and ASNMSU Publications and Communications Board v. ASNMSU Senate and ASNMSU Finance Board

78 SCR 020

The ASNMSU Senate and the ASNMSU Finance Board were accused of wrongfully limiting the salaries of the media managers. Senate Bill #40 limits the salary of media managers. The Court held in favor of the Publication Board which is in control of the operations of the media using Sec 1-2-3 of the ASNMSU Constitution.

Tom D. Barna v. ASNMSU Senate

78 SCR 030

Tom D. Barna and Darnell Smith announced their candidacy for ASNMSU on Fed 1st. A ASNMSU Senate Bill #16 passed on Fed 8th, which set a limit of expenditures for candidates. Mr. Barna borrowed \$45.05 from the Supreme Court's account for campaigning and reserved tables in the Courts name for campaigning. The Court held that the Senate Bill #16 would not apply to this election and that Mr. Barna's actions were violations of the ethics code.

Eileen Butko v. Election Board

78 SCR 031

CEO Glen Daws did not apply to the Elections Code which violations occurred. Poll workers were not at stations, campaign workers were near stations, Senators were intoxicated, forms at stations were irregular, no copies of Elections Code, and there were unauthorized people in room while ballots were being counted. The Case was dismissed due to a provision in the Student Handbook.

James D. Masse, ASNMSU President; Request for Declaratory Judgment

78 SCR 050

ASNMSU President James D. Masse asked the ASNMSU Supreme Court for a declaratory judgment regarding which executive officer signs legislation passed by the ASNMSU Senate on the last regular meeting of the spring semester. The Court held that the last meeting of the spring semester will be signed or vetoed by the newly elected/sworn in ASNMSU President.

Duke Rodriguez, ASNMSU Vice-President; Request for Declaratory Judgment

78 SCR 110

Duke Rodriguez, Vice President of ASNMSU requested for a declaratory judgment from the ASNMSU Supreme Court on the status of co-op students eligibility for executive elective positions. The Court held that co-op students are not required to pay the Student Activity Fee to be eligible to run for an executive position within ASNMSU.

James D. Masse, ASNMSU President; Request for Declaratory Judgment

78 SCR 111

ASNMSU President Jim Masse asked if under the Constitution and the Law Book the Legislative or the Executive Branch of ASNMSU to request for a bill, which has already been

signed into law, brought before the Legislature for reconsideration. The Court held that once a bill has been signed into law it will stand.

James D. Masse, ASNMSU President; Request for Declaratory Judgment
79 SCR 020

ASNMSU President Jim Masse asked for a declaratory judgment on a Senator from the Arts and Science who wanted to run for his seat again, but wants to change his major to Business. The Court held that the Senator will lose his or her seat once he changes his major.

Tom David Barna v. James Dyke, Director NMSU Library
79 SCR 030

The NMSU library stated that an overdue book would not allow the student to reregister, have their transcript, and diploma withheld. Tom Barna stated that this is discriminatory in both nature and act, and is not administered equally throughout the whole student body. There was no decision.

Jeanette Gonzales v. ASNMSU Senate
79 SCR 031

The ASNMSU Senate did not fill the required 30 Senatorial seat within a timely manner, a violation of Article II Sec 1-3-2 of the ASNMSU Constitution. The case was dismissed after the situation was cleared.

Ann Brunette v. *The Round Up*; Anne Nesbitt, Editor; and David Wear, Business Manager
79 SCR 050

The Round Up promised Ann Brunette that she would be paid \$25 every month. The Round Up never tried paying her. The Court suggested having this case be heard before a civil court.

Larry Sheffield, ASNMSU President; Request for Declaratory Judgment
79 SCR 070

Publications and Communications Board; Pamela Smith, Chairman v. KNMS
79 SCR 110

The PUB Board meeting on 11/15/1979 was called for clarification on the proposed trip. Also, asked if the Court could freeze KNMS's funds until this got resolved. No decision was met.

Norman Watson v. ASNMSU Senate
80 SCR 030

On November 28th, 1979 the ASNMSU Senate passed Bill #20 amending # 17.1 of the Rights and Duties of a Senator; the President signed Bill #20 into Law. The Court held that Senate Bill #20 is unconstitutional.

ASNMSU v. Russell Rodke
80 SCR 040

Russel Rodke, a campaign worker, was accused of destroying and defacing campaign materials of another opponent. The Court found the defendant guilty of destroying property.

Publications and Communications Board; Norman Watson, Chairman v. Bart Kinney, Financial Auditor
80 SCR 120

Senator Thompos introduced Bill #6, to add subsection G to Chapter 2, Article II, Sec 5 of the Law Book. Sec G states that the financial auditor shall prepare an audit of any ASNMSU funded organization at request of the Finance Board or Finance Committee. There was no decision of the Court.

Election and Membership Committee; Lynette Menefee, Chair v. ASNMSU Senate and Terry Allison, Vice President

80 SCR 121

In the Fall general elections the ASNMSU Senate was accused of not properly re-apportioning the Senate at some point, which is in violation of Sec 1-3-2 of the Preamble of the Constitution of ASNMSU. It was decided outside of Court that the Councils should be allowed to correct election disparities.

William Douglas Mills, Jay Allen Armstrong, James William Clark v. Kelly Crawford, ASNMSU President and Terry Allison, ASNMSU Vice-President

81 SCR 040

Resolution #21 was passed by the ASNMSU Senate for a change in activity fees for all students depending on part-time, graduate, and full time status. It was alleged that President Kelly Crawford and Court decided not to hear the case.

Peggy Sanchez v. ASNMSU

82 SCR 090

Peggy Sanchez delivered her book for sale at the ASNMSU Book Sale Sec 4-7-12 of the ASNMSU Book Sale Act. Sanchez did not receive the money from the sale book Sec 4-7-9 of the Book Sale Act. The Court dismissed case due to lack of evidence.

Ray Sherrock v. ASNMSU Senate

87 SCR 010

The ASNMSU Senate passed Bill #37 which would fund ARA Food Service for food and beverages after Senate meetings. The Bill appeared to violate Article III, Sec 9-3-4 of the ASNMSU Law Book. The Court held that Bill #37 violated the Law Book.

Phyllis H. Borgsma, ASNMSU Attorney General v. ASNMSU Senate

87 SCR 020

The AG filed a complaint against the ASNMSU Senate. The Complaint stated that the ASNMSU Senate illegally allocated \$450.00 to pay for food and beverages that were for the Senate. The Case was withdrawn.

ASNMSU v. Jeff Mobley; Senator

89 SCR 030

Senator Jeff Mobley was referred to the Supreme Court for impeachment after having 20 points for missing various Senate events. Resolution #10 gave power to the Supreme Court to regulate the Senate Point Penalty System. The Court held that Senator Mobley be impeached as due to missing points.

ASNMSU v. Paula Chavez; Senator

89 SCR 040

Senator Paula Chavez was referred to the ASNMSU Supreme Court for impeachment. The Court held that Senator Chavez keep her senate seat, but her senate points be reduced by 4, leaving her with 16.

Ann Tuchler and Brian Sharkey v. KNMS
89 SCR 041

Tuchler and Sharkley accused KNMS the radio station on campus for violating Sec 6-2-4-B-1 of the ASNMSU Law Book by posting a notice that declared the defendants were terminated and banned from the premises due to lack of professionalism, insubordination, and malicious behavior. There was no Court decision made.

ASNMSU v. Sandra Butticci; Senator
89 SCR 090

Senator Butticci was referred to the Supreme Court for impeachment for missing 20 points. Senator Butticci resigned her position as an Senator. The Court held that Ms. Butticci was not barred from being re-elected or re-appointed for the position of Senator.

Petition for Reconsideration; Jeff Cornelius; Senator
89 SCR 100

Senator Jeff Cornelius petitioned the Court to reconsider his being charged 6 points for missing fall retreat, which is required for Senators. The Court held that they could not reconsider point allotment for Senators.

ASNMSU v. Clint Schurr; Senator
89 SCR 101

Senator Clint Schurr was referred to the Supreme Court after having more than 20 points as per Sec 9-17-D of the Law Book. The Court held in favor of Senator Schurr's impeachment.

ASNMSU v. Christopher Lamb; Senator
89 SCR 110

Senator Christopher Lamb was referred to the Supreme Court after having more than 20 points due to lack of attendance. Case was dismissed, Mr. Lamb resigned from his Senate seat.

Hirschman v. Avery
90 SCR 110

It was questions whether ASNMSU President Thom Avery acted within his powers when he transferred money from the KRUX account to the ASNMSU surplus account. The Court held that the President did not act within his powers, and that funds be returned to the KRUX account.

ASNMSU v. Singleton
91 SCR 030

Senator Singleton was referred to the Supreme Court by the Arts and Science Council after missing enough meetings equally to 6 points. The Court held that the Council may not hear arguments prior to referring a senator to the Court. Also, Senator Singleton was not afforded right guaranteed to him by the 14th Amendment of the United States Constitution.

Wukelich v. ASNMSU

91 SCR 110

Keith Wukelich accused ASNMSU of violated the Separation of Church and State by making an appropriation of the Chi Alpha Christian Fellowship and NMSU. The case was dismissed.

Apodaca v. ASNMSU Election Board
92 SCR 030

Ferguson v. ASNMSU Election Board
92 SCR 031

Mike Ferguson challenged the constitutionality of the eligibility requirements to be a candidate for ASNMSU President. The Court held to uphold the decision of the Election Board to disqualify Mr. Ferguson.

Wilson v. ASNMSU Election Board
92 SCR 032

Wade Wilson stated that two members of the ASNMSU Election Board actively participated in and voted against punishment on a matter, these two members had a conflict of interest and had ill feelings toward him. There was no decision made.

Wilson v. ASNMSU Senate
92 SCR 041

Mr. Wilson is the Media manager for the Round Up. The ASNMSU Senate withheld funds from Mr. Wilson and the PUB Board due to perceived unprofessionalism. There was no decision made.

Williams v. Rice
93 SCR 100

Daniel Williams felt that ASNMSU President Bradley Rice he had over stepped his authority when he terminated Mr. Loren Hudman from employment. Mr. Williams wanted a non-ASNMSU member to advocate for him in front of the Court. The Court held that a non-ASNMSU member can advocate for a party, and that the AG can represent the President when ASNMSU is not a named party.

Hudman v. Rice
93 SCR 101

The ASNMSU President Rice was charged with improperly terminating the employment of Loren Hudman. The Court held that the President did overstep his power when he terminated the Comptroller.

Vasquez v. Election Board
94 SCR 040

Senator Eric Vasquez filed an appeal of a decision of the ASNMSU Election Board which claims that there were votes who were denied the chance to vote. The Court decided not to hear the case.

Vasquez V. Stephens
94 SCR 041

Eric Vasquez accused Mike Stephen of campaigning more than two weeks before the beginning of the elections. The Court decided not to hear this case.

Hicks; et al. v. ASNMSU Election Board
95 SCR 110

Byron Hicks filed a complaint to the Election Board, the Board chose to nullify the College of Engineering Election and schedule a new election. Candidates Byron Hicks and Keith Leich appealed the decision. The Court held that Election Board does not have the power to change the Election that is in the power of the Senate.

Buckley V. ASNMSU Election Board
96 SCR 040

Candidate Buckley was told at an informational meeting that he was disqualified as an official ASNMSU Presidential candidate, due to Sec 2-2-7-L of the Law Book. The Court held that Sec 2-2-7-L of the Law Book was unconstitutional and allowed and allowed too much discretion in the hands of the CEO.

Meisenhelder v. Aguirre; et al.
01 SCR 010

Johnson v. Hill
01 SCR 020

Senator Heather Johnson asked for a Writ of Mandamus to order President Jake Hill of ASNMSU to comply with the provision of Bills #117 and #119. The Court denied the Writ of Mandamus.

Johnson v. Hill
01 SCR 030

The ASNMSU President Jake Hill did not return vetoed legislation Bill #117 and #119 of the 44th Senate, as stated in the Order Granting Summary Judgment. The Senate claimed that this legislation was therefore enacted by default. The ASNMSU President claimed that his signature was sufficient action to constitute a veto, and petitioned the Court to hear the case. The Court did not hear the case

Torres v. ASNMSU
05 SCR 050

Esteban J. Torres was disqualified from running in the spring 2005 Presidential elections by the Elections Board, in reference to Chapter 2, Sec 5-7-D of the Law Book. The Court denied the appeal, the Senate Special Committee's must hear it first.

Burton v. LaFleur
06 SCR-010

The Senator Burton was accused to violated Sec 2-7-4 of the Law Book. Senator LaFleur complained that Senator Burton campaigned early; it was stated that it was not created by her but by her friends who used facebook.com. The Court held that candidates are responsible for such mass messages on facebook.com and that it is considered a violation.

Cheng v. Muldrow & Burton
06 SCR-020

Christopher Muldrow and Chisum Burton were elected as Arts and Sciences Senators, they were accused of violated Sections, 2-7-G, 2-7-J-4 and 2-7-J-4 of the Constitution. The Court ruled in favor of Cheng, asserting that Muldrow and Burton did violate the sections.

Muldrow and Shroulote v. Bradley

07 SCR-010

Christopher Muldrow and Charlene Shroulote filed a complaint against CEO Clay Bradley stating he violated Sec 2-5-5-D, Sec 2-5-7-B, Sec 2-2-8-K, Sec 4-1-2, Sec 2-5-7-C, Sec 2-2-3, Sec 2-4-3-B, and Sec 2-5-6-A of the Law Book. The Case was dismissed.

Muldrow v. The Round Up, The Round Up Media Managers, and Christine Brigance

07 SCR-020

Christopher Muldrow filed a complaint against eh Round Up newspaper, stating a article in the paper constituted libel and defamation against him; using Sec 6-3-5, Sec 6-3-7-B, and Sec 2-7-A of the Law Book. The Court dismissed the case without prejudice citing US Supreme Court Case *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964)

The Associated Students of New Mexico State University v. Aditya Chavali

07 SCR-030

A resolution passed by the ASNMSU Senate to remove Senator Adity Chavali as a graduate Senator. The Court held that Senator Chavali was guilty of the charges brought against him, he is to be impeached and prohibited from holding or seeking an ASNMSU office for four years.

Michael R. Huerta, et. al, v. The Associated Students of New Mexico State University

09 SCR 010

Associated Students of New Mexico State University (ASNMSU), v. Christopher Schoonover

09 SCR 012

Charlene Shroulote, v. ASNMSU Senate Special Committee on Elections

10 SCR 010

13. SENATE BILLS INDEX

55th SENATE

<u>BILL</u> #	<u>ACTION</u>	<u>SUBJECT</u>	<u>TOTAL</u> <u>APPROPRIATION</u>
1	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF SIGMA ALPHA EPSILON	\$
2	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF SERVICES	
3	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ACTIVITIES	
4	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PHI ALPHA THETA	
5	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF INTRAMURALS	
6	TABLED	INSERTING SECTION 8-4-2-M OF THE 2009-2010 ASNMSU LAWBOOK AND RENUMBERING SUBSEQUENT SECTIONS	
7	TABLED	AMENDING SECTION 8-4-2-L OF THE 2009-2010 ASNMSU LAWBOOK	
8	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF COMPTROLLER MAINTENANCE	
9	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF GOVERNMENTAL AFFAIRS	
10	WITHDRAWN	MAKING AN APPROPRIATION TO THE ACCOUNT OF American Institute of Aeronautics and Astronautics(AIAA)	
11	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PROFESSIONAL GOLF MANAGEMENT	
12	PASSED	AMENDING SECTION 3-22-2 OF THE 2009-2010 ASNMSU LAWBOOK	
13	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF American Institute of Aeronautics and Astronautics(AIAA)	
14	PASSED	AMENDING SECTION 3-21 OF THE 2009-2010 ASNMSU LAW BOOK	
15	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF SIGMA CHI	
16	TABLED	AMENDING SECTION 8-4-2-J AND RENUMBERING ALL SUBSEQUENT SECTIONS OF THE 2008-2009 ASNMSU LAW BOOK	
17	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF MPH SO	
18	WITHDRAWN	MAKING AN APPROPRIATION TO THE ACCOUNT OF ROTARACT CLUB	
19	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF COMMUNITY OUTREACH	
20	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF COMMUNITY OUTREACH	
21	WITHDRAWN	MAKING AN APPROPRIATION TO THE ACCOUNT OF ACTIVITIES	

22	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ACTIVITIES	
23	PASSED	AMENDING SECTION 3-12-4-O-4 OF THE 2009-2010 ASNMSU LAWBOOK	
24	PASSED	AMENDING CHAPTER 5 OF THE 2009-2010 ASNMSU LAW BOOK	
25	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ACTIVITIES	
26	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF MOLECULAR BIOLOGY GRADUATE STUDENT ORGANIZATION	
27	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF COMPUTER SCIENCE GRADUATE STUDENT ORGANIZATION	
28	PASSED	INSERTING SECTION 7-8-4-G AND RENUMBERING ALL SUBSEQUENT SECTIONS OF THE 2009-2010 ASNMSU LAW BOOK	
29	PASSED	INSERTING SECTION 3-26-4-M INTO THE 2009-2010 ASNMSU LAW BOOK	
30	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE ASTRONOMY GRADUATE STUDENT ORGANIZATION (GSO)	
31	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ROTARACT	
32	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF CAPOEIRA DE LAS CRUCES	
33	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NMSU BICYCLE RACING CLUB	
34	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE SOCIETY OF HISPANIC PROFESSIONAL ENGINEERS	
35	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE SOCIETY OF HISPANIC PROFESSIONAL ENGINEERS	
36	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PROFESSIONAL GOLF MANAGEMENT CLUB	
37	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE ASTRONOMY GRADUATE STUDENT ORGANIZATION (GSO)	
38	PASSED	AMENDING SECTION 7-9-4-A OF THE 2009-2010 ASNMSU LAW BOOK	
39	WITHDRAWN	AMENDING SECTION 8-4-2-L AND INSERTING SECTION 8-4-2-M OF THE 2009- 2010 ASNMSU LAW BOOK AND RENUMBERING ALL SUBSEQUENT SECTIONS	
40	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF GEOLOGY GRADUATE STUDENT ORGANIZATION	
41	TABLED	AMENDING SECTION 9-8-H OF THE 2009-2010 ASNMSU LAW BOOK	
42	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF INTRAMURALS	
43	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF GEOLOGY GRADUATE	

		STUDENT ORGANIZATION	
44	PASSED	AMENDING SECTION 3-19-2 OF THE 2009-2010 ASNMSU LAW BOOK	
45	PASSED	INSERTING APPENDIX A INTO THE 2009-2010 ASNMSU LAW BOOK	
46	PASSED	AMENDING CHAPTER TWO OF THE 2009-2010 ASNMSU LAW BOOK	
47	FAILED	1INSERTING SECTION 3-12-4-O-3-B INTO THE 2009-2010 ASNMSU LAW BOOK AND RENUMBERING 2SUBSEQUENT SECTIONS	
48	PASSED	AMENDING SECTION 3-10-2 OF THE 2009-2010 ASNMSU LAW BOOK	
49	TABLED	AMENDING SECTION 9-9-3-C-7-B OF THE 2009-2010 ASNMSU LAW BOOK	
50	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE COMMUNICATION STUDIES GRADUTE STUDENT ASSOCIATION	
51	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF CHINESE STUDENTS AND SCHOLARS ASSOCIATION	
52	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE ENGLISH GRADUATE STUDENT ORGANIZATION	
53	FAILED	1INSERTING SECTION 3-12-4-O-1-A INTO THE 2009-2010 ASNMSU LAW BOOK AND RENUMBERING 2SUBSEQUENT SECTIONS	
54	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE INSTITUTE OF ELECTRICAL AND ELECTRONIC ENGINEERS	
55	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF COMMUNITY OUTREACH	
56	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF BIOLOGY GRADUATE STUDENT ORGANIZATION	
57	PASSED	MAKING AN APPROPRIATION TO THE CARDINAL ACCOUNT	
58	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF DANCE SOCIETY (NMSU)	
59	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF DELTA SIGMA PI	
60	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ETA SIGMA GAMMA	
61	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE AMERICAN SOCIETY OF CIVIL ENGINEERS	
62	WITHDRAWN	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE INSTITUTE OF ELECTRICAL AND ELECTRONIC ENGINEERS	
63	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NEW MEXICO STATE UNIVERSITY ANIMAL AND RANGE SCIENCE JUDGING TEAM	
64	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF MASTERS OF PUBLIC HEALTH	

		STUDENT ORGANIZATION	
65	PASSED	INSERTING SECTION 8-4-2-M OF THE 2009-2010 ASNMSU LAW BOOK AND RENUMBERING ALL SUBSEQUENT SECTIONS	
66	PASSED	AMENDING SECTION 8-4-2-L OF THE 2009-2010 ASNMSU LAW BOOK	
67	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NATIONAL STUDENT SPEECH-LANGUAGE HEARING ASSOCIATION (NSSLHA)	
68	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PSYCHOLOGY GRADUATE STUDENT ORGANIZATION	
69	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF WILDLIFE SOCIETY	
70	PASSED	CREATING AN ASNMSU CODE OF ETHICS IN THE 2009-2010 ASNMSU LAWBOOK	
71	PASSED	AMENDING SECTION 3-32-2 OF THE ASNMSU 2009-2010 LAW BOOK	
72	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE ASSOCIATED GENERAL CONTRACTORS	
73	FAILED	CREATING THE BOARD OF ETHICS AND DEFINING ITS POWERS AND DUTIES IN THE 2009-2010 ASNMSU LAWBOOK	
74	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NMSU BICYCLE RACING CLUB	
75	PASSED	AMENDING SECTION 7-12-3 OF THE 2009-2010 ASNMSU LAW BOOK	
76	PASSED	AMENDING SECTION 7-12-5 OF THE 2009-2010 ASNMSU LAW BOOK	
77	PASSED	AMENDING SECTION 8-12-2-B OF THE 2009-2010 ASNMSU LAW BOOK	
78	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ENGINEERS WITHOUT BORDERS	
79	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF EXECUTIVE	
80	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NEW MEXICO STATE UNIVERSITY'S RACE CLUB	
81	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF BETA ALPHA PSI	
82	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF CRU	
83	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ENGLISH GRADUATE STUDENT ORGANIZATION	
84	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF FISHERIES AND WILDLIFE SCIENCE GRADUATE STUDENT ORGANIZATION	
85	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF KRUX	

86	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ACTIVITIES	
87	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NEW MEXICO STATE UNIVERSITY SUNDANCERS	
88	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NEW MEXICO STATE UNIVERSITY SUNDANCERS	
89	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NEW MEXICO STATE UNIVERSITY ANIMAL AND RANGE SCIENCE JUDGING TEAM	
90	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF FISH AND WILDLIFE SCIENCE GRADUATE STUDENT ORGANIZATION	
91	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PHI ALPHA THETA	
92	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE ASTRONOMY GRADUATE STUDENT ORGANIZATION (GSO)	
93	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE ASTRONOMY GRADUATE STUDENT ORGANIZATION (GSO)	
94	WITHDRAWN	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE BIOLOGY GRADUATE STUDENT ORGANIZATION (GSO)	
95	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ALPHA PHI SIGMA	
96	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF DANCE SOCIETY (NMSU)	
97	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF MATHeMATICAL GRADUATE STUDENT ORGANIZATION	
98	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ENGLISH GSO	
99	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NMSU MODEL UNITED NATIONS	
100	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF SIGMA CHI FRATERNITY	
101	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE AMERICAN INSTITUTE OF AERONAUTICS AND ASTRONAUTICS	
102	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE COMPTROLLER	
103	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NMSU RACE CLUB	
104	PASSED	AMENDING SECTION 2-6-1 OF THE 2008-2009 ASNMSU LAWBOOK	
105	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF CRU	
106	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ENGINEERS WITHOUT BORDERS	

107	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE NEW MEXICO STATE NATIONAL AGRI-MARKETING ASSOCIATION ORGANIZATION	
108	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NEWMAN CATHOLIC STUDENTS	
109	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PI TAU SIGMA	
110	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE WILDLIFE SOCIETY	
111	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NEW MEXICO STATE UNIVERSITY ULTIMATE FRISBEE TEAM	
112	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE WESLEY FOUNDATION	
113	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF CHI EPSILON HONOR SOCIETY	
114	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE AMERICAN SOCIETY OF MECHANICAL ENGINEERS	
115	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NMSU BICYCLE RACING CLUB	
116	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF CRU	
117	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF CHI OMEGA FRATERNITY	
118	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NMSU CHOIRS	
119	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF DELTA ZETA	
120	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NMSU RACE CLUB	
121	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NMSU ULTIMATE FRISBEE TEAM	
122	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF COLLEGE OF EXTENDED LEARNING COLLEGE COUNCIL	
123	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ENGINEERS WITHOUT BORDERS	
124	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE ORGANIZATION OF AGGIE STUDENTS INSPIRING SUSTAINABILITY	
125	PASSED	INSERTING SECTION 3-32 OF THE 2009-2010 ASNMSU LAWBOOK AND RENUMBERING ALL SUBSEQUENT SECTIONS	
126	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NEW MEXICO STATE UNIVERSITY ANIMAL AND RANGE SCIENCE JUDGING TEAM	

127	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF STUDENT PSYCHOLOGY GRADUATE STUDENT ORGANIZATION	
128	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE AGGIE DANCESPORT CLUB	
129	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE SENATE	
130	FAILED	ADDING SECTION 2-6-2-F TO THE 2009-2010 ASNMSU LAWBOOK	
131	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF MEDIA RELATIONS	
132	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF AGRICULTURE & HOME ECONOMICS COUNCIL	
133	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE ASSOCIATION OF INFORMATION TECHNOLOGY PROFESSIONALS	
134	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF AMERICAN INDIAN SCIENCE AND ENGINEERING SOCIETY (AISES)	
135	FAILED	INSERTING SECTION 4-1-7 INTO THE 2009-2010 ASNMSU LAWBOOK	
136	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE NEW MEXICO STATE NATIONAL AGRI-MARKETING ASSOCIATION (NAMA)	
137	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF STUDENT SOCIAL WORK ASSOCIATION (SSWA)	
138	TABLED	AMMENDING SECTION 9-6 INTO THE 2009-2010 ASNMSU LAWBOOK	
139	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF SERVICES	
140	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE POWER ENGINEERING GRADUATE STUDENT ORGANIZATION	
141	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF MUSLIM STUDENT ASSOCIATION	
142	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NEW MEXICO STATE UNIVERSITY HUMAN NUTRITION & FOOD SCIENCE ASSOCIATION	
143	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF INTER-FRATERNITY COUNCIL	
144	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PANHELLENIC COUNCIL	
145	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PHI ALPHA THETA	
146	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE BIOLOGY GSO	
147	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE BIOLOGY GSO	

148	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE GOVERNMENT GRADUATE STUDENT ORGANIZATION	
149	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ENGLISH GSO	
150	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PSYCHOLOGY GSO	
151	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF MINORITIES IN AGRICULTURE NATURAL RESOURCES AND RELATED SCIENCES	
152	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF KAPPA SIGMA FRATERNITY	
153	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NMSU RACE CLUB	
154	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE BATAAN SOCIETY	
155	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE BATAAN SOCIETY	
156	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE ASSOCIATION OF ATHLETIC TRAINING STUDENTS	
157	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE ASSOCIATION OF ATHLETIC TRAINING STUDENTS	
158	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE ASSOCIATION OF LATINO PROFESSIONALS IN FINANCE AND ACCOUNTING	
159	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF AMERICAN SOCIETY OF CIVIL ENGINEERS	
160	PASSED	DELETING SECTION 3-27 OF THE 2009-2010 ASNMSU LAWBOOK	
161	PASSED	AMENDING SECTION 8-4-2-F AND 8-4-2-G OF THE 2009-2010 ASNMSU LAWBOOK	
162	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE DANCESPORT	
163	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF COUNSELING AND EDUCATIONAL PSYCHOLOGY DOCTORAL STUDENT ASSOCIATION	
164	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ENVIRONMENTAL SCIENCE STUDENT ORGANIZATION (ESSO)	
165	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NMSU ULTIMATE FRISBEE TEAM	
166	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF GEOLOGY GRADUATE STUDENT ORGANIZATION	
167	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF GEOLOGY GRADUATE STUDENT ORGANIZATION	

168	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF GRADUATE STUDENT COUNCIL	552.00
169	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF GRADUATE STUDENT COUNCIL	664.00
170	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NMSU RACE CLUB	
171	PASSED	AMENDING SECTION 8-4-2 OF THE 2009-2010 ASNMSU LAWBOOK	
172	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NATIONAL STUDENT SPEECH LANGUAGE HEARING ASSOCIATION	
173	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PSYCHOLOGY GSO	577.00
174	PASSED	AMENDING SECTION 3-34-5 OF THE 2009-2010 ASNMSU LAWBOOK	
175	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PHI ALPHA THETA	1,851.00
176	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NEW MEXICO STATE UNIVERSITY STUDENT NURSES ASSOCIATION	
177	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF SOCIOLOGY GSO	2,066.00
178	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE BIOLOGY GSO	
179	PASSED	INSERTING SECTION 3-21-4-E INTO THE 2009-2010 ASNMSU LAWBOOK	
180	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PANHELLENIC COUNCIL	1,470.00
181	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF SIGMA ALPHA EPSILON	2,034.00
182	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PI KAPPA PHI	
183	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PI KAPPA PHI	
184	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF ZETA TAU ALPHA	2,000.00
185	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NEPALESE STUDENT ASSOCIATION (NeSA)	348.00
186	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NEPALESE STUDENT ASSOCIATION	643.00
187	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF AMERICAN SOCIETY OF CIVIL ENGINEERS	13,738.00
188	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE BIOLOGY GSO	882.00
189	PASSED	MAKING AN APPROPRIATION TO THE ASNMSU FISCAL YEAR BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2011	1,256,254.00
190	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF SERVICES	12,000.00

191	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF CRU	18,557.00
192	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF INSTITUTE OF INDUSTRIAL ENGINEERS	
193	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF NEPALESE STUDENT ASSOCIATION	459.00
194	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PHYSICS GRADUATE STUDENT ORGANIZATION	
195	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PHYSICS GRADUATE STUDENT ORGANIZATION	
196	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PHYSICS GRADUATE STUDENT ORGANIZATION	738.00
197	PASSED	INSERTING SECTION 3-23-4-D INTO THE 2009-2010 ASNMSU LAWBOOK	
198	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PSYCHOLOGY GSO	294.00
199	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF PSYCHOLOGY GSO	825.00
200	WITHDRAWN	MAKING AN APPROPRIATION TO THE ACCOUNT NMSU WOMEN'S RUGBY TEAM (LADY CHILES).	
201	FAILED	MAKING AN APPROPRIATION TO THE ACCOUNT OF SENATE	
202	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF SERVICES	73,140.00
203	WITHDRAWN	MAKING AN APPROPRIATION TO THE ACCOUNT OF WORLD STUDENT ALLIANCES	
204	WITHDRAWN	MAKING AN APPROPRIATION TO THE ACCOUNT OF WORLD STUDENT ALLIANCES	
205	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF LAMBDA CHI ALPHA FRATERNITY	1,162.00
206	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF WORLD STUDENT ALLIANCE	2,670.00
207	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF WORLD STUDENT ALLIANCE	2,090.00
208	TABLED	MAKING AN APPROPRIATION TO THE ACCOUNT OF THE SOCIETY OF AUTOMOTIVE ENGINEERS	
209	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF BIOLOGY GRADUATE STUDENT ORGANIZATION	1,801.00
210	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF AGGIES FOR CHRIST	12,519.00
211	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF AGGIES FOR CHRIST	4,773.00
212	PASSED	MAKING AN APPROPRIATION TO THE ACCOUNT OF CHI OMEGA FRATERNITY	2,877.00

(2197)	Fringe Rate Student		12,716
(2310)	Out of State Travel		
(3100)	Office Supplies		
(3200)	Non Office Supplies		
(3700)	Food Products		
(3710)	Business Meals		
(5020)	Postage		
(5200)	Printing and Reproduction		
(5300)	Rental		
(6000)	Membership and Dues		
(6100)	Professional/Contractual Services		
	1	Corbett Programming	\$25,000
	2	Homecoming	\$43,000
	3	Special Projects	\$50,000
	4	Diversity Sponsorship	\$60,000

Total

Community Outreach

(1810)	1	Student Regular		
	2	Assistant Director	451.58x10	
(2197)		Fringe Rate Student		
(2210)		In State travel		
(3100)		Office Supplies		
(3200)		Non Office Supplies		
(3300)		Print and Photo Supplies		
(3700)		Food Products		
(3801)		Misc Supplies Procurement Card		
(5020)		Postage		
(5081)		Publicity and Public Relations		
(5200)		Printing and Reproduction		
(5850)		PPD Services and OFS		

(6001) License, Fees, Taxes
(6020) Local Seminar
(6100) Professional Contractual Services
(6160) Entertainer Fee
(6161) Catering
(6232) CCSU Event Expense

Total

Comptroller

(1410) Regular Professional
(1810) Student Regular
1 Assistant Comptroller 451.58x10
(2090) Fringe Rate Regular
(2197) Fringe Rate Student
(2310) Out of State Travel
(3100) Office Supplies
(3332) Print/Copy Machine Supplies
(3700) Food Products
(5020) Postage
(5032) Long Distance/DDD Calls
(5200) Printing and Reproduction
(5310) Lease Land & Building
(5420) Maintenance Contracts
(6001) Licenses, Fees, and Taxes
(6600) Computer Services/ICT
Secretarial
(1500) Revenue -\$2,000
(3100) Office Supplies \$990
(5200) Printing and Reproduction \$10
(3300) Print Photo Supplies \$900

(5400)	Repair and Maintenance Services	\$100
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Total

Elections Board

(1810)	Student Regular	Deputy Chief Elections Officer Stipend	750 x 2
(2197)	Fringe Rate Student		
(3100)	Office Supplies		
(3700)	Food Products		
(5080)	Promotional Items		
(5200)	Printing and Reproduction		
(6100)	Professional Contractual Services		

Total

Executive

(1310)	Administrative Support		
(1810)	Student Regular		
		1 President	878.94x12 10547
		1 Comptroller	804.38x12 9653
		1 Chief of Staff	698.54x12 8382
		1 Activities	698.54x12 8382
		1 Governmental Affairs	663.28x12 7959
		1 Intramurals	663.28x12 7959
		1 Media Relations	663.28x12 7959
		1 Public Relations	663.28x12 7959
		1 Services	663.28x12 7959
		1 Special Events	663.28x12 7959
		1 Comm. Outreach	663.27x11 7296
		1 Chief Elections Officer	564.48x11 6209
		1 Attorney General	522.14x10 5221
		2 Assistant Exec. Sec (2)	8x20x52x2 16640
(2191)	Fringe Rate Regular		
(2197)	Fringe Rate Student		
(2210)	In-state Travel		

(2211)	In-state Conference Fee
(2310)	Out of state travel
(3100)	Office Supplies
(3110)	Computer Supplies
(3200)	Non Office Supplies
(3700)	Food Products
(3710)	Business Meals
(5020)	Postage
(5031)	Equipment Charges
(5032)	Long Distance/DDD Calls
(5034)	Voicemail
(5037)	Telephone/Line Charges
(5044)	Alarm Access Fee
(5053)	Voice Installation
(5054)	Data Installation
(5200)	Printing and Reproduction
(5208)	Photo/Composite
(6001)	Licenses, Fees, and Taxes
(6010)	Membership Dues
(6020)	Local Seminar
(6620)	ICT Services

Total

Governmental Affairs

(1810)	Student Regular	1	Assistant Director	451.58 x10
(2197)	Fringe Rate Student			
(2210)	In State travel			
(3100)	Office Supplies			

(3200) Non Office Supplies
 (3710) Business Meals
 (5020) Postage
 (5200) Printing and Reproduction
 (6000) Dues, Fees, Taxes
 (6010) ASNM Dues
 (6020) Local Seminar
 Special Projects

Total

Krux

(810) Revenue

(1810) Student Regular

1	Creative Director	725 x 12	8700
1	UnderWriting Manager	600 x 12	7200
1	Programming Director	600 x 12	7200
1	Chief Engineer	600 x 12	7200
1	Business Manager	450 x 12	5400
1	Production Director	450 x 12	7200

(2197) Fringe Rate Student

(2310) Out of State Travel

(3100) Office Supplies

(3332) Copy Machine Toner

(4010) Furniture and Equipment

(4020) Small Tools LT 500

(5020) Postage

(5031) Equipment Charges

(5032) Long Distance/DDD Calls

(5034) Voicemail

(5037) Telephone/Lince Charges

(5043)	Alarm Maintenance
(5044)	Alarm Access Fee
(5054)	Data Installation
(5081)	Publicity and Public Relations
(5200)	Printing and Reproduction
(5082)	Promotional Printing
(5850)	PPD Services and OFS
(6010)	Membership Dues
(6610)	Computer Software
(6620)	ICT Services

Total

Intramurals

(1810)	Student Regular	1	Assistant Director	451.58 x10
(2197)	Fringe Rate Student			
(2310)	Out of State Travel			
(3100)	Office Supplies			
(3200)	Non Office Supplies			
(3400)	Medical Supplies			
(3501)	Athletic Supplies			
(4030)	Athletic Recreation Equipment			
(4401)	Repair and Maintenance			
(5032)	Long Distance/ DDD Calls			
(5037)	Telephone/Line Charges			
(5044)	Alarm Access Fee			
(5054)	Data Installation			
(5081)	Publicity and Public Relations			
(5200)	Printing and Reproduction			

(5400) Repairs and Maintenance

(5850) OFS Service

Total

Media Relations

(1410) Regular Professional Salary

(1810) Student Regular

1	Krux General Manager	832.62x12	9991.44
1	RoundUp Editor In Chief	832.62x12	9991.44
1	Media Relations Assistant	500.00x2	1000

(2190) Fringe Rate Regular

(2197) Fringe Rate Student

(2310) Out-of-State Travel

(3100) Office Supplies

(3300) Print Supplies

(3700) Food Products

(5020) Postage

(5031) Equipment Charges

(5034) Voicemail

(5037) Telephone/Line Charges

(5200) Printing and Reproduction

(6001) Dues Fees and Taxes

(6010) Membership Dues

(6610) Computer Software

Total

Public Relations

(1810) Student Regular

1	Assistant Director	451.58 x 10
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(2197) Fringe Rate Student

(3100)	Office Supplies
(3110)	Computer Supplies
(3200)	Non Office Supplies
(3300)	Print/ Photo Supplies
(3700)	Food Products
(5020)	Postage
(5054)	Data Installation
(5070)	Advertising
(5081)	Publicity/ Public Relations
(5200)	Printing and Reproduction
(6100)	Prof/Contractual Services
(6620)	ICT Services/ Computer Services

Total

Roundup

(810)	Income					
(1810)	Student Regular					
		1	Director of Marketing	7.50x15x40	4500	
		1	Ad Manager	2% of sales	3,300	
		1	Asst. Ad Manager	1% of sales	1650	
		1	Ad Commissions	10% of sales	16500	
		1	Graphic Designer	7.50x20x36	5400	
		1	Director of Finance & Circ	7.50x15x46	5175	
		1	Circulation Specialist	60/del x 31	1860	
		1	Managing Editor	7.5x15x40	4500	
		3	Executive News Producers	7.5x16x36x3	12960	
		1	Online Articles	\$10/A x 700	7000	
		1	Print Articles	\$15/A x 500	6000	1500
		1	Staff Writing Stipends	20x34x20	13600	-1360
		2	Photography	7.5x15x36x2	8100	
		2	Aministartive Assistant	7.5x20x36x2	10800	
		1	Design Specialist	7.5x20x36	5400	
(2197)	Fringe Rate Students					
(2210)	In-State Travel					

(2310)	Out-Of-State Travel
(3100)	Office Supplies
(3110)	Computer Supplies
(3210)	Electronic Supplies
(3701)	Drinking Water
(3710)	Business Meals
(3901)	Publications and Films
(4010)	Office Furniture and Equipment
(4431)	Computer R&M Parts
(5020)	Postage
(5031)	Equipment Charges
(5032)	Long Distance/DDD Calls
(5037)	Telephone Line Charges
(5044)	Alarm Access fee
(5053)	Voice Installation
(5054)	Data Installation
(5081)	Publicity and Public Relations
(5200)	Printing and Reproduction
(5420)	Maintenance Contract
(6100)	Professional Contracted Services
(6610)	Computer Software
(6620)	ICT Services
(6503)	Wireless Data Card Services

Total

Senate

(1810)	Student Regular	1	Senate Clerk	698.54x11	7689
(2197)	Fringe Rate Student				

(2200) Travel
 (3100) Office Supplies
 (3700) Food Products
 (5200) Printing and Reproduction

Total

Services

(1810)	Student Regular			
		4	Escorts	7.50x80x10 24,000
		2	Dispatchers	7.50x80x10 12,000
		1	Assistant Director	451.58x10 4,516
(2197)	Fringe Rate Student			
(3100)	Office Supplies			
(3200)	Non Office Supplies			
(3700)	Food Products			
(3710)	Business Meals			
(3900)	Publications			
(5020)	Postage			
(5200)	Printing and Reproduction			
(5400)	Repair and Maintenance			
(6001)	Licenses, Fees, and Taxes			
(6100)	Professional/Contractual Services			
(6620)	ICT Services			

Total

Special Events

(1810)	Student Regular			
		1	Publicity Chair	451.27x10
(2197)	Fringe Rate Student			
(2210)	In State Travel			

(2310)	Out of State Travel
(3100)	Office Supplies
(3200)	Non Office Supplies
(3710)	Business Meals
(5020)	Postage
(5031)	Equipment Charges
	Long Distance/ DDD
(5032)	Callls
(5034)	Voicemail
(5037)	Telephone/ Line Charges
(5044)	Alarm Access Fee
(5054)	Data Installation
(5063)	Data Materials
(5070)	Advertising
(5200)	Printing and Reproduction
(5300)	Rental
(5400)	Repair and Maintenance
(6010)	Membership Dues
(6100)	Prof/Contractual Services

Total

Student Legal Aid Program

(1410)	Regular Professional
(2090)	Fringe Rate Regular
(2210)	In State Travel
(2310)	Out of State Travel
(3100)	Office Supplies
(3700)	Food Supplies
(3900)	Publications and Films

(5020)	Postage
(5040)	Long Distance/DDD calls
(5080)	Publicity
(5200)	Printing and Reproduction
(6010)	Membership Dues

Total

Supreme Court

(1810)	Student Regular			
		1	Chief Justice	705.6x12
		4	Associate Justices	282.4x10
		1	Court Clerk	211.68x10
				8467.2
				11,296
				2,117
(2197)	Fringe Rate Student			
(2310)	Out of State Travel			
(3100)	Office Supplies			
(3700)	Food Products			
(3900)	Printing and Film Production			
(4001)	Keys			
(5032)	Long Distance/DDD Calls			
(5020)	Postage			
(5200)	Printing and Reproduction			
(6620)	ICT Services			

Total

Vice President

(1810)	Student Regular			
		1	Vice President	804.38x12
(2197)	Fringe Rate Student			
(2210)	In State Travel			
(3100)	Office Supplies			

(3700)	Food Products
(5020)	Postage
(5200)	Printing and Reproduction
(6020)	Local Seminar
(6100)	Professional Contractual

Total

College Councils

of Clubs

A. Agriculture and Home Economics	23
B. Arts and Sciences	18
C. Business Administration and Economics	26
D. Education	18
E. Engineering	23
F. Extended Learning	3
G. Health and Social Services	7
Total Clubs	118
H. Graduate Council	24
G.R.A.S.	

& Total Dollars

Total

Grand Total

MAGIC NUMBER

DIFFERENCE

14. SENATE RESOLUTION INDEX

RES. #	ACTION	SUBJECT
1	PASSED	CONCERNING AMENDMENTS TO CHAPTER TWO OF THE 2009-2010 ASNMSU LAWBOOK
2	PASSED	CONCERNING AMENDMENTS TO CHAPTER FIVE OF THE 2009-2010 ASNMSU LAWBOOK
3	PASSED	CONCERNING AN AMENDMENT TO SECTION 10-IMPORTANT DRAFTING NOTES (Part 4) OF THE 2009-2010 ASNMSU LAW BOOK
4	PASSED	CONCERNING THE IMPEACHMENT OF THE COLLEGE OF EXTENDED LEARNING SENATOR CHRISTOPHER PAUL SCHOONOVER
5	PASSED	CONCERNING THE IMPEACHMENT OF THE COLLEGE OF EXTENDED LEARNING SENATOR WILLIAM ASH
6	PASSED	CONCERNING THE FORMATION OF A TEMPORARY COMMITTEE TO ORGANIZE THE ASNMSU CENTENNIAL ANNIVERSARY
7	FAILED	AMENDING SECTION 9-9-1-D OF THE 2009-2010 ASNMSU LAW BOOK
8	FAILED	AMENDING SECTION 9-8-C OF THE 2009-2010 ASNMSU LAW BOOK
9	PASSED	CONCERNING THE MOVE OF THE STUDY ABROAD PROGRAMS AND EXCHANGE VISITOR SERVICES TO ANDERSON HALL
10	PASSED	CONCERNING THE MEDIA CONTINGENCY REPAYMENT TO THE ASNMSU SURPLUS ACCOUNT
11	PASSED	CONCERNING A STUDENT TECHNOLOGY FEE INCREASE FOR THE STUDENTS OF NEW MEXICO STATE UNIVERSITY FOR 2010-2011
12	PASSED	CONCERNING SUPPORT OF THE COLLEGIATE HOUSING AND INFRASTRUCTURE ACT (H.R. 1547/S. 781)
13	FAILED	CONCERNING GPA REQUIREMENTS FOR ASNMSU SENATORS. AMMENDING CHAPTER 9-8 OF THE 2009-2010 ASNMSU LAWBOOK
14	TABLED	CONCERNING THE IMPEACHMENT OF THE CHIEF ELECTIONS OFFICER MATTHEW NORDAKER
15	FAILED	CONCERNING THE IMPEACHMENT OF THE COLLEGE OF AGRICULTURE, CONSUMER AND ENVIRONMENTAL SCIENCES SENATOR ARLAN VAN DAM
16	PASSED	CONCERNING THE ADDITION OF SECTION 9-17 TO THE 2009-2010 ASNMSU LAW BOOK
17	PASSED	CONCERNING AN AMENDMENT TO SECTION 9-5-B AND RENUMBERING ALL SUBSEQUENT SECTIONS OF THE 2009-2010 ASNMSU LAW BOOK
18	WITHDRAWN	CONCERNING AN AMENDMENT TO SECTION 9-6 OF THE 2009-2010 ASNMSU LAW BOOK

15. SENATE MEMORIALS

MEMORIAL #	IN RECOGNITION OF
1	IN RECOGNITION OF EXECUTIVE VICE PRESIDENT AND PROVOST DR. WADED CRUZADO
2	IN RECOGNITION OF SENATOR OLIVIA SEPPI
3	IN RECOGNITION OF SENATOR TREY WILLIAMS
4	IN RECOGNITION OF SENATOR RACHEL HENDERSON
5	IN RECOGNITION OF SENATOR CHAD BURNS
6	IN RECOGNITION OF SENATOR ELIZABETH MOORE
7	IN RECOGNITION OF SENATOR NOEL MARTINEZ
8	IN RECOGNITION OF SENATOR MARTIN RIVERO
9	IN RECOGNITION OF FORMER SENATOR WILLIAM ASH
10	IN RECOGNITION OF FORMER SENATOR CHRISTOPHER SCHOONOVER
11	IN RECOGNITION OF SENATOR BRENTON LINDSEY
12	IN RECOGNITION OF SENATOR BREEANA SYLVAS
13	IN RECOGNITION OF SENATOR TIFFANY PHILLIPS

APPENDIX A

1A. GUIDELINES OF THE PROCEDURES OF THE SUPREME COURT

General Provisions

1A-1. SCOPE AND TITLE

- A. Scope. These guidelines shall govern the procedure in all ASNMSU courts.
- B. Construction. These guidelines shall detail the just and speedy determination of every Court action. Membership in the ASNMSU does not exempt anyone from NMSU's Code of Conduct, but rather imposes the additional obligation to abide by all University regulations. A member of ASNMSU is, therefore, subject to two sources of authority, ASNMSU authority and University authority.
- C. Relevance. These guidelines are provided as a reference, and are provided with the warning that the Court's rules and procedures may be altered to accommodate for unforeseen circumstances.
- D. Title. These rules shall be known as the Rules of Procedure for the ASNMSU Courts.
- E. Authorities. When determining judgments the Court will consider ASNMSU statutes and ASNMSU Supreme Court precedents. The statutes of the state of New Mexico and rulings of the courts of New Mexico, as well as those of United States federal courts, will also be persuasive authority.

1A-2. CONDUCT OF COURT PROCEEDINGS

- A. Judicial proceedings. The purpose of judicial proceedings is to ascertain the truth. Such proceedings should be conducted with dignity and decorum, in a manner conducive to undisturbed deliberation in an atmosphere that bespeaks the responsibilities of those who are charged with the administration of justice.
- B. The taking of photographs in the courtroom during the progress of judicial proceedings or during any recess thereof and the use of sound recording equipment of such proceedings introduce extraneous influences which tend to have a detrimental psychological effect on the parties involved; they shall not be done or permitted.

1A-3. OPEN MEETINGS POLICY

The ASNMSU Supreme Court is exempt from the ASNMSU Open Meetings Act during deliberation, conferences regarding matters before the Court, and voting. However, the final decision must be released upon conclusion of a case.

1A-4 TYPES OF CASES

The Supreme Court shall here both civil trials and appeals.

- A. Civil Trials. Civil trials shall consist of one party, the plaintiff, filing a complaint against another party, the defendant. Both sides will be given the chance to argue their points, present witnesses and evidence, and cross-examine the opposing side's witnesses. The procedures of a municipal court should be used as a model for this type of procedure. A civil action that is decided in a lower court or tribunal may be appealed to the Supreme Court if the matter is an issue of law.
- B. Appellate Hearings. An appellate hearing shall consist of one party, the petitioner, requesting the Court to review the decision of a lower court or tribunal, which has been decided in favor of the other party, the respondent. Both sides shall present a brief of their argument to the Court. Both sides will then be given a brief period to make an oral argument before the Court, and answer the Court's questions. Witnesses, evidence and exhibits will not be permitted.

1. Original Jurisdiction. In cases of original jurisdiction, a member of the ASNMSU may request that the Supreme Court hear their case first, before going before a lower court or tribunal, if the Court is required to take their case as a matter of law. If this is the case, the case will be heard using the procedure of an appellate hearing.

1A-5. RULES AND FORMS

- A. Rules. The ASNMSU Supreme Court or division thereof may from time to time make and amend rules governing its practice not inconsistent with law. This index is to be treated as a guide to the Supreme Courts proceedings. The Court may, if necessary, deviate from the procedures outlined in this index, to accommodate for unanticipated situations. Proposed rules or amendments shall be submitted to the Chief Justice and shall not become effective until approved by the Chief Justice.
- B. Forms. Forms used in the ASNMSU courts shall be in the form approved by the Supreme Court.

1A-5-1. TIME

Computation. The day of the act, event, or default from which the designated period of time begins to run shall not be included in computing any period of time prescribed or allowed by these rules. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday or a legal holiday. "Day" shall be defined as a business day, excluding federal and University holidays. The Court may hold proceedings over the spring, summer or winter breaks, if the parties involved are available. If parties are not available, a proceeding may be postponed until the University resumes classes.

1A-5-2. DESIGNATION OF JUSTICES

A Special Master may be designated by the Chief Justice from the pool of Associate Justices. The Special master shall act as the judge of a lower court, and shall follow the procedures outlined in this appendix. The Chief Justice shall then designate two Associate Justices to serve with the Chief on the appellate panel. The remaining Justice shall serve as an alternate for the appellate panel in which he or she may sit to hear the case but have no vote, unless called to fill a vacancy on the panel.

1A-5-3. RECUSAL; EXCUSAL; DISABILITY

- A. Procedure for recusal. Whenever a Justice or Special Master before whom an action is pending is disqualified by the terms of the ASNMSU Constitution or the Code of Judicial Conduct, he or she shall recuse himself or herself from sitting in the action by giving notice to all parties. Upon recusal, another justice or Special Master shall be designated to conduct any further proceedings in the action in the manner provided by 5-5-5 of these rules for cases of disqualification.
- B. Failure to recues. If a party believes that one or more of the conditions in Paragraph A of this rule exists, he or she may request to disqualify the Justice or Special Master by filing a notice of excusal, naming the condition or conditions, and the Justice shall thereupon proceed in accordance with 5-5-5 of these rules. If in any case of disqualification the Justice or Special Master fails or refuses to recognize the disqualification, any party may certify that fact by letter to the Supreme Court of the ASNMSU. The Chief Justice will have the final say as to whether a Justice or Special Master should be excused. If it is the Chief Justice that is in question, then the senior Associate Justice shall have the final say.
- C. Disability of Justice. If by reason of absence, death, sickness or other cause; the Justice before whom the case is pending is unable or unavailable to perform his or her duties, either party may certify that fact by letter to the Supreme Court of the ASNMSU. The Supreme Court shall thereupon designate another Justice to preside over the cause.
- D. Subsequent proceedings. After the designation, the excused or recused Justice shall within one (1) day send to the designated Justice a copy of all proceedings in the action.

1A-5-4. PRO SE AND REPRESENTATIVE COUNSEL APPEARANCE

- A. Pro se appearance by an individual. A party to any court action may appear, prosecute, defend and appeal any proceeding themselves.
- B. Counsel appearance. A party may appear, prosecute, defend and appeal any proceeding by representative counsel. All representative counsel must be a member of ASNMSU. Whenever counsel undertakes to represent a party, the counsel shall file a written entry of appearance showing the counsel's name, address and telephone number. For the purpose of this rule, the filing of any pleading signed by counsel constitutes an entry of appearance. If an entry of appearance is made by the filing of a pleading on behalf of a party, the counsel shall set forth on the pleading the counsel's address and telephone number.
- C. Other authorized appearances. A party to any court action may appear, prosecute, defend, and appeal any proceeding:
 - 1. If the ASNMSU is a party in a case, the Attorney General must represent the ASNMSU. If the Attorney General has a personal or pecuniary interest in the case, the ASNMSU President is responsible for appointing counsel to represent the ASNMSU.
 - 2. If two entities within the ASNMSU are opposing parties in a case, each entity is responsible for obtaining its' own counsel.
- D. The ASNMSU is under no legal obligation to provide counsel, except whereas provided for by law.

1A-5-5. RECORD

As used in these rules, "record" shall mean:

- A. Transcript. Stenographic notes which must be transcribed when a "record" is filed;
- B. Stipulated facts. A statement of facts and proceedings stipulated to by the parties for purposes of review; or
- C. Other recording. Any mechanical, electrical or other recording, including a videotape recording when such method of mechanical, electrical or other recording has been approved by the Court. No broadcast or reproduction of any mechanical, electrical or other recording shall be made for any person other than an official of the Court without the express written consent of the ASNMSU_Supreme Court.

1A-5-6. 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. 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 five hundred dollars (\$500.00).

1A-5-7. 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;
 - 1. 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 freezing the accounts of an ASNMSU Base Program or a recognized NMSU student organization or program funded through the ASNMSU;
- C. Issue a judgment requiring that an individual or individuals do no more than fifty (50) hours of NMSU community service which shall not be applied to community service requirements for appropriation purposes;
- D. Issue a judgment fining an organization or an ASNMSU Base Program a maximum of fifty-thousand dollars (\$50,000.00) or issue a judgment fining an organization or an ASNMSU Base Program to no more than one hundred (100) hours of NMSU community service which shall not be applied to community service requirements for appropriation purposes:

1A-5-8. INCOME

Funds resulting from fines imposed on a party are treated as revenue as per the ASNMSU Revenue Disposition Act.

1A-6. COMMENCEMENT OF CIVIL ACTION

1A-6-1. COMMENCEMENT OF ACTION

Definition. Civil action shall be defined as a judicial proceeding brought by one party against another; one party prosecuting the other for a wrong done or for protection of a right or for prevention of a wrong.

How commenced. A civil action is commenced by filing with the Court a complaint consisting of a written statement of a claim or claims setting forth briefly the facts and circumstances giving rise to the action.

1A-6-2. SUMMONS

- A. Summons; issuance. Upon receipt of a complaint, the Clerk of the Court shall docket the action and issue a summons and deliver it to the plaintiff's counsel, who shall be responsible for prompt service of the summons and a copy of the complaint upon any opposing party. Any defendant may waive the service of summons by entering an entry appearance stating they will appear before the Court, or filing an answer explaining their position in the proceedings. An answer may include a counter complaint against the plaintiff.
- B. Summons; how issued, form. The summons shall be signed by the Clerk of the Court or Chief Justice, be directed to the defendant, be substantially in the form approved by the Supreme Court and must contain:
 - 1. The name of the court in which the action is brought, the docket number of the case, the name of the first party on each side, with an appropriate indication of the other parties, and the name of each party to whom the summons is directed;
 - 2. A direction that the defendant serve a responsive pleading or motion within five (5) days after service of the summons, and file the same, all as provided by law, and a notice that unless the defendant so serves and files a responsive pleading or motion, the plaintiff will apply to the court for the relief demanded in the complaint;
 - 3. The name and address of the plaintiff's representative counsel, if any, shall be shown on every summons, otherwise the plaintiff's address.
- C. Summons; how served. Personal service shall be made as follows:
 - 1. Upon the party named in the action; or if the party refuses to receive such, by leaving same at the location where he or she has been found, and if the party refuses to receive such copies or permit them to be left, such action shall constitute valid service.
 - 2. Upon the ASNMSU:
 - a. Service of process on the President, Attorney General, Senate, department, or head thereof may be made by delivering a copy of the summons and of the complaint to the Attorney General.

3. Service shall be made with reasonable diligence, and the original summons with proof of service shall be returned to the Court Clerk.

1A-6-3. SERVICE AND FILING OF PAPERS

- A. When required. Every pleading subsequent to the complaint shall be served on each party.
- B. Filing. All original papers, copies of which are required to be served upon parties, must be filed with the Court either before service or immediately thereafter.
- C. Proof of service. Except as otherwise provided in these rules or by order of Court, proof of service shall be made by the certificate of a counsel of record, or if made by any other person, by the affidavit of such person

Pleadings and Motions

1A-6-4. PLEADINGS ALLOWED; FORM OF MOTIONS

- A. Pleadings. There shall be a complaint and, if the defendant wishes to contest the plaintiff's claim in any way, an answer. The answer may assert a counterclaim. If a counterclaim is filed, an entry of appearance must be filed.
- B. Motions. Motions are written requests for the Court to hear or perform an action.
- C. Exhibits. An exhibit is any material piece of evidence. Exhibits will be allowed at the discretion of the Court.
- D. Signing of pleadings. The signature of a party or his or her counsel on a pleading constitutes a certificate by him or her that he or she has read it, and that it is understood.

1A-6-5. DEFENSES; ANSWER

- A. Answer; when filed. The defendant shall file his or her answer at least two (2) days before the appearance date as fixed in the summons.
- B. Defenses; how presented. The answer shall describe in concise and simple language the reasons why the defendant denies the claim of the plaintiff as well as any defenses he or she may have to the claim of the plaintiff. A party may file a motion to have the answer clarified or explained. On the filing of such motion, the Court may require a more explicit answer or order a pretrial conference to clarify the issues.
- C. Form of answer. The answer shall be in substantially in the form approved by the Supreme Court.
- D. Permissive counterclaim. If the defendant possesses a claim or claims against the plaintiff, they may assert it in the answer as a counterclaim. The facts and circumstances giving rise to the claim or claims must be briefly described, in the form of answer approved by the Supreme Court.

1A-6-6. JUDGEMENT ON THE PLEADINGS

- A. For defendant. A party against whom a claim or counterclaim is asserted may, at any time, move for a judgment on the pleadings in his or her favor as to all or any part thereof.
- B. Motion and proceedings thereon. A motion for judgment on the pleadings shall be served at least two (2) days before the time fixed for the hearing. The judgment sought shall be rendered forthwith if the pleadings, on file, show that there is not genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law.

1A-6-7. AMENDED PLEADINGS

Upon request of either party, the Court may permit them to file an amended pleading, at any stage of the proceeding. Continuances shall be granted if necessary to avoid surprise or other prejudice to the opposing party.

1A-6-8. DISMISSAL OF ACTIONS

Voluntary dismissal. A claim may be dismissed by the plaintiff by filing a notice of dismissal at any time before filing of the answer. A claim may also be dismissed by the plaintiff, or by the defendant asserting a counterclaim, by filing a request for dismissal signed by all parties who have appeared in the action. Unless otherwise stated in the request for dismissal, the dismissal is without prejudice. The request shall be presented to the Court before filing, and the Court shall endorse thereon an order that the action, claim or counterclaim, as the case may be, is dismissed.

1A-6-9. PRETRIAL CONFERENCE

At any time after the filing of a complaint, the Court may, with or without the filing of a motion, order the parties to appear before them to clarify the pleadings and to consider such other matters as may aid in the disposition of the case. The Court may issue subpoenas for the attendance of witnesses at the request of a party.

Parties

1A-6-10. PARTIES; CAPACITY

Real party in interest. Every action shall be prosecuted in the name of a real party in interest. When the issue is unclear the Rules and Procedures of a New Mexico Metropolitan Court should be consulted.

1A-6-11. NOTICE OF TRIAL

Notice of trial. After the answer has been filed, or when no answer or responsive pleading is filed within a reasonable amount of time, the court shall set a date for trial of the action. The Justice or the Clerk shall issue a written notice of trial announcing the time, day and place thereof.

Discovery and Pretrial Matters

1A-6-12. DISCOVERY

Production of documents. At any time during the action, the Chief Justice may order either party to produce for inspection and copying any record, papers, documents or other tangible evidence in the possession of that party or available to that party.

1A-6-13. SUBPOENAS

- A. For attendance of witnesses. Every subpoena shall be issued by the Chief Justice or Clerk of the Court, shall state the name of the court and the title of the action, and shall command each person to whom it is directed to attend and give testimony at a time, date and place therein specified.
- B. Issuance. A Justice or Clerk may issue a subpoena, or a subpoena for the production of documentary evidence.
- C. For production of documentary evidence. A subpoena may command the person to whom it is directed to produce the books, papers, documents or tangible items designated therein; but the Court may quash or modify the subpoena if it is unreasonable and oppressive.
- D. Contempt. Failure by any person without adequate excuse to obey a subpoena personally served upon him or her may be deemed in contempt of the court from which the subpoena was issued.

Trial

1A-6-14. CONDUCT OF TRIALS

- A. Calling the Case. The Court Clerk, or designee, will begin the trial by stating aloud: "All rise, the ASNMSU Supreme Court is now in session. The matter of [Plaintiff] vs. [Defendant] is before the Court. (Chief) Justice (his/her name) presiding."

- B. Oath of witness. The Court shall administer an oath or affirmation to each witness, substantially in the following form: “You do solemnly swear (or affirm) that the testimony you give is the truth, the whole truth and nothing but the truth.”
- C. Exclusion Rule. The presiding Justice may order witnesses excluded from the courtroom so that they cannot hear the testimony of other witnesses and may order the witnesses not to discuss the case or their testimony with each other.
- D. Opening Statements. Both sides may chose to make an opening statement.
 - 1. No exhibits may be introduced or witnesses examined in an opening statement.
 - 2. The presiding justice will allow the plaintiff or plaintiff’s counsel to make an opening statement. The plaintiff is not required to make an opening statement.
 - 3. At the conclusion of the plaintiff’s opening statement, the defendant may make an opening statement. The defendant is not required to make an opening statement but may do so even if the plaintiff has not made one.
- E. Presentation of Evidence.
 - 1. Order of Presentation. The plaintiff may call and examine each witness for the plaintiff after which the plaintiff rests. The Court will then hear any appropriate motions made by either party.
 - 2. The defendant may call and examine each witness for the defense after which the defense rests. The defense is not required to present any evidence or call any witnesses.
 - 3. The plaintiff may call rebuttal witnesses and then rest on its entire case.
 - 4. After both parties have rested, the Court will hear any appropriate motions by either party.
- F. Witness Testimony.
 - 1. After each witness has been examined, the opposing party may cross-examine the witness. After cross-examination, the party who called the witness may re-examine the witness based on evidence presented during cross-examination.
 - 2. The Court may ask appropriate questions of any witness at any point during the presentation of evidence.
 - 3. A witness may not testify unless the witness has a personal knowledge of the matter.
 - 4. Hearsay evidence is not admissible.
- G. Introduction of Documentary and Physical Evidence.
 - 1. A party examining a witness may introduce written documents of physical evidence during examination of the witness.
 - a. The party will ask to have the exhibit marked as Plaintiff’s or Defendant’s Exhibit One, Exhibit Two, etc.
 - b. The witness may be asked to identify the exhibit.
 - c. The relevance of the exhibit must then be established through examination of a witness.
 - d. The Court may rule on whether or not the exhibit will be admitted as evidence.
- H. Any evidence belonging to either party will be returned to its proper owner after the case has been decided.

1A-6-15. TRIALS; JUDGMENT

After a brief recess, the Court may choose to orally announce its decision, which shall then be entered into the record. The Court may also opt to go into conference to discuss the case. If the Court goes into conference, a decision shall be made within five (5) days. A copy of the decision shall be sent to all parties involved, and shall be posted in the ASNMSU office.

Judgment

1A-6-16. JUDGMENT

- A. Definition; form. “Judgment” as used in these rules includes a decree or any order from which an appeal lies.
- B. Entry of judgment. Judgment shall be entered by the Court at the conclusion of all cases. In all cases the Court shall provide judgment.

1A-6-17. DEFAULT JUDGMENT

- A. Entry at time of appearance. If the defendant fails to appear within the time prescribed, and if the plaintiff proves by an appropriate return that proper service was made upon the defendant, the Court may enter a default judgment for the plaintiff. The Court may require evidence as to any fact before entering a default judgment. A copy of the default judgment shall be made available by the Clerk of the Court to each party against whom the judgment has been entered.
- B. At time of trial. Failure to appear at the time and date set for trial shall be grounds for entering a default judgment against the non-appearing party.

1A-6-18. SUMMARY JUDGEMENT; AFFIDAVITS

- A. For claimant. Any party to an action may move for summary judgment in their favor upon all or any part of their case.
- B. Motion and proceedings hereon. The motion for summary judgment sought shall be rendered if the pleadings, together with the affidavits and testimony given by an adverse party show that there is no genuine issue as to any material fact and that the moving parties are entitled to judgment as a matter of law.
- C. If a motion for summary judgment is made, the adverse party may set forth specific facts showing that there is a genuine issue for trial, in the form of an affidavit. If he or she does not so respond, summary judgment may be entered against him or her.
- D. Form of affidavit. An affidavit is a written document that serves as evidence or witness testimony. The Court will decide if an affidavit may be supplemented for witness testimony.

1A-6-19. HARMLESS ERROR

Error in either the admission or the exclusion of evidence and error or defect in any ruling, order, act or omission by the Court or by any of the parties is not grounds for granting a new trial, for setting aside a verdict, for vacating, modifying or otherwise disturbing a judgment or order, unless refusal to take any such action appears to the Court inconsistent with substantial justice.

1A-7. COMMENCEMENT OF AN APPELLATE HEARING

Applicability of Rules; Jurisdiction

1A-7-1. SCOPE AND TITLE OF RULES

- A. Definition. The appellate procedure is to be used when a member of the ASNMSU wishes to have the Supreme Court review the decision of a lower court or tribunal, believing that the lower tribunal violated the law while making the decision, or when a party has been harmed as a result of the law of the ASNMSU, and not because of the actions of another person or party.
- B. Scope of rules. These rules govern procedure of appeals to the Supreme Court.

1A-7-2. APPEALS; WHERE TAKEN

- A. Supreme Court. All appeals shall be taken to the Supreme Court.
- B. Appellate review. Upon appeal to the Supreme Court, no additional evidence shall be heard. 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.

1A-7-3. APPEAL

- A. Right of appeal. If a party is aggrieved by the judgment or final order by a lower court or tribunal, he or she may appeal to the Supreme Court. The notice of appeal shall be filed in the Supreme Court within seven (7) days after entry of the judgment or final order.
- B. Content of the notice of appeal. The notice of appeal shall specify:
 - 1. The party requesting the appeal;
 - 2. Each party against whom the appeal is taken;
 - 3. The name and address of appellate counsel if different from the person filing the notice of appeal.
- C. Service of the notice of appeal. The appellant shall give notice by serving a copy on the Supreme Court and the lower court or tribunal.
- D. A copy of the judgment or order appealed from, showing the date of the judgment or order shall be attached to the notice of appeal.

1A-7-4. DOCKETING THE APPEAL

- A. Counsel responsible. The Court Clerk or the Chief Justice shall be responsible for preparing and filing the docketing statement.
- B. When filed; contents. The Court Clerk or the Chief Justice shall serve a copy of the docketing statement upon all parties. The docketing statement shall contain:
 - 1. A statement of the nature of the proceeding;
 - 2. The date of the judgment or order sought to be reviewed, and a statement showing that the appeal was timely filed;
 - 3. A concise, accurate statement of the case summarizing all facts material to a consideration of the issues presented;
 - 4. A reference to all related or prior appeals. If the reference is to a prior appeal, the appropriate citation should be given.

1A-7-5. THE RECORD PROPER

- A. Composition. The record proper is the Court's record. If deemed necessary by the Court, the docketing statement shall include relevant papers and pleadings filed in the lower court (the court file), or a copy thereof shall constitute the record proper.
- B. Transmission. The record proper shall be sent to the Supreme Court after the docketing statement is filed.

1A-7-6. BRIEFS; ARGUMENTS; MANDATE

- A. Briefs. Briefs shall be filed with the Supreme Court as follows:
 - 1. The appellee shall file a brief in chief with the Notice of Appeal.
 - 2. The respondent shall file an answer brief within two (2) days from the date of service of the brief in chief.
- B. Brief in chief. The brief in chief of the appellant shall contain:

1. A statement of the issues;
 2. A summary of the proceedings which shall indicate briefly the nature of the case, the course of proceedings, and the disposition in the court below.
 3. A short recitation of all facts relevant to the issues presented for review, with appropriate references to the record proper and transcript of proceedings;
 4. A conclusion which shall contain a statement of the precise relief sought.
- C. Answer brief. The answer brief of the appellee shall conform to the requirements of subparagraphs (1) to (4) of Paragraph B of this rule, except that a statement of the issues or of the summary of proceedings shall not be made unless deemed necessary.
- D. Length of briefs. Except by permission of the Court, the argument portion of the brief in chief or answer brief shall not exceed four (4) pages. Except by permission of the Court, reply briefs shall not exceed two (2) pages.
- E. Brief of amicus curiae. A brief of an amicus curie may be filed by any interested party within the ASNMSU, presenting an argument for one of the parties or issues before the Court.
1. An amicus Curiae brief shall not exceed two (2) pages.
- F. Arguments. Within five (5) days after the filing of the notice of appeal, the Supreme Court shall:
1. Enter an order disposing of the appeal; or
 2. Schedule oral arguments.

1A-7-7. ORAL ARGUMENT

- A. Settings. Settings for oral argument will be fixed by the Supreme Court.
- B. Order of argument. Unless otherwise ordered, the petitioner or party first filing a notice of appeal shall open the argument.
- C. Time for argument. Oral argument of ten (10) minutes will be allowed to each side as to all matters unless the time is extended or restricted by the Court.

Disposition

1A-7-8. OPINIONS

The ASNMSU Supreme Court shall issue a majority opinion upon conclusion of a trial.

- A. The ASNMSU Chief Justice shall draft the opinion or appoint another Justice to do so.
- B. If the ASNMSU Chief Justice is in the minority, the senior Justice in the majority is responsible for appointing a justice in the majority to write the opinion.
- C. No ASNMSU Justice shall be prevented from drafting and releasing separate dissenting or concurring opinions.
- D. Opinions shall be published by posting in the ASNMSU office.

1A-8. APPOINTMENT OF A SPECIAL MASTER

If deemed necessary by the Chief Justice, a Special Master may be appointed to dispose of business before the Supreme Court. If a Justice has acted as a Special Master on a lower court decision, the justice will recuse him/herself if the case is appealed to 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.

APPENDIX B

2-0. ASNMSU Code of Ethics

B-2-1. Preamble

We the leaders of the Associated Students of New Mexico State University represent the diverse student population of New Mexico State University. ASNMSU seeks to promote the well being of students by respecting the integrity, dignity, and worth of individuals, with the acknowledgement of differences. We provide services and opportunities to the student body while maintaining a professional environment. Allegiance to these ideas requires those in positions of leadership within ASNMSU to refrain from, and to discourage behaviors, which threaten the freedom and respect every individual deserves.

B-2-2. Purpose

The operation of the Associate Students of New Mexico State University is an endeavor which relies upon the trust and respect of the student body at New Mexico State University. Without a continual pursuance and dedication to integrity and adherence to the principles upon which ASNMSU officials are granted their authority from the student body and the NMSU system, ASNMSU cannot duly achieve its mission and goals of servicing NMSU students to the best of its ability.

In order to ensure this realization, the ASNMSU enacts the following code and procedures in an effort to define and codify the appropriate behaviors and actions of official actions undertaken by those within the ASNMSU. This shall also serve as an establishment for the proper means for addressing those violations of this code.

B-2-3. Definitions

For purposes of this chapter, the following definitions are created for easement of interpretation and understanding.

- A. *ASNMSU Official*: Any person who has been elected to, selected or hired for, or appointed to any ASNMSU office or position, or any person serving in a voluntary position within ASNMSU.
- B. *Benefit*
 - 1. Monetary or non-monetary considerations offered and received by an official and which include, but are not limited to: a valuable act, advance, award, contract, compensation, contribution, deposit, employment, favor, fee, fringe benefit, gift, gratuity, loan, offer, payment, prerequisite, privilege, promise, reward, service, subscription, or the promise they will be conferred in the future.
 - 2. Anything, regardless of monetary value, perceived or intended by either the one who offers it or the one to whom the offer is made to be sufficient in value to influence a public servant in the performance or non-performance of an official action; or which, under the circumstances, a reasonably prudent person in the position of the public servant would recognize as being likely to be intended to influence the public servant in the performance or non-performance of an official action.
- C. *Conflict of Interest*: Any specific instance when an official's exercise of authority or discretion, based upon personal interests, direct or indirect, conflicts with his/her public duties, or when, to a reasonable person, it would appear that the action(s) of an official are partial, biased, or otherwise compromised due to an official's private interests or personal gain being in conflict with the student body's interest.
- D. *Confidential Information*: Information obtained while serving as an ASNMSU official, written or unwritten, or during lawful executive or closed session, that is not available to the general public, as granted by the state of New Mexico's *Inspection of Public Records Act* and any other applicable statutes, ordinances, laws, or NMSU policies.

- E. *Immediate Family*: An ASNMSU official's spouse, parents, parents-in-law, sister, sister-in-law, brother, brother-in-law, stepparents, stepsister, or stepbrother or an individual claimed by the ASNMSU official or his/her spouse as a dependent under the United States Internal Revenue Service.
- F. *Official Act*: Any official decision, recommendation, approval, disapproval, or other action that involves the use of discretionary authority.
- G. *Official Duty*: Any official or ministerial action that an ASNMSU official is obligated or authorized to perform.

B-2-4. Application to Officials

ASNMSU hereby adopts this Code of Ethics as a general code of ethics for all ASNMSU officials. This code shall set the standards appropriate for the ethical conduct of the student government, and shall provide fundamental guidelines for the receipt, review, adjudication, and determination of complaints for violation of these standards.

B-2-5. Availability of Code

A copy of this code shall be made available to each official to whom this code is applicable, upon their declaration of candidacy, election or appointment to the official position that they each hold; and, said official shall sign a statement affirming receipt of this code, and acknowledging his/her compliance with provisions herein set forth.

B-2-6. Interactions with other ASNMSU Officials

- A. Officials shall demonstrate professional courtesy, emphasizing respect for others and their opinions.
- B. Officials shall explore just methods of resolving conflict.
- C. Officials shall communicate openly and honestly in carrying out responsibilities to ASNMSU.
- D. Officials shall recognize a fair decision-making process, which acknowledges both majority and minority voices in the absence of parliamentary procedure.
- E. Officials shall delegate responsibility with the expectation that those duties will be fulfilled reflecting personal methods and styles.
- F. Officials shall support each individual's endeavors to fulfill the duties of their position.
- G. Officials shall objectively evaluate the opinions and actions of others.
- H. Officials shall not tolerate language or actions, which may discriminate against or devalue any individual student, group of students, or student organization.

B-2-7. Interactions with the Public

- A. Officials shall be attentive and receptive to the diverse views and needs of their constituency.
- B. Officials shall promote open, two-way communication between the ASNMSU leadership and the students they serve.
- C. Officials shall use ASNMSU powers and resources to advance the interests of the students of NMSU.
- D. Officials shall strive to serve as a strong advocate for students, provide leadership in times of controversy, and insure that all viewpoints, however controversial, are recognized.

- E. Officials shall seek out all relevant facts and opinions before making decisions.
- F. Officials shall present an accurate portrayal of the nature and extent of said official's qualifications and competencies when applying for positions within ASNMSU and when representing ASNMSU.

B-2-8. Prohibitions Enumerated

These prohibitions here listed are the applicable standards by which a determination of a violation of the Code of Ethics is to be made.

- A. No ASNMSU official shall receive, solicit, or accept from any person any personal benefit under circumstances in which it can be reasonably inferred or determined that the benefit is intended to influence the official's performance or nonperformance of any official duty, or as a reward for any official action on the part of such official, with the following exceptions:
 - 1. An award publically presented in recognition of serving student's interests.
 - 2. Reasonable reimbursement for expenses incurred while making a speech that relates to the performance of said official's duty.
- B. No official shall solicit, receive and accept political contributions unless such contributions are properly reported as provided for in accordance with ASNMSU laws and are actually used in a political campaign.
- C. No official shall accept from any person any personal benefit offered to the said official or any partner-in-interest of the official, which is intended to influence said official's decision in a matter, currently or in the future, brought before a component or the whole of ASNMSU. Nor shall any official solicit any personal benefit or the promise of receiving a personal benefit in the future for special considerations regarding official action(s) taken or pending.
- D. No official shall intentionally and knowingly disclose confidential information acquired by virtue of his/her office or employment, except as required in his/her official capacity and which its release is not otherwise authorized or required by applicable ordinances, laws or statutes. Also, no official may use confidential information acquired by virtue of his/her position for personal gain.
- E. No official shall use ASNMSU services, personnel, equipment or other resources for personal benefit, convenience or profit.
- F. No official shall, at any time, accept financial compensation for consulting, representing, or advising as to any pending ASNMSU matter on which he/she has or may have substantially act(ed).
- G. No official shall use or permit the use of any ASNMSU official, funds or property under his/her official control, direction or custody for a purpose which is, or to a reasonable person would appear to be, for other than an ASNMSU purpose(s). This is not be construed as encompassing those services and regular functions that are available to all ASNMSU fee-paying students.
- H. No official shall use their position for the benefit of personal matters or others outside of the official's regular duties.
- I. No official shall act, or create the appearance of acting, on behalf of ASNMSU by making any policy statement, or by promising to authorize or to prevent any future official action of any nature when such official is not authorized to make such a statement.
- J. No official shall falsely represent his/her personal opinion to be the official position of ASNMSU, or falsely represent his/her personal opinion to be the official position of the subordinate body, or other official of

ASNMSU. However, this shall not prohibit statements made by an elected official in the course of fulfilling his/her official responsibilities or in running for election to office; nor shall it apply to the professional opinions of ASNMSU officers or rendered in the course of performing their duties, provided that such opinions are clearly identified as professional opinions.

- K. No official shall use, or attempt to use, his/her official position improperly to unreasonably request, grant, or obtain in any manner any unlawful or unwarranted privileges, advantages, benefits or exemptions for themselves, or others, or to avoid the consequences of illegal acts for any person. Nothing in this provision shall be construed to prohibit or discourage an official from performing his/her official duty or action zealously and enthusiastically.
- L. No official shall suppress any public document, record, report or any other public information available to the general public because it might tend to unfavorably affect his/her private financial, personal, or political interest.
- M. No elected official or any person appointed to an ASNMSU subsidiary body shall give any orders to any other ASNMSU official, unless otherwise authorized by law, and shall deal with ASNMSU officials through the chief executive of the relevant office. This shall not be construed to prevent an elected official from requesting information of any ASNMSU official that is a regular action of that official's office. Nor shall this be construed as prohibiting the assignment of a person other than the official from acting on behalf of the official with prior approval by the official or the ASNMSU president.
- N. No official shall interfere with the policy-making process of the Senate. This shall not be construed to preclude ASNMSU officials from requesting policy changes or acting in their official capacity in presentation of information directly related to their position.

B-2-9. If ever the ASNMSU Student Code of Conduct conflicts with the NMSU Code of Conduct, the NMSU Code of Conduct shall prevail.

Special Note: The City of Las Cruces Code of Ethics, the Dona Ana County Code of Conduct, and the Associated Students of Washington State University Code of Ethics were used as models for the formulation of this code.

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