



# LAW BOOK

Associated Students of the University of New Mexico

Revised 9/19/2018

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## **Article I: Officers of the Executive Branch**

### Section 1. Elected Officers

There are two officers that are selected through the electoral process by the Student Body. They are the President and the Vice President. Duties of the Vice President may be found in the Legislative Code of the Law Book.

### Section 2. Oath of Office

- A. No President will assume the duties of the office until an Oath of Office has been administered.
- B. The Presidential Oath of Office must be administered by a Justice of the Associated Students of the University of New Mexico Student Court, and must be witnessed by a representative from each of the following:
  1. The Executive Branch
  2. The Legislative Branch
- C. The Oath of Office will be administered with the right hand uplifted and the following words said aloud: "I, (name), do affirm that I will uphold the laws of the Associated Students of the University of New Mexico, the State of New Mexico, and the United States of America: that I commit myself to the service of the undergraduate student of the University of New Mexico, and that I will otherwise fulfill the duties and obligations of the President of the Associated Students of the University of New Mexico to the best of my ability".
- D. Upon affirmation of the Oath of Office, an affidavit will be filed attesting to the authority of the President. The President may then assume office.

### Section 3. Duties of the President

The President of ASUNM has many duties that encompass all three branches of government. The President's duties are outlined in the following sections. The President's duties, however, are not limited to those listed below.

- A. Executive Duties
  1. The President of ASUNM will be responsible for making appointments to various positions throughout the government during their term.
    - a. These appointments include but are not limited to:
      - i. The non-elected Executive Cabinet (as outlined in the ASUNM Constitution Article III, Section 4).
      - ii. Other University agencies, boards, committees, and commissions who may solicit appointees from ASUNM, except Senate Standing and University Committees requiring Senate representatives.
    - b. The membership terms of representatives to non-ASUNM Agencies, Boards, Committees, and Commissions shall be determined by the convening authority.
    - c. The President shall advertise for all available positions.

- i. All positions will be advertised at least once during the summer session and then at least once prior to the end of the spring semester.
    - ii. All appointed positions will be advertised within five (5) days of a resignation or termination.
  - d. The President will be responsible for obtaining authorization from each presidential appointee to permit the verification of their eligibility (as outlined in the ASUNM Constitution) to hold any appointed positions. These authorizations must be submitted to the Dean of Students office for approval within five (5) days of the appointment.
  - e. The President will have ten (10) days to submit all appointments to the Outreach and Appointments Committee Chair. The only exception will be during summer months or university holidays in which the appointees must be submitted by the first day of scheduled classes.
  - f. An appointee is considered interim until approved by the full Senate. Interim appointees will execute the full duties of their appointed office.
  - g. It will be the duty of the Outreach and Appointments Committee to review and make recommendations to the full Senate.
  - h. All Presidential appointments may be removed by the ASUNM President for failure to fulfill their duties and responsibilities.
2. The President shall be responsible for reaching out to all colleges, resource centers, and student life sectors to ensure that there is one (1) representative willing to serve on Joint Council by the first meeting.
  3. The President of ASUNM, in conjunction with the Vice President of ASUNM and the President Pro Tempore, will be responsible for outreach to students at a minimum of once a month through an e-mail message to all university undergraduates.
    - a. The e-mail message will include important information regarding ASUNM initiatives and events, student issues, and upcoming ASUNM plans that promote knowledge and education on undergraduate subjects.
    - b. The President shall work with the Vice President and President Pro Tempore, who will include a report to the president concerning legislative matters that will be incorporated into the content of the e-mail message.
    - c. The President, the Vice President, and the President Pro Tempore shall agree on the content prior to making the e-mail message public.
- B. Executive Cabinet Duties**
1. The President will convene the members of the Executive Cabinet individually or as a group at least twice per semester to discuss the President and/or other officer's upcoming plans and other business that is deemed necessary.
  2. Office hours will be held by all non-elected members of the Executive Cabinet in accordance with the number of hours designated to be worked in the annual budget.
  3. The tenure of all appointments shall not exceed the term of the office of the appointing President, unless otherwise designated by the ASUNM Constitution or Law Book.

4. The President is empowered to appoint assistants as may be required for the efficient operation of the government.
- C. Legislative Duties
1. The President is responsible for the execution and administration of the laws of the Associated Students of the University of New Mexico.
  2. The President will have the authority to veto any bill(s) passed by the Senate.
  3. Executive orders issued by the President will stand as law for the term of the President issuing the order. Executive orders may be overturned by an order of the Student Court.
  4. In the case of a Joint Resolution, endorse and handle the Resolution according to the guidelines set forth in the Legislative Code, Article VIII.
- D. Judicial Duties
1. The President will be responsible for the appointment of Student Court Justices as per the ASUNM Constitution Article IV, Section 2, B.

#### Section 4. Duties of the Chief of Staff

- A. The Chief of Staff will be responsible for:
1. Assisting in fulfilling internal student government responsibilities, as the president deems appropriate; and
  2. Assisting in preparing agendas for all meetings; and
  3. Attending meetings on behalf of the President when necessary; and
  4. Performing other duties the President deems appropriate.
- B. A Deputy Chief of Staff may be appointed by the Chief of Staff to assist with the aforementioned duties. The Deputy Chief of Staff may be removed from office by the Chief of Staff or the President.
- C. A Boards and Committees Coordinator may be appointed by the Chief of Staff to assist the President in the following duties:
1. Soliciting undergraduate student applications to be considered for appointment to University agencies, boards, committees, and commissions; and
  2. Recommending appointees to the President to serve on University agencies, boards, committees, and commissions; and
  3. Recommending appointees to the President to serve on University agencies, boards, committees, and commissions; and
  4. Gathering agendas and reports from ASUNM appointments to University agencies, boards, committees, and commissions; and
  5. Preparing a report to be delivered at Full Senate meetings; and
  6. Managing the ASUNM Committees and Boards email account.

The Boards and Committees Coordinator may be removed from office by the Chief of Staff or the President. Should the Chief of Staff choose not to appoint a Boards and Committees Coordinator or should the position be vacant, it will be the responsibility of the Chief of Staff to fulfill the aforementioned duties.

#### Section 5. Duties of the Attorney General

The Attorney General will be responsible for:

- A. Issuing advisory opinions concerning the law, legislation, or any other act of ASUNM.
  - 1. Copies of the Attorney General’s opinions will be distributed to the President, Vice President and all Senators. The opinions are also to be made available to all other ASUNM officials.
  - 2. All requests for the Attorney General to issue advisory opinions must be made in writing except those made on the Senate floor.
- B. Providing a current copy of the Constitution and Law Book.
  - 1. Updating and distributing the Constitution for the purpose of engrossing any Amendments as passed by ASUNM and approved by the UNM Board of Regents.
    - a. The Attorney General is designated the responsibility to publish current editions of the ASUNM Constitution.
  - 2. Updating and distributing the Law Book for the purpose of engrossing any amendments as passed by ASUNM and approved by University Legal Counsel.
    - a. The Attorney General is designated the responsibility to publish current editions of the ASUNM Law Book.
  - 3. When requested, providing a paper copy of the governing documents to any student or student group.
    - a. Individuals or groups of individuals requesting a Law Book are responsible for incurring the cost of duplication of all documents.
- C. Assisting the President in the execution of their duties.
- D. Serving as an ex–officio, non–voting member of the Senate and its Standing Committees.
  - 1. Attending every Seante meeting, unless granted permission of absence by the President.
  - 2. Attending every Steering and Rules committee meeting, unless granted permission of absence by the President.
  - 3. Serving as the parliamentarian of the Senate.
- E. Providing advice and counsel concerning all acts of student government legislation.
  - 1. Providing counsel for the government in all suits against that government.
- F. Holding two (2) office hours per week during which time they will be present in the ASUNM office.

#### Section 6. Duties of the Director of Communication

- A. The Director of Communication will be responsible for:
  - 1. Assisting the President, Vice President, and Student Service Agencies with marketing, advertising, and public relations;
  - 2. Attending all Outreach and Appointments Committee meetings as an ex–officio, nonvoting member, excluding discussion of appointment confirmations;
  - 3. Maintaining the ASUNM website and the presence of ASUNM on social media platforms;
  - 4. Acting as a liaison for communication for Officers of the Executive Cabinet;
  - 5. All duties of the Director of Communication must adhere to and conform with University requirements for electronic sites.
- B. A Deputy Director of Communication may be appointed by the Director of Communication to help with the aforementioned duties. The Deputy Director of Communication may only be removed from office by the Director of Communication or the President.

## Section 7. Duties of the President Elect

- A. The President Elect will be empowered to make recommendations and provide guidance to the ASUNM President concerning the following, in line with intentions for their future term:
  - 1. Advertisements for Executive Director and Executive Cabinet positions for which they will make appointments;
    - a. The President Elect may review application submissions and schedule interviews to review applicant material as they deem necessary.
  - 2. Reports delivered to agencies, boards, committees, and commissions on which the President is an advisory, nonvoting member;
  - 3. The use of ASUNM space and resources for purposes including, but not limited to: organizing forums, scheduling meetings and interviews, and planning communication material
- B. The President Elect is encouraged to observe any process by which any other duties and/or responsibilities of the President are performed, and which the President deems necessary or beneficial for the President Elect.
- C. The President Elect will at no time be empowered to perform duties above and beyond making recommendations and providing guidance concerning the intentions of their future term.

## **Article II: Joint Council**

### Section 1: Officers of Joint Council

- A. The membership of Joint Council shall consist of one (1) representative from each college, resource center, or other student life sector.
  - 1. The chair of Joint Council is required to contact the head of each sector three (3) weeks prior to the beginning of the semester.
- B. The ASUNM President shall serve as the chair of Joint Council until a chair has been elected by the Joint Council.
  - 1. The elected chair shall be named the Speaker of Joint Council.
  - 2. A new chair shall be elected at least once every year.
    - a. The term of Speaker of Joint Council is one year.
    - b. If the office of Speaker of Joint Council is vacant, whether by removal, resignation, or other circumstances, a new Speaker of Joint Council shall be elected.
  - 3. The elected chair shall work with the ASUNM President before meetings to ensure accuracy regarding agenda items.
  - 4. The Chair shall invite speakers or bring major university issues and/or initiatives to each meeting.

### Section 2: Role of Joint Council

- A. Joint Council shall serve as an advisory board to gather student feedback and disseminate information to the diverse student population.
- B. Joint Council meetings shall occur each week of Senate prior to 6PM on Wednesday.

- C. A report shall be given at Senate by the Speaker of Joint Council or ASUNM President about the presentation and opinions of the Joint Council officers.
- D. Members of Joint Council are required to attend all Joint Council meetings unless excused by the Chair.



### **Article I: Student Service Agencies**

All ASUNM Student Service Agencies are established and recognized by the ASUNM Constitution and are therefore subject to the laws which govern ASUNM. A minimum of two Senators will serve as liaisons to each Student Service Agency until the end of their term or until they are removed by the Vice President.

### **Article II: Student Service Agency Directors**

The President shall appoint both the Executive Directors and Assistant Directors of all Student Service Agencies with approval of the ASUNM Senate.

#### Section 1. Agency Directors

The Executive Director of each Agency will be responsible for:

- A. Facilitating the programs of the agency in the most efficient manner and serving specific needs of the student body;
- B. Reporting on a regular basis the activities of the agency to the President;
- C. Training and supervising all agency staff;
- D. Preparing, with the approval of the President, a budget to be presented to the Senate Finance Committee during the spring budget process;
- E. Maintaining accurate records for all financial transactions of the agency;
- F. Ensuring all agency personnel work the number of hours approved in the annual budget;
- G. Ensuring all agency personnel avoid situations that create conflicts of interest with agency business or activities.

### **Article III: Budgets**

All agencies are required to prepare a budget for the spring budget process as outlined in Article II of the Budget Code. The agency's budget will be given to the President for approval before it is given to the Finance Committee.

### **Article IV: Hiring Additional Personnel**

All agencies will follow these procedures for hiring additional personnel:

- A. The Executive Director of the agency will conduct interviews in order to employ the person best qualified for the job of the specific agency.
- B. Upon hiring an individual, the Executive Director is required to send a list to the ASUNM President containing the names of the individuals hired for any position within the agency.

### **Article V: Student Service Agencies**

The eight (8) Student Service Agencies that are a part of ASUNM are listed as follows:

- A. ASUNM Arts & Crafts Studio; established circa 1961.
- B. ASUNM Election Commission; established in 1919.
- C. ASUNM Lobo Spirit; established in 2003.
- D. ASUNM Governmental Affairs; established in 1976.
- E. ASUNM Southwest Film Center (SWFC); established in 1967.
- F. ASUNM Student Special Events; established in 1992.
- G. ASUNM Community Experience; established in 2002.
- H. ASUNM Emerging Lobo Leaders; established in 2010.

## **Article I: Purpose**

The purpose of the Arts & Crafts Studio is to provide a workspace, materials, and access to equipment for students to produce or sell artwork at a minimal cost.

## **Article II: Membership**

### Section 1. Composition

The Arts & Crafts Studio will comprise of:

- A. Executive Director, appointed by the president with the approval of the Senate;
- B. Assistant Director, hired by the Executive Director with approval of the Senate;
- C. Assistants, hired by the Executive Director, with approval of the Senate.

### Section 2. Job Descriptions

- A. The Arts and Crafts Director will be responsible for:
  - 1. Appointing an Assistant Director and Assistants;
  - 2. Training and supervising employees;
  - 3. Ordering supplies;
  - 4. Composing schedules;
  - 5. Maintaining accounts and bookkeeping;
  - 6. Fund-raising;
  - 7. Maintaining safety in the studio;
  - 8. Being familiar with current crafts in the studio.
- B. The Arts and Crafts Assistant Director will be responsible for:
  - 1. Aiding in general operation of the studio;
  - 2. Training employees;
  - 3. Ordering supplies;
  - 4. Maintaining safety in the studio;
  - 5. Having knowledge of all the Executive Director's duties;
  - 6. Fulfilling the duties of the Executive Director in the event of the Executive Director's absence.
- C. The Arts and Crafts Assistants will be responsible for:
  - 1. Completing any work related duties assigned by the Executive Director or Assistant Director.

## **Article III: Annual Event**

### Section 1. Annual ASUNM Arts and Crafts Fair

- A. The Arts and Crafts Studio will host an Arts and Crafts Fair near the end of every fall semester. The event will highlight vendors from around New Mexico and the Southwest.

## **Article I: Purpose**

The Lobo Spirit Agency will increase and continue school spirit all over UNM throughout the fall and spring semesters, which includes planning, coordinating, and directing the annual Student Homecoming Week, Red Rally, Lobo Day, Ring Ceremony and other activities to promote school spirit.

## **Article II: Membership**

### Section 1.

The Lobo Spirit Agency will comprise of:

- A. Executive Director, appointed by the ASUNM President with the approval of the Senate.
- B. Assistant Director, appointed by the ASUNM President with the approval of the Senate.
- C. Event Chair(s), appointed by the ASUNM President with approval of the Senate;
- D. Marketing Chair, appointed by the ASUNM President with approval of the Senate.

### Section 2. Job Descriptions

- A. The Executive Director will be responsible for:
  - 1. Overseeing Lobo Spirit events, coordinating volunteers and managing the agency;
  - 2. Conducting all staff and volunteer meetings;
  - 3. Serving as the representative voice of Lobo Spirit for the campus community.
- B. The Assistant Director will be responsible for:
  - 1. Assisting the Executive Director in setting agendas;
  - 2. Conducting meetings when the Executive Director is absent;
  - 3. Fulfilling any further duties assigned by the Executive Director.
- C. Event Chairs will be responsible for:
  - 1. Coordinating Homecoming, Red Rally, Lobo Day, Ring Ceremony and other spirit events;
  - 2. Working closely with the Alumni Association, the Athletics Department and other campus organizations to effectively plan Lobo Spirit events.
- D. The Marketing Chair will be responsible for:
  - 1. Coordinating with Event Chair(s) to organize volunteers;
  - 2. Producing and implementing marketing strategies for all Lobo Spirit events.

## **Article III: Homecoming Election**

### Section 1.

The Homecoming Election is a joint effort of Lobo Spirit and the Elections Commission.

### Section 2.

Refer to the Election Code, Article IX, Sections 2, 3 and 4 for campaign regulations related to posting, expenditures, and fines. Campaign expenditures shall not exceed that of candidates for Senate. Financial statements are due no later than 5:00 p.m. on the day of the election.

Section 3.

Lobo Spirit will serve in place of the Elections Commission wherever the Elections Commission is named in the Election Code, Article IX, Sections 2, 3, and 4.

Section 4.

Sanctions for violating this code are outlined in the Elections Code, Article XIV, Section 1. The ruling of Lobo Spirit may not be appealed.

Section 5.

A member of Lobo Spirit, the Elections Commission, or an Election Official may not be a candidate for Homecoming Court.

Section 6.

A candidate must be in good standing as defined by the ASUNM Constitution to be eligible to run for King or Queen.

Section 7.

Lobo Spirit will establish the election location, date, and operating hours.

Section 8.

Lobo Spirit will establish all election application deadlines and advertising schedule.

### **Article I: Purpose**

The Governmental Affairs Agency will present proposed legislation and the viewpoints of the student body on matters that affect students, as directed by the President or the Senate, before the New Mexico Legislature and other such bodies outside UNM.

### **Article II: Membership**

#### **Section 1.** Composition

The Governmental Affairs Agency will comprise of:

- A. Executive Director, appointed by the President with the approval of the Senate;
- B. Assistant Director, appointed by the President with the approval of the Senate, as deemed necessary by President and Governmental Affairs Executive Director;
- C. Projects Director, appointed by the President with approval of the Senate.

#### **Section 2.** Job Descriptions

- A. Governmental Affairs Executive Director will be responsible for:
  - 1. Establishing and researching projects and/or laws that will affect the student body;
  - 2. Lobbying before any necessary government agent or agency;
  - 3. Ensuring that the agency complies with all pertinent laws concerning registration of lobbyists and reports of lobbying expenditures and activities;
  - 4. Organizing and overseeing agency meetings;
  - 5. Working closely and maintaining a professional relationship with The Office of Government & Community Relations.
- B. Governmental Affairs Assistant Director will be responsible for:
  - 1. Assisting the Executive Director in setting an agenda;
  - 2. Conducting meetings when the Executive Director is absent;
  - 3. Fulfilling any further duties the Executive Director may assign.

## **Article I: Purpose**

### Section 1.

The Southwest Film Center shall serve the student body by providing alternative cinema at UNM.

## **Article II: Membership**

### Section 1. Composition

The Southwest Film Center will comprise of no less than seven (7) people:

- A. Executive Director, appointed by the ASUNM President with the approval of the Senate;
- B. Assistant Director, appointed by the ASUNM President with the approval of the Senate;
- C. Marketing Director, appointed by the ASUNM President with the approval of the Senate;
- D. Theater Manager, appointed by the ASUNM President with the approval of the Senate;
- E. Head Projectionist, appointed by the ASUNM President with the approval of the Senate;
- F. Secondary Projectionist, appointed by the ASUNM President with the approval of the Senate;
- G. Concession Specialist(s), appointed by the ASUNM President with the approval of the Senate.

### Section 2. Job Descriptions

- A. Southwest Film Center Executive Director will be responsible for:
  - 1. Setting meeting times for the year;
  - 2. Suggesting film titles for the year;
  - 3. Soliciting information and ideas from on-campus groups for festivals and programming;
  - 4. Managing all fiscal expenditures of the Southwest Film Center;
  - 5. Running the SUB Theater during all films or appointing someone to do so;
  - 6. Giving final approval of all films.
- B. Southwest Film Center Assistant Director will be responsible for:
  - 1. Conducting meetings when the Executive Director is absent;
  - 2. Assisting Executive Director in setting agenda for year;
  - 3. Any additional duties the Executive Director may assign.
- C. Southwest Film Center Marketing Director will be responsible for:
  - 1. Designing the semester schedule and all other physical promotional materials;
  - 2. Executing existing marketing strategies while implementing new ones;
  - 3. Working to increase attendance at SWFC events.
- D. Southwest Film Center Head Projectionist will be responsible for:
  - 1. Building-up and breaking-down all films;
  - 2. Insuring the smooth running of all projection/audio equipment and maintaining the integrity of all film materials.

## **Article I: Purpose**

The purpose of Student Special Events (SSE) is to provide the University of New Mexico with multicultural, community service, and financially accessible special events that appeal to a wide variety of UNM's student population. These events include concerts, speakers, Spring festival and community outreach activities, as well as any event that may further educate the undergraduate student body.

## **Article II: Membership**

### Section 1. Composition

SSE will be composed of at least six (6) members:

- A. Executive Director, appointed by the ASUNM President with the approval of the Senate;
- B. Cultural Director, appointed by the ASUNM President with the approval of the Senate;
- C. Concerts Director, appointed by the ASUNM President with the approval of the Senate;
- D. Speakers Director, appointed by the ASUNM President with the approval of the Senate;
- E. Marketing Director, appointed by the ASUNM President with the approval of the Senate;
- F. Volunteer Coordinator, appointed by ASUNM President with the approval of the Senate.

### Section 2. Job Descriptions

- A. The Executive Director of Student Special Events will be responsible for:
  - 1. Developing a plan of action for SSE to be approved by the ASUNM President;
  - 2. Submitting recommendations to the President for the Director selections;
  - 3. Appointing and voting on the hiring of all auxiliary directors;
  - 4. Reviewing all co-sponsorship proposals from outside student organizations, departments, and students;
  - 5. Conducting all staff meetings;
  - 6. Serving as the representative voice of SSE for the campus community.
- B. The Cultural Director of Student Special Events will be responsible for:
  - 1. Coordinating the annual spring festival *Fiestas*;
  - 2. Coordinating a variety of free cultural events for UNM's undergraduate student population;
  - 3. Assisting other directors in the production of various campus events.
- C. The Concerts Director of Student Special Events will be responsible for:
  - 1. Directly administrating all revenue-generating concerts, including concerts held on UNM property;
  - 2. Assisting in the booking of musical entertainment for the annual spring *Fiestas*;
  - 3. Assisting other directors on the production of various campus events.
- D. The Speakers Director of Student Special Events will be responsible for:
  - 1. Directly administrating all student-oriented speaking events;
  - 2. Assisting other directors on the production of various campus events.
- E. The Marketing Director of Student Special Events will be responsible for:
  - 1. Marketing of all events sponsored by SSE;



2. Working in conjunction with each director to develop marketing ideas for each event;
  3. Creating press releases, flyers, posters, print advertisements, as well as any form of marketing that will promote SSE sponsored events;
  4. Managing advertising, the advertising budget, and the general distribution of all promotional material;
  5. Assisting other directors on the production of various campus events.
- F. The Volunteer Coordinator will be responsible for:
1. Assisting in the increased involvement of the student body with special events.

### **Article III: Budgets**

#### Section 1.

Budgets will be prepared as outlined in the Student Service Agency Code, Article IV.

## **Article I: Purpose**

The purpose of the Community Experience shall be to encourage community service and provide the University of New Mexico community with volunteer and service opportunities.

## **Article II: Membership**

### Section 1. Composition

Community Experience will comprise of:

- A. Executive Director, appointed by the ASUNM President with the approval of the Senate;
- B. Communications Director, appointed by the ASUNM President with the approval of the Senate;
- C. Events Director, appointed by the ASUNM President with the approval of the Senate
- D. Projects Director, appointed by the ASUNM President with the approval of the Senate.

### Section 2. Job Descriptions

- A. The Community Experience Executive Director will be responsible for:
  - 1. Presiding over all meetings of the Community Experience;
  - 2. Making all necessary appoints for the Community Experience including, but not limited to, Communications Director, Events Director, and Projects Director;
  - 3. Managing all fiscal expenditures of the Community Experience;
  - 4. Ensuring the maintenance of a list of community service programs and events available to the University of New Mexico community;
  - 5. Performing any other task necessary to the success of the Community Experience.
- B. The Community Experience Communications Director will be responsible for:
  - 1. Attracting students to volunteer and ensuring that the undergraduate student body is well informed of agency events.
- C. The Community Experience Events Director will be responsible for:
  - 1. Overseeing the planning, coordination and implementation of organizational events.
- D. The Community Experience Program Director will be responsible for:
  - 1. Outreaching to entities outside of UNM in order to find volunteer opportunities for the agency and the undergraduate students.
- E. Undergraduate Students will be responsible for:
  - 1. Assisting the Executive Director in coordinating events and programs for the Community Experience;
  - 2. Assuming any duties assigned by the Executive Director.
- F. Senators will be responsible for:
  - 1. Serving as the liaisons between the ASUNM Senate and the Community Experience;
  - 2. Assisting in projects, recommendations, or legislation to aid the Community Experience.

## **Article III: Annual Events**

Section 1. Fall Frenzy

Fall Frenzy is a one-day service and campus beautification project held annually before Homecoming week.

Section 2. Spring Storm

Spring Storm is one-day service initiative where students, staff, and faculty from UNM participate. This event offers a way of giving back to local communities through a volunteer force.

## **Article I: Purpose**

The purpose of Emerging Lobo Leaders shall be to provide students with support and hands on experience in ASUNM and its agencies in order to teach them valuable leadership skills that are essential for holding key leadership positions at the University of New Mexico. The skill set they will develop will be significant for students to prosper in college life and beyond.

## **Article II: Membership**

### Section 1. Composition

Emerging Lobo Leaders will comprise of:

- A. Executive Director, appointed by the ASUNM President with the approval of the Senate;
- B. Up to two (2) Assistant Directors, appointed by the ASUNM President with the approval of the Senate;
- C. .

### Section 2. Job Descriptions

- A. The Emerging Lobo Leaders Executive Director will be responsible for:
  - 1. Presiding over all meetings of Emerging Lobo Leaders;
  - 2. Providing guidance for students in the form of leadership development to aid in their success at the University of New Mexico;
  - 3. Setting requirements for acceptance and completion of the program;
  - 4. All fiscal expenditures of Emerging Lobo Leaders;
  - 5. Developing plans to pursue the overall purpose of Emerging Lobo Leaders, including but not limited to: assigning mentors for the students and acting as a liaison to the ASUNM agencies and the Senate;
  - 6. Offering specific direction to students upon completion of the program based on their interests, abilities and performance in the program;
  - 7. Performing any other task necessary to the success of Emerging Lobo Leaders.
- B. The Emerging Lobo Leaders Assistant Director(s) will be responsible for:
  - 1. Assuming all duties of the Executive Director in their absence;
  - 2. Assisting the Executive Director in all of their duties;
  - 3. Assuming any further duties the Executive Director may assign.
- C. Senators will be responsible for:
  - 1. Serving as the liaisons between the ASUNM Senate and Emerging Lobo Leaders;
  - 2. Acting as a mentor to the Emerging Lobo Leaders students;
  - 3. Assisting in projects, recommendations or legislation to aid the success of Emerging Lobo Leaders.
- D. Advanced Lobo Leaders (Optional program for ELL graduates) will be responsible for:
  - 1. Attending Advanced Lobo Leader meetings;
  - 2. Completing their community project for the semester;
  - 3. Being in good standing as defined by ASUNM Constitution.

### Section 3. Requirements

- A. For admittance into the Emerging Lobo Leaders program students must:
  - 1. Be in good standing as defined by the ASUNM Constitution;
  - 2. Submit application and attend interview;
- B. Emerging Lobo Leaders members will be responsible for:
  - 1. Fulfilling the requirements of the program, including but not limited to, attending all meetings and events; interviewing assigned individuals; reporting findings of meetings, events and interviews; and volunteering for events; following requirements for the mentor-mentee program; being in good standing as defined by the ASUNM Constitution.
  - 2. Assuming any duties assigned by the Executive Director.

## **Article I: Elections Commission**

### Section 1. Membership

The Elections Commission shall comprise of:

- A. Executive Director, appointed by the ASUNM President with approval of the Senate;
- B. Assistant Director, appointed by the ASUNM President with approval of the Senate;
- C. Six (6) Elections Commissioners, appointed by the Executive Director;
- D. Three (3) ASUNM Senators, appointed by the ASUNM Vice President.

### Section 2. Qualifications

In order for a student to be a member of the Elections Commission, they must:

- A. Be a member of ASUNM;
- B. Not be an official candidate for any ASUNM elected office;
- C. Not be an Associate Justice, the Chief Justice, President, Vice President, Chief of Staff, Deputy Chief of Staff, or the Attorney General.

### Section 3– Duties

The Elections Commission will be responsible for:

- A. Maintaining uniformity in the application and operation of the Election Code;
- B. Developing a uniform format for all proposed referenda, constitutional amendments, and opinion polls;
- C. Conducting a combined endorsement meeting and public candidate forum to be held five (5) to seven (7) days prior to the voting period;
- D. Presiding over elections by handling all violations of the Election Code, assessing fines, certifying the results, and carrying out all other duties necessary for conducting elections;
- E. Retaining their powers and responsibilities until the final resolution of all contests of election;
- F. Hiring Poll Workers for any polling station and any election they deem fit;
  - 1. Poll Workers must meet the same qualifications as Elections Commissioners;
  - 2. Poll Workers will serve for a period of time determined by the Elections Commission.
- G. Conducting themselves at all times in a manner that promotes public confidence in the integrity and impartiality of the election process;
  - 1. At no time during their term serving on the Elections Commission will any member be permitted to publicly support or campaign for any official candidate.
- H. Establishing polling stations on Tuesday from 10:00am to 4:00pm and Wednesday from 9:00am to 5:00pm of the Voting Period and any other subsequent elections;
- I. Assisting Lobo Spirit in conducting the Homecoming Election as outlined by the procedures in the Lobo Spirit Code;
- J. Hiring on a temporary basis and paying individuals to be Election Staff during times of Election, as necessary.

1. This Election Staff must meet the same requirements for office as the Commissioners.

#### Section 4. Voting

- A. All members of the Elections Commission shall be full voting members with the exception of the Executive Director who can only vote in the case of a tie.
- B. Quorum will be met when a majority of the appointed voting members are present.

#### Section 5 – Terms of Payment

- A. Elections Commissioners will be salaried at a rate to be determined by the Finance Committee and approved by the Senate.
- B. Poll Workers will receive an hourly wage. Time sheets indicating hours worked will be turned in to the Elections Commission.
- C. Senators appointed as members of the Elections Commission are forbidden from accepting any wage(s) or salary for their duties as part of the Elections Commission.

### **Article II: Elections Commission Executive Director**

The Elections Commission Executive Director will be responsible for:

- A. Supervising all elections;
- B. Maintaining uniformity in the application and operation of the Election Code;
- C. Verifying that all official candidates are qualified to run for elected offices;
- D. Preparing and providing instructions for the proper conduct of each election in accordance with the ASUNM Law Book and Constitution;
- E. Appointing all Elections Commissioners;
  1. The Executive Director will also be responsible for instructing Poll Workers and Elections Commissioners of the proper methods of performing their duties as prescribed in the Election Code.
- F. Investigating any violation(s) of the Election Code and reporting the violation(s) to the Elections Commission;
- G. Preparing and furnishing each polling station with sufficient materials, including all necessary items for voters to cast their ballots;
- H. Providing identification badges to all Poll Workers and members of the Elections Commission;
  1. Identification badges must indicate the wearer's authority in the election, the wearer's name, and be worn at all times while performing duties.
- I. Publicizing the location and hours of operation of all polling stations;
- J. Voting only in the event of a tie in Elections Commission meetings;
- K. Ensuring methods of voting are highly secured to protect the integrity of the elections.

### **Article III: Elections Commission Assistant Director**

The Elections Commission Assistant Director will be responsible for:

- A. Assisting the Executive Director in fulfilling their duties;

- B. Presiding over the Elections Commission in the absence of the Executive Director;
- C. Assuming the duties of the Elections Commission Executive Director should the office of the Executive Director becomes vacant, until the time when the office is filled.

#### **Article IV: Polling Stations**

##### Section 1. Location

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

- A. On the Tuesday of the voting period:
  - 1. There will be one (1) polling station located on or near the mall level of the Student Union Building between the hours of 10:00 am to 4:00 pm.
- B. On the Wednesday of the voting period:
  - 1. There will be one (1) polling station located on or near the mall level of the Student Union Building between the hours of 9:00 am to 5:00 pm.

##### Section 2. Polling Operation

Each poll will be operated at all times by at least two (2) Poll Workers or members of the Elections Commission.

##### Section 3 – Universal Online Ballot

The link to the online ballot will be accessible through MyUNM during the voting period, beginning at 9:00 am on Monday and ending at 5:00 pm on Wednesday.

#### **Article V: Notice of Elections**

##### Section 1

- A. To ensure that every ASUNM member has the opportunity to see election notifications, the Elections Commission must advertise elections.
  - 1. Notice of elections shall be provided with the method of notice at the discretion of the Elections Commission.
  - 2. All notices will be written in a format to be determined by the Elections Commission based on the available advertising opportunities.
- B. All dates must be published to the Elections Commission’s own digital locations and presence, including but not limited to the Elections Commission website.

##### Section 2 – Open Offices

The Elections Commission will give written notice of all open offices, on which to be voted, a minimum of twenty-five (25) days prior to the Wednesday of the voting period.

##### Section 3 – Endorsements and the Voting Period



The Elections Commission will publish at least one (1) advertisement in the NM Daily Lobo newspaper and/or website that carries the locations and hours of all polling stations during the election voting period. Section 4 – Physical Polling Station Notices

- A. The Elections Commission will publicize when polling stations are open by placing at least one (1) sign at each location on Tuesday from 10:00am to 4:00 pm and Wednesday from 9:00am to 5:00pm during the voting period.
  - 1. The sign(s) must clearly state “Polls Open Today” and “Vote Here” as well as stating the type of election being held.
- B. The Elections Commission will advertise the Presidential and Senatorial General Elections in the following manners from twelve (12) days prior during the voting period:
  - 1. Approved electronic displays in the Student Union Building.
  - 2. Approved outdoor displays will clearly display a banner no smaller than six (6) feet long by three (3) feet wide at the discretion of the Elections Commission.

#### Section 5 – Poll Worker Hiring

Notification for hiring Poll Workers will be advertised in a medium at the discretion of the Elections Commission.

#### Section 6 – Referenda, Polls, Amendments

Upon receipt of proposed referenda, constitutional amendments, and opinion polls, the Elections Commission will publish the full text on the ASUNM website, at the ASUNM office, and through at least one other method of communication at the discretion of the Elections Commission.

#### Section 7 – Endorsement Forum

The Endorsement Forum shall be advertised as provided by the Election Code, Article X, Section 1, Sub-section C.

### **Article VI: Referenda, Constitutional Amendments and Opinion Polls**

#### Section 1.

Proposed referenda, constitutional amendments, and opinion polls must be received by the Elections Commission no later than 5:00 PM of the twelfth (12) day prior to the Wednesday of the voting period in order to appear on the ballot.

#### Section 2.

The Elections Commission will visibly post the full text of any proposed referenda, constitutional amendments, and opinion polls at all polling stations.

#### Section 3.

The Elections Commission is responsible for placing all proposed referenda, constitutional amendments, and opinion polls in the proper format for the ballot.

#### Section 4.

Opinion polls may be placed on the ballot by an executive order of the President, by resolution of the Senate, or by petition of one third (1/3) of the number of students voting in the previous general election.

### **Article VII: Candidate Filing**

#### Section 1.

While candidates may choose to organize into a group for campaign purposes, ASUNM and its affiliates recognize candidates as individuals, though they may run collectively.

#### Section 2.

- A. Election packets consisting of all forms necessary to file for candidacy will be available at the ASUNM office and ASUNM website the twenty-fifth (25) to the twelfth (12) day prior to the Wednesday of the voting period.
- B. The Elections Commission may not charge candidates for the printing cost of the packet.

#### Section 3.

In order for a candidate's name to appear on the ballot, an affidavit acknowledging candidacy must be filed in the ASUNM office by 5:00 PM of the twelfth (12) day prior to the Wednesday of the voting period. The candidate must be certified by the Elections Commission as meeting all of the qualifications necessary to run for and hold elected office.

- A. The candidate will print or type their full name, address, telephone number, and e-mail address for the position for which they intend to be a candidate for, their name as they wish it to appear on the ballot and will sign the following statement on the affidavit: "I, (name of candidate), acknowledge my candidacy for the office of (title of office), and will if elected accept the duties and responsibilities of the office. I am a member of the ASUNM in good standing and am qualified as prescribed by the ASUNM Election Code to accept and run for the office for which I intend to be a candidate."
- B. The person accepting the election packet will issue a receipt to the candidate, noting date and time and will provide pertinent information about the candidate's meeting.

#### Section 4.

No member of the Office of the Attorney General, the Student Court, or the Elections Commission may file for candidacy for any elected office while retaining their appointed office.

### **Article VIII: Candidate Meeting**

#### Section 1.

The Elections Commission will hold a Candidate Meeting for all candidates at least nine (9) days, but no more than eleven (11) days prior to the scheduled election.

- A. In order for a candidate's name to appear on the ballot, the candidate must attend the Candidate Meeting that will be called by the Elections Commission Executive Director.
- B. If a candidate is unable to attend the Candidate Meeting, their designated legal representative may represent the candidate provided that the Legal Representative Form was presented to the Elections Commission prior to the start of the Candidate Meeting.
  - 1. Even in the case of absence, candidates shall be held accountable for all information presented and distributed at the Candidate Meeting.

## Section 2.

At the Candidate Meeting the following will occur:

- A. The members of the Elections Commission will be introduced to the candidates;
- B. A roll-call will be taken of all candidates or their designated legal representative at the beginning of the meeting; all candidates or their designated legal representative must be present for the entire meeting in order to be eligible for official candidacy status. Appeals may be made to the Election Commission under extreme conditions.
- C. The Election Commission will inform each candidate of the time of the combined endorsement meeting and candidate forum.
- D. Candidates will be briefed on all sections of the Elections Code that the Elections Commission deems necessary.
- E. Ballot positions will be determined by the use of a double-blind draw to be conducted as follows:
  - 1. Each candidate's name will be printed on a slip of paper provided by the Election Commission. Each slip of paper will be the same size and color. These name slips will then be placed in a common container.
  - 2. A separate set of uniform slips of paper will be consecutively numbered starting with one (1) until there is a numbered slip for each of the candidates running for the office in question. The numbers six (6) and nine (9) will be underlined to differentiate them. The number slips will be placed in a second common container.
  - 3. Three (3) members of the Election Commission will be responsible for drawing these slips from their common containers. One (1) will draw name slips and announce the name written on the slip, one (1) will draw the number slips and announce the number written on the slip, and one (1) will serve as a verifier.
  - 4. One (1) slip will be drawn at a time from each of the common containers, and the number drawn with each name will be the official ballot position of the candidate. This procedure will be repeated until all candidates for an office have been assigned a ballot position.
  - 5. Once all the candidates for an office have been assigned a ballot position, the procedure will be repeated for each office on the ballot.
- F. After ballot positions have been assigned, the Election Commission will answer any questions that the candidates may have regarding the election and campaign process.

- G. If any questions of the candidates cannot be answered at the meeting, or the Elections Commission fails to give out all the necessary information, the Elections Commission will e-mail all candidates as soon as possible.

### **Article IX: Campaign Regulations**

#### Section 1. Election Code

- A. Any amendments made to the Election Code must become law at least twenty-five (25) days prior to the voting period in order to apply to that election.
1. Approved changes made to the Election Code within twenty five (25) days of an election will apply to the next election.

#### Section 2. Campaigning and Posting Materials

Campaign posting shall be in accordance with university policy as outlined in the UNM Pathfinder under the section titled “Main Campus Rules for Outdoor Events, Sound, and Posting” or in accordance with its successor’s policy.

- A. Campaign materials include, but are not limited to:
1. Advertisements in any printed publication;
  2. Advertisements on any radio or television station;
  3. Handbills, flyers, posters, placards, buttons, stickers, banners, chalking, shirts, paid websites, social networking sites, or the like;
  4. Any items and/or services reasonably perceived as being used with the purpose of soliciting votes for an ASUNM elected office by any person or organization that aids a candidate or group of candidates.
    - a. Campaign attire worn without campaign language, logos or names is excluded from being taken into consideration as campaign expenditures as outlined in the Elections Code, Article IX Campaign Regulations, Section 3 of the ASUNM Law Book.
- B. No one (1) candidate or group may post more than one (1) item of campaign material on the same face of any posting area. Each side of a kiosk may display one (1) item of campaign material for each candidate. A cylindrical kiosk may have three (3) items affixed to its exterior face.
- C. No person will mark, deface, or otherwise tamper with the posted campaign material or chalking of any candidate, nor may any other individual or group of individuals remove the posted campaign material of any candidate.
- D. The Elections Commission will have the sole right to remove any illegally posted or displayed materials.
- E. No person will campaign or post materials within twenty-five (25) feet of the doors to a building containing a polling station or public computer access during the Voting Period. Any person or material within this area will be removed by the Elections Commission or otherwise authorized personnel.
- F. Candidates shall be expected to abide by the rules outlined in the “University of New Mexico Residence Hall Community Living Guide” and all other rules distributed at the candidates meeting.

- G. All candidates are responsible for the actions of any and all of their campaign workers and may be penalized accordingly.
- H. No candidate, or campaign worker shall be allowed to campaign at or within twenty five (25) feet of an ASUNM Town Hall Meeting.
- I. Candidates must submit a letter of permission from the proprietor of a business establishment to the Elections Commission in order to campaign in or around said establishment.
- J. No candidate or campaign worker shall use an internet-enabled device to physically solicit votes from students via the Universal Online Ballot. This includes any device owned by the candidate, campaign worker, and potential voter.

### Section 3. Campaign Expenditures

All expenses incurred as part of a campaign by any individual or group must be reported to the Elections Commission. The Elections Commission will determine the format of all forms to be used to report campaign expenditures.

- A. All campaign materials used in a campaign effort will be assessed at a fair market value by the Elections Commission, and this value will be included as part of the expenditures of a candidate.
- B. All money spent on behalf of a candidate will be included as part of the expenditures of the candidate. Campaign material carrying more than one candidate's name shall be reported at the full price of the material on each of the candidate's campaign expenditure forms.
- C. Campaign expenditures will not exceed the following limits:
  - 1. No candidate for the office of President will exceed two hundred and fifty dollars (\$250).
  - 2. No candidate for the office of Vice– President will exceed two hundred and fifty dollars (\$250).
  - 3. No candidate for the office of Senator will exceed two hundred and fifty dollars (\$250).

### Section 4. Campaign Violation Fines

- A. Expenditure Fines.
  - 1. Any candidate who exceeds the legal campaign expenditure limits will automatically be fined according to the following:
    - a. For an excess up to, and including, ten percent (10%), the assessment will be the actual amount of the excess;
    - b. For excesses greater than ten percent (10%) and up to, and including, twenty–five percent (25%), the assessment will be one–and–one–half times (1 ½) the excess;
    - c. For excesses greater than twenty–five percent (25%), the Elections Commission may impose disciplinary actions as provided by the Election Code, Article XIV, Section 1, Sub–sections A through D if the over–expenditures are of a deliberate or intentional nature;

- d. The specific fine for overspending will not exceed one hundred fifty dollars (\$150) per candidate.
- B. Financial Statement Fines:
- 1. Financial statements of all candidates must be turned in to the Elections Commission at the ASUNM office no later than 5:00 PM one (1) day following the end of the voting period. Each financial statement submitted by the candidate will be signed and dated by the candidate. In addition, all receipts relating to expenditures shall be attached to the financial statement or a memorandum stating the fair market value of goods/services received by the candidate. If a candidate fails to meet the deadline, the following fines will be imposed:
    - a. Five dollars (\$5) per day, for a maximum of ten (10) days and fifty dollars (\$50), with each day concluding at 5:00 PM;
    - b. If the statement is delinquent by more than ten (10) days, then the Elections Commission may impose disciplinary actions as provided in the Election Code, Article XIV, Section 1, Sub-sections A through D.
- C. Use of Fines:
- 1. All fines resulting from campaign violations will be deposited into the ASUNM General Fund. They should not be treated or used as a source of self-generated funds for an executive agency.

#### Section 5. Restrictions

- A. The use of ASUNM offices and/or resources by candidates, potential candidates, and/or supporters of candidates for any Election for campaign purposes, campaign preparation, and/or any other campaign activity is prohibited.

### **Article X: Candidate Endorsements**

#### Section 1.

There will be only one endorsement forum for each branch of government in an election, and all candidates will be allowed to participate.

- A. The endorsement forum will be scheduled by the Elections Commission.
- B. The endorsement forum will be held five (5) to seven (7) days prior to the Wednesday voting period.
- C. The Elections Commission will advertise the endorsement forum's location and time at least three (3) days prior to the event.
- D. The results of the endorsement forum must be delivered to the ASUNM office by 5:00 PM on the day of the endorsement forum in order to be published by the Elections Commission.
- E. Chartered student organizations may endorse one candidate for President, one candidate for Vice President, and up to ten (10) candidates for Senate. Chartered student organizations may also endorse or oppose any number of constitutional amendments or referendum appearing on the ballot. Only those chartered student organizations that have registered with the Elections Commission at the forum will be able to publish their endorsements.

- F. The Elections Commission shall make available to all student groups attending the endorsement forum copies of all constitutional amendments and referendum items which are to be placed on the ballot.

### **Article XI: Voting**

Each student, as defined by the ASUNM Constitution, wishing to vote may cast their ballot via MyUNM or at a polling district by using their UNM Net ID and password to access an on-line ballot.

#### Section 1. Polling Stations

- A. In no case may any individual be allowed to cast a ballot at a polling station before polling stations have officially opened or after polling stations have officially closed.
- B. Once a polling station has been opened, it may not be closed prior to the regularly scheduled closing time unless an unforeseeable occurrence mandates the Elections Commission to close it.
  - 1. The polling stations will close at 4:00 p.m. on the Tuesday of the voting period, and at 5:00 p.m. on Wednesday of the voting period.

#### Section 2. Voting

All students may at their own discretion:

- A. Cast their ballot no more than once per election;
- B. Cast up to ten (10) total votes for Senators in a Senatorial Election and up to one (1) vote for President and one (1) vote for Vice President during the Presidential/Vice Presidential Spring General Election;
  - 1. No candidate may receive more than one (1) vote on a single ballot.
- C. The following agreement shall precede the ballot page on the Universal Online Ballot: I hereby agree that my vote is confidential and entirely my own. I understand that I may exercise my right to report misbehavior or harassment regarding the elections process to the Elections Commission at election@unm.edu or 505-277-5528.

#### Section 3. Election Voting Period

- A. The voting period will be defined as beginning on Monday at 9:00 am and ending on Wednesday at 5:00pm.
  - 1. The Universal Online Ballot will remain open during the entirety of the voting period.
  - 2. The polling station on the Tuesday of the voting period will be open in the Student Union building from 10:00 a.m. until 4:00 p.m.
  - 3. The polling station on the Wednesday of the voting period will be open in the Student Union Building.
  - 4. The homecoming elections will follow the procedure outline in Article 1, Section 3, Subsection I.
- B. The Election Voting Period will take place as follows:

1. The Universal Online Ballot will open on the Monday of the voting period at 9:00 a.m. and remain open until the Wednesday of the voting period at 5:00 p.m.
  2. Polling stations will open on Tuesday from 10:00 a.m. to 4:00 p.m. in the Student Union Building, and Wednesday from 9:00 a.m. to 5:00 p.m. in the Student Union Building.
- C. The voting period will follow the above outlined procedures in Article XI Section 1 and Section 2.

## **Article XII: Results**

### Section 1.

The Elections Commission will determine the time and place where the results of an election will be announced.

- A. The announcement of results will be open to the public.
- B. The announcement of results will be no more than one (1) day following the election.

### Section 2.

No ballots may be counted or tallied until after the voting period has been closed.

- A. ASUNM elected positions will be filled in order of candidates receiving the greatest number of votes.
- B. The results of this will be displayed in the ASUNM office and provided to the NM Daily Lobo. Only after the final resolution of all challenges to an election will the results be certified and deemed official.

### Section 3.

The final results of any election will include:

- A. The total number of students voting;
- B. The names of all candidates elected to offices;
- C. The total number of votes cast for each candidate;
- D. The total number of votes cast for and against any referendum or constitutional amendment, and/or opinion polls;
- E. Which referenda and/or constitutional amendments have passed and which have failed.

### Section 4.

Once certified and deemed official, the results will be kept on record for five (5) years from the date of certification.

### Section 5.



An election will be certified and deemed official after all contests have been resolved and the written results of the election have been signed by at least three-quarters (3/4) of the Elections Commission.

### Section 6.

In the event of a tie, the following procedure will apply in the order outlined:

- A. All candidates involved in the tie for the contested seat(s) will be asked if any of them will concede the contested seat(s) to the other candidate(s).
- B. If neither candidate concedes the procedures outlined below will be followed:
  1. For the positions of President or Vice President, if the results are certified no less than three (3) days before the Spring Senatorial Election's voting periods a runoff election will be held during the Spring Senatorial Election voting period. If the results are not certified by that time, a runoff election will be organized by the Elections Commission following the same procedures as the voting period and to be held seven (7) to twelve (12) days following the day when results were certified and deemed official.
  2. For the position of Senator when the tie determines the final available position to assume office.
    - a. The outcome shall be decided by a coin toss overseen by the Elections Commission.
    - b. A runoff election only if there is also a tie for President or Vice President as outlined in Section 6.B.1, and the Presidential or Vice Presidential runoff was not held during the Spring Senatorial Election.
- C. Should a runoff election fail to produce a victor, the outcome shall be decided by way of a coin toss overseen by the Elections Commission.

## **Article XIII: Contest of Elections**

### Section 1.

Any candidate or member of the Elections Commission may request a canvass/recount of votes by filing a request with the Elections Commission Executive Director no later than 5:00 PM one (1) day following the election.

### Section 2.

Any candidate or member of the Elections Commission may file a contest of election in writing with the Elections Commission Executive Director no later than to 5:00 PM one (1) day following the election voting period. If the election is contested on the grounds of improprieties concerning the Elections Commission or Attorney General, the contest will be immediately appealed to the Student Court. If an Elections Commissioner contests the election, they shall not be allowed to vote when the Elections Commission rules on the contest.

### Section 3.

- A. Any candidate or member of the Elections Commission may file a contest of a candidate in writing with the Elections Commission Executive Director no later than 5:00 PM one (1) day following the election. If an Elections Commissioner contests the election, they shall not be allowed to vote when the Elections Commission rules on the contest. Contest of a candidate must be on the grounds of improprieties concerning the candidate. The contest will only affect the race in which the candidate was registered.
- B. It will be the duty of the Elections Commission to hear and rule on contests of a candidate by 5:00 PM of the third (3) day following the election. At such a time the Elections Commission will issue a ruling regarding the contest.

#### Section 4.

Notification of contest of election or candidate will be relayed by the Elections Commission to the Student Court, the Attorney General, and other concerned parties no later than one (1) day following the filing of contest of election.

#### Section 5.

A contest of election must specify if the entire election is being contested or if only a specific race is being contested. If a specific race is being contested, the contest must state which race. The contest of election must specify the grounds on which the contest of election is being filed.

#### Section 6.

It will be the duty of the Elections Commission to hear and issue a ruling regarding contests of election by 5:00 PM within three (3) days of the voting period.

#### Section 7.

The ruling of the Elections Commission may be appealed to the Court which will have the power to declare any results of the election or Elections Commission's hearing invalid, remand down to the Elections Commission, or to order a new election. The election appeals are an accelerated process as outlined below:

- A. Any appeal to the Court must be made in writing by 5:00 PM of the fifth (5) day following the end of the voting period;
- B. The Court will start hearings on any contest no later than 5:00 PM of the tenth (10) day following the end of the voting period;
- C. The Court will have five (5) days to render a decision.
- D. As stated in the ASUNM Constitution, Student Court decisions may be appealed to the Student Conduct Committee. Any appeal to the Student Conduct Committee must be made in writing by 5:00PM on the fifth (5) day following the Student Court's decision.

#### Section 8.

The Contest of Election Form shall be in a format determined by the Elections Commission Executive Director, and must specify the following:

- A. The name of the candidate or member of the Elections Commission contesting the election;
- B. A written explanation of the nature of the contest, which should include the specific section of the ASUNM Constitution and/or Law Book that has been allegedly violated, along with all supporting evidence.

#### **Article XIV: Violations of the Election Code**

##### Section 1.

Any person or persons who violate(s), aid(s), or abet(s) the violation of this Election Code may be:

- A. Prohibited from having their name(s) appear on the official ballot;
- B. Disqualified as official candidate(s);
- C. Disqualified from assuming office(s);
- D. Subjected to such other penalties as may be imposed by the Elections Commission, the Student Court, or any other disciplinary body or official of UNM having the jurisdiction and authority to impose such penalties.

##### Section 2.

The Elections Commission will post all fines assessed to any candidate(s) on the door of the ASUNM office by 5:00 PM of the day following the assessment. The posting will remain up until the fine(s) has been paid or reversed. Each posting will include the following:

- A. The date the fine is assessed;
- B. The candidate's name;
- C. The type of fine that is assessed;
- D. The amount of the assessed fine;
- E. Any recommendations from the Elections Commission.

##### Section 3.

No candidate may assume office until all fines assessed against them have been paid. Fines shall be paid within ten (10) days after an Elections Commission's and/or Student Court's final decision and further appeals per Article IV, Section 2, Subsection G of the ASUNM Constitution if the assessment is challenged. Failures to pay said fines when due will disqualify the candidates from assuming office and make them ineligible to run for ASUNM office for one (1) semester. If a candidate fails to pay fines in more than one election, they shall be ineligible to run in future ASUNM elections.

#### **Article XV: Assumption of Office**

##### Section 1.

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

Section 2.

All elected candidates will be sworn-in by a Justice of the Court. This will occur after the election results are certified and deemed official, and by the administration of an Oath of Office.

Section 3.

In the event that election results for President and/or Vice President have not been certified and deemed official prior to the end of the semester in which an election was held, the succession of office for President and Vice President will be as follows:

- A. President Pro Tempore
- B. Appointed Chair of Steering and Rules
- C. Appointed Chair of Finance
- D. Appointed Chair of Outreach and Appointments
- E. Seniority of Senators

Section 4.

Once election results have been certified and deemed official or a new election has been held, the succession of office listed in Section 3 will be null and void and newly elected officers shall assume office.

## **Article I: Officers of the Legislative Branch**

### Section 1.

The Legislative Branch is composed of the Vice President who serves as the President of the Senate and twenty senators. One of the senators will be elected as the President Pro Tempore. The Attorney General serves as an ex-officio non-voting member of the Senate.

### Section 2. Oath of Office

- A. No Vice President will assume the duties of the office until an Oath of Office has been administered.
- B. The Vice Presidential Oath of Office must be administered by a Justice of the Associated Students of the University of New Mexico Student Court, and must be witnessed by a representative from each of the following:
  1. The Executive Branch
  2. The Legislative Branch
- C. The Oath of Office will be administered with the right hand uplifted and the following words said aloud: "I, (name), do affirm that I will uphold the laws of the Associated Students of the University of New Mexico, the State of New Mexico, and the United States of America: that I commit myself to the service of the undergraduate student of the University of New Mexico, and that I will otherwise fulfill the duties and obligations of the Vice President of the Associated Students of the University of New Mexico to the best of my ability."
- D. Upon affirmation of the Oath of Office, an affidavit will be filed attesting to the authority of the Vice President. The Vice President may then assume office.

### Section 3. Duties of the Vice President

- A. Executive Duties
  1. The Vice President will provide for the hiring of two (2) Senatorial Legislative Assistants: Legislative Coordinator and Senate Clerk.
  2. The Vice President must sponsor an intensive training session for all newly elected or re-elected Senators during each session while in their term of office.
    - a. This session will consist of an overview of parliamentary procedure, legislative writing, general campus policies, and an overview of a demerit hearing and procedures which may help senators to address campus issues.
    - b. For the session the Vice President will produce a Senate manual containing information to assist Senators in carrying out their duties.
  3. The Vice President shall be responsible for coordinating a minimum of one (1) ASUNM-sponsored community service project(s) per session.
  4. The Vice President will appoint Senators to serve on the Finance Committee, Steering and Rules Committee, and the Outreach and Appointments Committee.

5. The Vice President possesses the power to issue a demerit (or warning) to any Senator, at any time, for actions or statements that they consider to be misconduct as outlined in Article X of the Legislative Code.
  - a. The office of the Vice President shall maintain an updated record of warnings, demerits, and any associated penalties issued to Senators in accordance with Article X of the Legislative Code.

B. Legislative Duties

1. Legislation will be assigned to the appropriate committee(s) at the discretion of the Vice President. This decision can be overturned by two-thirds (2/3) vote of the Senate.
2. When a bill is passed by a majority vote of the seated Senate, the Vice President has two (2) days to hand deliver the bill to the President.
  - a. If the bill is not delivered to the President within the allotted two (2) days, the Senate may consider disciplinary action against the Vice President.
  - b. If the bill is not delivered to the President within the allotted two (2) days, the sponsoring senator(s) of the legislative action may hand deliver the bill to the President.
3. The Vice President is responsible for the accuracy of all legislation delivered to the President's office beyond obvious typographical errors. If errors other than typographical occur, the law is null and void and returned to the Senate.
4. The Vice President will inform the President of any act left unsigned for six (6) days that has become a law.
5. The Vice President will deliver the final version of any bill enacted into law to the Attorney General within three (3) days after the Vice President has received it from the UNM Office of University Counsel.
6. The Vice President's office will be responsible for delivering any law providing for an appropriation to the Student Government Accounting Office.
7. The Vice President will be responsible for the execution of all activities of the legislative branch.
8. The office of the Vice President shall be responsible for distributing to the Senators a copy of the updated ASUNM Constitution and Law Book once received from the Attorney General.

C. Endorsing and handle Resolutions according to the guidelines set forth in the Legislative Code, Article VIII.

D. Outreach Duties

1. At a minimum of one time a month during each session, the Vice President and President Pro Tempore shall assist the president in preparing an e-mail message to inform the undergraduate student population about information regarding ASUNM initiatives and events, student issues, and upcoming ASUNM plans that promote knowledge and education on undergraduate subjects.
2. Because the Vice President is responsible for the execution of all activities of the legislative branch, the Vice President shall work with the President and President Pro Tempore, by providing the President with a report concerning the *legislative matters* that would contribute to the overall goals of the e-mail message.

3. The report should be submitted to the president no less than three (3) days before the e-mail is to be delivered.
4. The President, the Vice President, and the President Pro Tempore shall agree on the content prior to making the e-mail message public.

## **Article II: President Pro Tempore**

### Section 1.

Election of the President pro tempore will take place by the end of the second meeting of the Fall and Spring Senate sessions.

- A. The President pro tempore from the preceding session, if still a seated member of the Senate shall perform all duties and responsibilities of the office until a successor is elected.
- B. If the President pro tempore from the preceding session is not still a seated member of the Senate, the chair of the Steering and Rules Committee shall become the acting President pro tempore until one is elected.
- C. Nomination for President pro tempore will be taken from the floor of the Senate.
- D. The Senate will designate the amount of time each candidate may speak before the Senate.
- E. The elected President pro tempore will assume the duties of office immediately.

### Section 2. President Pro Tempore Duties

- A. The President pro tempore shall be an ex-officio non-voting member of all Student Service Agencies, boards, committees, or commissions and all Senate Standing Committees.
- B. The President pro tempore shall serve as the Senator's liaison with the UNM Faculty Senate.
- C. The President pro tempore shall handle all absences for office hours, Senate meetings and Senate standing committee meetings. They shall be responsible for maintaining a record of attendance for Senate office hours, completion of Outreach Credits, and any other forms that must be filled out.
- D. The President pro tempore shall collect written notification by senators for absences. The President pro tempore will notify the Vice President of all absences.
- E. The President pro tempore shall enforce any disciplinary action against senators not attending office hours, Senate meetings, or Standing Committee meetings.
- F. The President pro tempore shall not be included in the total number of quorum for any Senate Standing Committee meeting, unless quorum has not been met, in which case the President pro tempore becomes an ex-officio voting member and can fulfill quorum.
- G. The President pro tempore shall be responsible for documentation and publication of the Senate office hours.
- H. At a minimum of one time a month during each session, the President Pro Tempore shall assist the President and Vice President in preparing an e-mail message to inform the undergraduate student population about information regarding ASUNM initiatives and

events, student issues, and upcoming ASUNM plans that promote knowledge and education on undergraduate subjects.

1. Because the President Pro Tempore serves as the liaison between the ASUNM Senators and Executive branch, this officer will work with the President and Vice President by assisting them with the e-mail.
2. The President, the Vice President, and the President Pro Tempore shall agree on the content prior to making the e-mail message public.

### Section 3. Removal from Office

- A. The President pro tempore may be removed from office at the will of the Senate.
- B. A motion for removal must be introduced on the floor of the Senate and seconded by two (2) senators.
- C. Removal of the President pro tempore requires a majority vote of the seated Senate.
- D. When the office of President pro tempore is vacant, whether by removal, resignation or other circumstances, a new President pro tempore will be elected at the next Senate meeting.

## **Article III: Senators**

### Section 1. Oath of Office

- A. No Senator will assume the duties of that office until an Oath of Office has been administered.
- B. The Senatorial Oath of Office must be administered by a Justice of the Associated Students of the University of New Mexico Student Court, and must be witnessed by a representative from each of the following:
  1. The Executive Branch;
  2. The Legislative Branch.
- C. In the case that a Justice is unavailable to administrator the Senatorial Oath of Office, the President of the Associated Students of the University of New Mexico will administer the Senatorial Oath of Office. In the case that the President of the Associated Students of the University of New Mexico is unavailable to administer the Senatorial Oath of Office, then the Vice President of the Associated Students of the University of New Mexico will administer the Senatorial Oath of Office.
- D. The Senatorial Oath of Office will be administered with the right hand uplifted and the following words said aloud: "I, (name), do affirm that I will uphold the laws of the Associated Students of the University of New Mexico, the State of New Mexico, and the United States of America; that I commit myself to the service of the undergraduate students of the University of New Mexico, and that I will otherwise fulfill the duties and obligations of a Senator of the Associated Students of the University of New Mexico to the best of my ability."
- E. Upon affirmation of the Oath of Office, an affidavit will be filed attesting to the authority of the Senator. The Senator may then assume office.

### Section 2. Duties of each Senator serving on the ASUNM Senate



- A. Each Senator is required to attend Standing Committee meetings and Full Senate meetings for the entire duration of the meeting.
- B. Each senator is required to hold at least two (2) Senatorial Office Hours a week, which will be held in the ASUNM office. It is mandatory that each Senator submit their Office Hours weekly. The date and time of the submission will be at the discretion of the President Pro Tempore each semester.
- C. If a Senator is unable to complete their office hours during their stated times they need to contact the President Pro Tempore before the designated time of their office hours. If a Senator is unable to attend their Standing Committee meetings or Full Senate meetings, they need to contact the President Pro Tempore at least twenty-four (24) hours before the meeting is scheduled. The President Pro Tempore will then immediately notify the committee chair and the Vice President of the senator's absence. In case of an emergency, every effort should be made to contact the President Pro Tempore within forty-eight (48) hours after the meeting or office hours, with a written notification to excuse the absence.
- D. Each Senator must be appointed by the President of the Senate to one of the three Senate standing Committees. Those committees are the Finance Committee, Outreach & Appointments Committee and the Steering and Rules Committee.
  - 1. The Finance Committee shall refer to the finance code and ASUNM Constitution for all financial responsibilities.
  - 2. The Outreach and Appointments Committee shall be responsible for the following outlined duties as well as what is outlined in the ASUNM Constitution.
    - a. Appointments
      - i. All appointees for the positions of Chief of Staff, Attorney General, Director of Communication, Student Service Agency Executive Directors, and Student Court Justices will be interviewed by the Outreach and Appointments Committee. All other appointees for positions may be interviewed at the discretion of the committee.
        - a. The appointee must attend the meeting in person or send another student to represent them at the committee hearing.
        - b. The appointee must inform the Outreach and Appointments Committee Chair at least three (3) days prior to the committee meeting if another student will be representing them at the committee hearing.
        - c. The appointee may not send an ASUNM Senator to represent them at the committee hearing.
      - ii. All appointees will be required to submit an application specific to their desired position, cover letter and resume.
        - a. If one or more of the documents is not presented to the Outreach and Appointments Committee, the appointee will not be approved until all documents are received by the Outreach and Appointments Committee.
        - b. If all documents are not received by the next Outreach and Appointments Committee, the committee must vote not to approve the presidential appointment.

- iii. If the Outreach and Appointments Committee confirms the appointment, it shall be forwarded to the ASUNM Senate for approval.
    - a. The candidate need not be present at full Senate.
    - b. If the candidate is not approved by the Senate, the President must submit a new appointment or resubmit that application.
  - iv. If the appointee is recommended for an interview with the Outreach and Appointments Committee and the appointee or their representative fails to attend the scheduled committee hearing, the appointee or their representative must attend the subsequent committee hearing.
    - a. If neither the appointee nor their representative attends the subsequent committee hearing and in doing so has failed to attend two (2) ensuing committee hearings, then the Outreach and Appointments Committee must vote to not approve the same presidential appointment.
  - v. The Outreach and Appointments Committee votes to approve or not approve the presidential appointments that are interviewed at a committee hearing.
  - vi. If an appointment is not approved by the Outreach and Appointments Committee:
    - a. The President must submit a new appointment or resubmit an application for the same candidate within five (5) days to the Outreach and Appointments Committee Chair for reconsideration.
    - b. Each appointee may only be submitted twice for the same position.
    - c. If an appointee is not approved after the second submission, the President must submit a new appointment.
    - d. If an appointment is approved by the Outreach and Appointments Committee, the same process for final approval by the Senate as outlined in the Legislative Code Article III, Section 2, A, ii is followed.
  - b. Outreach responsibilities are outlined in the ASUNM Constitution and are under the discretion of the committee and Pro Tempore.
  - 3. The Steering and Rules Committee shall be responsible for what is outlined in the ASUNM Constitution.
- E. Senators will also serve on Student Service Agencies as appointed by the President of the Senate.
- 1. Senators must contact their Student Service Agency at the beginning of each semester to establish meeting times, support opportunities, and provide financial assistance. Senators must continue to communicate throughout their term with their assigned agency. One (1) Senator from each agency shall report to Full Senate regarding the agency.

- F. The office of the Vice President will assign a list of chartered student organizations to each Senator. Senators must attempt to contact their student organizations within two (2) weeks of receiving the list.
1. Senators must provide their assigned student organizations with the Senate office hours published by the office of the Vice President.
- G. Each Senator is required to complete a minimum of twelve (12) Outreach hours, with the exception of the Senators of the Outreach and Appointments Committee, who are required to complete sixteen (16) Outreach hours. It is mandatory that each Senator submit their Outreach hours. The time and date will be at the discretion of the Senate Pro Tempore each semester.
1. Hours are broken down into the following categories:
    - a. Four (4) ASUNM Event Hours
      - i. Four (4) hours, completed either together or separately, spent at an ASUNM approved outreach event, including but not limited to Student Service Agency hosted events, Senate planned outreach events, Executive planned outreach events, or any other outreach event deemed acceptable by the President Pro-Tempore
    - b. Four (4) UNM Community Hours
      - i. Four (4) hours, completed either together or separately, spent doing any activity in line with the definition of a senatorial outreach hour at a non-ASUNM sanctioned event.
    - c. Four (4) Discretion Hours
      - i. Four (4) hours, completed either together or separately, completed in an outreach event of the Senator's own choosing including but not limited to the above approved events, or any outreach event consistent with the definition of an outreach hour found in the Definitions Code.
  2. The additional four (4) hours required of Outreach and Appointment Senators will fall under the discretion of the sitting Outreach and Appointments Committee.
  3. Senators are each required to complete four (4) Outreach hours by the onset of Fall or Spring Break to avoid disciplinary action. The remaining eight (8) hours must be completed by the final Full Senate meeting of the semester.
    - a. Outreach and Appointment Senators must complete their additional four (4) hours by the final Full Senate meeting.
- H. If a Senator fails to comply with the duties of their office which include but are not limited to, regular attendance of office hours, committee meetings, full Senate meetings, or outreach hours along with the proper submission of Office and Outreach Credits at the Senate Pro Tempore's discretion, that Senator will face proper disciplinary action as outlined by the Disciplinary Action Code and the Constitution.

#### **Article IV: Office of the Vice President**

##### Section 1.

The Office of the Vice President shall consist of one (1) Senate Clerk and one (1) Legislative Coordinator.

Section 2.

The main responsibilities of the Office of the Vice President are as follows: attend every Senate meeting, take roll call of Senators, take minutes and record all votes taken during the Senate meeting.

- A. The Office of the Vice President shall have the responsibility to keep accurate records of the above procedures, type and distribute the minutes.
  - 1. The Office of the Vice President shall keep a record of Committee reports, type and distribute the minutes.
  - 2. The Office of the Vice President shall keep a record of Committee reports and type and distribute all proposed and adopted legislation.
  - 3. The Office of the Vice President will maintain, in chronological order, the official copy of all Senate legislation, and all related documentation.
  - 4. The official copy of the Senate legislation will be retired at the end of each session and maintained for a period of three (3) years and then delivered to the UNM archives by the Vice President.

**Article V: Attendance Record**Section 1.

The Office of the Vice President shall compile a comprehensive attendance record. The record will be available for public inspection at the ASUNM office. The Attendance Record will include: the absence of individual Senators at all roll calls, all quorum calls, and the absence of individual Senators at meetings of Legislative Committees to which they have been appointed.

**Article VI: Minutes**Section 1.

The minutes of the Senate will include the Senate agenda, copies of all committee reports, and a listing of all legislation and all action taken by the Senate in regards to the legislation.

- A. Copies of the minutes will be made available to the public.
- B. Copies of Executive and Legislative Agencies and Committee minutes will be kept on file by the Office of the Vice President and will be made available to the public.

**Article VII: Voting Record**Section 1.

The Office of the Vice President will compile a comprehensive voting record. The record will be available for public inspection at the ASUNM office.

- A. All final votes on Appropriation Bills, Bills, Commendations, Condolences, Constitutional Amendments, Presidential Appointments to ASUNM positions, Referenda, and Resolutions will be by roll call vote.

- B. The voting record will include the tabulation of all votes. Only votes taken on the Senate floor will be included in the record.

### **Article VIII: Resolutions**

- A. Resolutions passed by the Senate shall be presented to the President for signature. The President Pro-Tempore of the Senate shall co-sign all Joint Resolutions.
- B. A Resolution unsigned by the President will be returned to the Vice President within three (3) days after its passage by the Senate, and shall become a Senate Resolution.
  - 1. The President Pro Tempore of the Senate must sign any Resolution returned by the President unsigned.
  - 2. The Vice President may sign any Resolution returned by the President unsigned.
  - 3. If the Vice President chooses not to sign such a Senate resolution, the Chair of the Steering and Rules Committee must sign the resolution.
- C. The Vice President shall be responsible for the distribution of all Resolutions.
- D. Advocating for Resolutions
  - 1. The President and the principal sponsor will be responsible to advocate and coordinate university efforts for all Joint Resolutions.
  - 2. The Pro Tempore and the principal sponsor will be responsible to advocate and coordinate university efforts for all Joint Resolutions.
  - 3. Advocating a Resolution shall include authoring a sponsorship letter to be distributed alongside the Resolution. This letter should:
    - a. Address the recipients of the Resolution; and
    - b. Include a summary of the text of the Resolution; and
    - c. Describe the purpose for the distribution and the intention for sending it to specific recipients; and
    - d. If applicable, explain expectations or requests for action from recipients.
  - 4. The responsibility to distribute and/or advocate for a Senate Resolution is removed at the end of the senate session in which it was passed.
  - 5. The responsibility to distribute and/or advocate for a Joint Resolution is removed at the end of the President's term in which it was passed.

### **Article IX: Commendations or Condolences**

- A. Commendations or Condolences passed by the Senate shall be presented to the President for signature. The President Pro-Tempore of the Senate shall co-sign all Joint Commendations or Condolences.
- B. A Commendation or Condolence unsigned by the President will be returned to the Vice President within three (3) days after its passage by the Senate, and shall become a Senate Commendation or Condolence.
  - 1. The President Pro-Tempore of the Senate must sign any Commendations or Condolences returned by the President unsigned.
  - 2. The Vice President may sign any Commendation or Condolence returned by the President unsigned.

3. If the Vice President chooses not to sign such a Senate Commendation or Condolence, the Chair of the Steering and Rules Committee must sign the Commendation or Condolence.
- C. The Vice President shall be responsible for the distribution of all Commendations or Condolences.
- D. Advocating for Commendations or Condolences
1. The President's Office and the principal sponsor will be responsible to advocate and coordinate university efforts for all Joint Commendations or Condolences.
  2. The Pro Tempore and the principal sponsor will be responsible to advocate and coordinate university efforts for all Joint Commendations or Condolences.
  3. Advocating a Commendation or Condolence shall include authoring a sponsorship letter to be distributed alongside the Commendation or Condolence. This letter should:
    - a. Address the recipients of the Commendation or Condolence; and
    - b. Include a summary of the text of the Commendations or Condolences; and
    - c. Describe the purpose for the distribution and the intention for sending it to specific recipients; and
    - d. If applicable, explain expectations or requests for action from recipients.
  4. The responsibility to distribute and/or advocate for a Senate Commendation or Condolence is removed at the end of the senate session in which it was passed.
  5. The responsibility to distribute and/or advocate for a Joint Commendation or Condolence is removed at the end of the President's term in which it was passed.

### **Article X: Senate Vacancies**

In the event of multiple vacancies in the Senate, full term vacancies will be offered to the candidates with the highest number of votes in the most recent general election. In the event of a full term vacancy opening after a semester long appointment has been made, Senators with the highest number of votes from the most recent Fall or Spring General Election seated for semester long terms have the option of accepting the longer term.

- A. In the event of a full term vacancy opening, the Senator who was offered the full term has ten (10) days to accept or decline their full term.

### **Article X: Community Service**

- A. Senators will be individually responsible to participate in a minimum of four (4) hours within the ASUNM-sponsored community service project.
- B. The community service project(s) will be coordinated by the Senate's President pro tempore.
- C. The service projects must be completed under the name of ASUNM Senate.
- D. All attendance exceptions will be left to the discretion of the President pro tempore.

1. The President pro tempore may require a senator(s) to make-up hours on their own time by participating in an alternative project(s).
  2. The manner in which a senator(s) is able to make-up hours will be left to the discretion of the President pro tempore.
- E. The minimum of four (4) hours within the ASUNM – sponsored community service project must be completed at least two (2) days prior to the last scheduled full Senate meeting of the semester.

## **Article XI: The Senator Accountability Code**

### Section 1. Disciplinary Action

- A. Disciplinary action, in the form of demerits and associated penalties, may be imposed against any Senator for violation(s) set forth in section 2 herein. Senators are subject to disciplinary action for misconduct as stated in Article V of the ASUNM Constitution.
- B. The office of the Vice President will keep all records of demerits and associated penalties. The records will include the date issued, the violation, the issuer, and the recipient.
- C. Demerits may be issued by:
  1. The Vice President;
  2. The President Pro Tempore;
  3. The two-thirds majority of the Senate.

### Section 2. Violations

- A. Demerits may be issued for the following offenses:
  1. Unexcused tardiness: A demerit shall be issued upon the second unexcused tardiness to any mandatory ASUNM Senate meetings or events, including, but not limited to, standing committees, full Senate meetings, and ASUNM Senate retreats. Each additional unexcused tardy after the first demerit will constitute an additional demerit.
  2. Unexcused early departure: A demerit shall be issued upon the second unexcused early departure from any mandatory ASUNM Senate meeting or event, including, but not limited to, standing committees, full Senate meetings, and ASUNM Senate retreat. Each additional unexcused early departure after the first demerit will constitute an additional demerit.
  3. Unexcused absence: A demerit shall be issued upon the first unexcused absence from any mandatory ASUNM Senate meetings or events, including, but not limited to, standing committees, full Senate meetings, ASUNM Senate retreats, and ASUNM community service projects. An event is considered to be mandatory if announced by the Vice President, or if a Senator signs up to participate at a specific place and time.
  4. Failure to respond to reasonable efforts by the Vice President requesting information pertaining to functions of the Senate within two hundred-forty (240) hours. Additional demerits will be issued for each additional forty-eight (48) hour increment thereafter without response, so long as the Vice President has made additional efforts to contact the Senator.

5. Failure to fulfill additional senatorial duties: A demerit shall be issued upon the second failure to fulfill any other duty or obligation of a Senator outlined in the Standing Rules and Article III, Section 2 of the Legislative Code in the ASUNM Law Book.
- B. Whether an absence or tardy is deemed to be excused or unexcused will be left to the determination of the President pro tempore after a Senator has submitted an “ASUNM Excused Absence Form.”

### Section 3. Disciplinary Action

The following procedures will apply to all Senators upon receipt of demerits:

- A. Official notification of any demerit will be delivered by the Vice President to a senator’s physical and electronic mailbox within two (2) days of the reported infraction.
- B. The announcement of issued demerit(s) and lost privilege(s) will be made by the Vice President under Section A, Preliminary Business, of the full Senate agenda as “Senator Accountability.”
- C. The Vice President will announce the Senator to whom a demerit has been issued and, if applicable, the loss of their privileges.

### Section 4. Demerits

Demerits will be issued in the following order with the corresponding loss of privileges. Senators shall not accrue demerits and associated penalties from semester to semester.

- A. Two (2) demerits: The Senator shall lose their speaking privileges for one (1) full Senate meeting. No time may be yielded to a senator whose right to speak has been revoked. The Senator will retain the right to vote.
- B. Three (3) demerits: The Senator shall lose their voting and speaking privileges for a second full Senate meeting, as well as their ASUNM stipend.
- C. Four (4) demerits: The culmination of the actions by a Senator to receive four (4) demerits will be considered “willful neglect of office” and shall be subject to the procedures outlined in Article V, Disciplinary Action, of the ASUNM Constitution.
  1. The Vice President will be responsible for filing a written charge of the said senator’s “willful neglect of office” with the ASUNM Student Court as outlined in Article V, Section C of the ASUNM Constitution within three (3) days of the fourth demerit being issued.

### Section 5. Appeals

- A. Any demerit may be appealed to the Student Court, which will have the power to declare any demerit invalid.
  1. An appeal may only be made after the Senator has objected to the issuance of a demerit.
  2. A Senator must file in writing an official complaint with the ASUNM Student Court by 5:00 PM of the second (2) day following the issued demerit.



3. The Court will start hearings on any appeal no later than 5:00 PM of the fifth (5) day following the appeals submission. The Court will have two (2) days to render a decision.
- B. While an appeal is pending, the appealing Senator will retain all of the rights and privileges of office until the Court has reached a final decision.
1. If the ASUNM Student Court upholds the senator's appeal, the demerits and any associated penalties in question shall be repealed.

## **Article I: General Fund**

### Section 1.

The Finance Committee will have the authority to review and revise the spending practices of any ASUNM funded group.

### Section 2.

The ASUNM Student Government will only fund service entities, chartered student organizations, Student Service Agencies or ASUNM government.

### Section 3.

Each year, the sum of seven (7%) percent will be retained from projected revenue for the General Fund prior to formal consideration of any Budget or Appropriation requests. Said funds will only be allocated according to the requirements of the Fall Budget Process or Senate Appropriations.

### Section 4.

All funded groups, excluding Legislative, Judicial, and Executive offices, having surplus funds remaining at the end of the fiscal year in which they were awarded will have said funds permanently revert into the General Fund unless otherwise decided by law. Exceptions may only be made with the approval of two thirds (2/3) of the seated Senate.

### Section 5.

- A. Legislative, Judicial, and Executive offices may apply up to forty thousand (40,000) dollars for Fiscal Year 2019 of their surplus funds remaining at the end of the fiscal year towards expenses in the new fiscal year. These funds may only be expended after a majority approval by Senate. At the end of Fiscal Year 2019, the forty thousand (40,000) dollar cap will automatically increase to fifty-four thousand (54,000) dollars. Each ASUNM agency must attend a balance forward hearing and will be allowed a specified amount of time during their hearing to present their request. The Finance Committee will review, evaluate, and recommend adjustments in line-items. The Finance Chair will present the recommendations of the Finance committee through a line-item budget of the surplus of all Legislative, Judicial, and Executive offices to the President of the Senate for approval no later than the sixth Senate of the fall semester. A simple majority vote of the Senate is required for approval.
- B. Surplus funds that are above the allowable forty thousand (40,000) dollars for Fiscal Year 2019, or fifty-four thousand (54,000) thereafter, or not approved by the Senate remaining at the end of the fiscal year in which they were awarded will permanently revert into the General Fund unless otherwise decided by law. Exceptions may only be made with the approval of two thirds (2/3) of the seated Senate.

### Section 6.

All funds generated by an ASUNM Executive Agency are governed by the ASUNM Finance Committee policies and procedures. ASUNM Executive Agency generated funds will automatically be budgeted into the expense line–item(s) that were used to produce said funds. Budgeting of Executive Agency generated funds to an alternative line–item must follow the same procedure as a line–item transfer.

## **Article II: Disbursement**

### Section 1.

Funds approved through the Spring Budget Process will be made available to that group for use at the beginning of the fiscal year.

### Section 2.

Funds approved through the Fall Budget Process or allocated by Senate Appropriations will be eligible for disbursement upon signing into law by the President.

### Section 3. Authorization of Funds

- A. All funded groups will register a minimum of two (2) authorized persons for transactions with the Student Government Accounting Office.
- B. All requisitions and line–item transfer requests must contain two (2) authorized signatures.
- C. Authorization for handling said funds may not be changed unless the group requests the change in authorization with the Student Government Accounting Office.

### Section 4.

Contractual obligations will be binding upon ASUNM only if all of the following stipulations are met:

- A. The contract is entered after approval and availability of funds for that purpose. This includes approval of funds for the following fiscal year.
- B. The contract does not exceed the amount allocated for that purpose.
- C. Funds are used only as specified in the annual Budget, Appropriation, or other approved documentation.

### Section 5.

Funds approved through any ASUNM Finance process may not be used for any financial obligation incurred before signing, enacting, or otherwise confirming the authorization of the expenditure of funds. The only exception is for unforeseen costs of a sign language interpreter as required by the Americans with Disabilities Act (ADA) to be present at an event. Additionally, those groups participating in deficit spending will be considered in violation of the Finance Code and will be considered for Financial Enjoinment.

### Section 6.

The Student Government Accounting Office will allow payment of funds only as provided for in ASUNM Constitution, Law Book, and as directed by the Finance Committee. Any and all debts incurred not conforming to these stipulations will be solely the liability of the group in question.

Section 7.

ASUNM shall make all financial disbursement decisions in a viewpoint neutral manner as required by law, meaning that no request for funding will be favored or disfavored because of the viewpoint expressed by the group seeking the funding.

Section 8.

In accordance with UAP 2170 Section 1, Student Organizations may pay an honorarium to an individual of special achievement or renown, in return for that individual's willingness to visit the University and participate in a University event of short duration (such as speaker, reviewer, seminar, participant, etc.), with the understanding that the the payment does not constitute compensation commensurate with the actual services provided. An honorarium check should be presented to the recipient on completion of the service. An honorarium is not intended to be payment for services rendered by either an independent contractor or an individual working in an employment relationship. Honoraria cannot be paid to employees.

Section 9.

ASUNM funding will not be used for expenditures which will generate a donation of cash, materials, goods, or services for a charitable or political cause.

Section 10.

In accordance with UAP 1040 Section 8.2, Chartered Student Organizations may use their self-generated fundraising proceeds to hold fundraisers for domestic 501 (c) 3 nonprofit organizations in order to:

- A. Support the Chartered Student Organizations' mission;
- B. Provide support to their parent organizations or local chapters; or
- C. Assist the sick or indigent.

All costs related to the use of University resources (such as costs associated with renting space for the event and personnel who set up the event) must be deducted from gross proceeds, so that there is no donation of University resources and the Associated Students of the University of New Mexico resources. Once the costs related to the use of University Resources are deducted from the gross proceeds, the net proceeds of these fundraisers may be donated to the domestic external nonprofits. In order to document the contribution, Chartered Student Organizations should submit to the Student Government Accounting Office a letter or email to the nonprofit organization acknowledging the contribution.

**Article III: Appropriation Bills**

Section 1.

An appropriation bill is a proposed piece of legislation which, if enacted, signed, or otherwise confirmed would become law and would authorize the expenditure of funds for the current fiscal year.

### Section 2.

Appropriation bills shall only be used towards unforeseen one-time expenditures, one-time capital outlays, or travel.

### Section 3.

Only chartered student organizations, ASUNM government, ASUNM Student Service Agencies and service entities may receive appropriation bills. They can receive funding through an appropriation bill only once per semester.

### Section 4.

The Finance Committee will, prior to any approval of appropriations, update the ASUNM Full Senate on the amount available in the general fund.

### Section 5.

1. The failure of an undergraduate student from the requesting student organization to attend an appropriation hearing will result in the following penalty:

A. The maximum funding the group can be allotted will be thirty (30) percent less than their requested appropriation.

2. The failure of an undergraduate student from the requesting student organization to present the appropriation will result in the organization having their appropriation failed.

A. If failed, the organization is eligible to attend a later appropriation hearing with the presence of an undergraduate student.

## **Article IV: Line-Item Transfers**

### Section 1.

Any group requesting a line-item transfer will present their written request to the Finance Committee. The Committee may approve the request by a simple majority vote. The transfer must be signed by the Finance Committee Chair, and the Student Government Accounting Office. All requests must include:

- A. Line-item name and number
- B. Current amount of money in that line-item
- C. Requested increase/decrease in that line-item
- D. Revised budget for that line-item
- E. Justification for the transfer

F. Two (2) authorized signatures

Section 2.

The Student Government Accounting Office must approve line–item transfers before the ASUNM Finance Committee may consider them. The Student Government Accounting Office will ensure that funds are available in the student organization’s budget and in the line–items that student groups are requesting a decrease.

Section 3.

Line–item transfers taking place after the last meeting of the Finance Committee in the semester must be approved by a majority vote of the ASUNM President, ASUNM Vice President, and the ASUNM Finance Committee Chair. Line–item transfers taking place in this time period may only be considered if the expenses were necessary after the last meeting of the Finance Committee for that semester. If the Chair of the Finance Committee is not available, the position will be filled by a senator, who will be selected based on order of seniority, determined by (1) the greatest amount of time in office or (2) in the event of a tie, selection will be determined by the greatest number of votes received by eligible Senators in the most recent election.

**Article V: Financial Enjoinment**

Section 1. Reasons for financial enjoinment will include:

- A. A violation of the Finance Code, Finance Standing Rules, the University spending policies, or spending stipulations set forth by the Finance Committee.

Section 2. Procedure:

- A. Providing notice of an alleged violation to a student group is the responsibility of the Chair of the Finance Committee and will be delivered via e–mail to the current address of the said student group that is on file at SGAO.
- B. Alleged violations brought to the attention of the Finance Committee by any person will be considered for financial enjoinment and/or a reversion of funds.
- C. The student group being considered for financial enjoinment will be given at least five (5) days written notice to appear before the Finance Committee.
- D. After hearing and reviewing all information, the Finance Committee will determine if a violation has occurred and if so, whether a financial enjoinment will occur.
- E. Financial enjoinment will name a specific date and/or condition(s)/stipulation(s) under which the financial enjoinment will end.
  - 1. This action requires approval by a majority of the Finance Committee to become effective and a report must be submitted to the Senate at the following meeting.
    - a. The Finance Committee will submit this report to the Senate at the next meeting under Finance Committee Business – “Financial Enjoinment.”
  - 2. The Senate may reverse a financial enjoinment by a two–thirds vote of its members.
  - 3. The Chair of the Finance Committee will notify the student group, the Vice President, and SGAO within two (2) days following the full senate meeting with

the date and/or condition(s)/stipulation(s) to be met by the student group in order for the financial enjoinderment to be lifted.

4. The Chair of the Finance Committee will notify the student group, the Vice President, and SGAO, within five (5) days of the date and/or the condition(s)/stipulation(s) having been met and the enjoinderment being lifted.
  5. A student group that fails to meet the condition(s)/stipulations set forth by the Finance Committee will be considered for a reversion of funds.
- F. With the imposition of a financial enjoinderment, existing contractual obligations shall be reconciled with funds from the account of the enjoinderment student group.
- G. If the alleged violation occurs after the last meeting of the Senate session, a committee consisting of the President, the Vice President, and the Chair of the Finance Committee will function in the place of the Finance Committee and Senate. Their actions will stand until ratified or overturned by the full Senate at the beginning of the next session.

### Section 3. Appeals

- A. Any financial enjoinderment may be appealed to the Student Court. This appeal must be filed within two (2) weeks of the final notification to the student group of the financial enjoinderment of funds.

## **Article VI: Reversion of Funds**

### Section 1. Reasons for a reversion of funds will include:

- A. Failure by any student organization, that has been allocated funding through the previous ASUNM Spring Budget Process, to submit a Chartered Student Organization form to the Student Activities Center by 5:00 PM on the Friday of the third week of the Spring Semester.
1. Violation of Article VI, Section 1(A) will result in the automatic reversion of funds.
- B. Failure by any group that is under financial enjoinderment to meet the condition(s)/stipulation(s) set forth by the Finance Committee during the group's financial enjoinderment hearing.
- C. Gross negligence, as determined by the Finance Committee, by any student group in the use of ASUNM funding in a manner that violates the Finance Code, Finance Standing Rules, the University spending policies, or any spending stipulation set forth by the Finance Committee.

### Section 2. Procedure:

- A. Providing notice of the proposed financial reversion to a student group is the responsibility of the Chair of the Finance Committee and will be delivered via e-mail to the current address on file at SGAO.
- B. The student group being considered for financial reversion will be given at least five (5) days written notice to appear before the Finance Committee.

- C. A student group will be considered for a reversion of funds after their specified violation has been presented at a Finance Committee meeting and the stated violation has been determined by the Finance Committee to be grounds for such an action.
1. This action requires approval by a majority of the Finance Committee.
  2. The Finance Committee will submit its report to the Senate at the next meeting during Finance Committee Business under “Reversion of Funds.”
    - a. During the full Senate meeting, the student group will be allowed a five (5) minute speaking time to present information to the Senate immediately after the report is given by the Finance Committee. Senators will then be given one (1) three (3) minute speaking time for questions to the student group.
    - b. A majority vote of the Senate is required to approve the reversion of funds.
  3. The Vice President will notify the student group and SGAO of the Senate’s final decision within two (2) days following the Senate meeting.
  4. The student group that has had their funds reverted will follow the subsequent rules for the remainder of the fiscal year in which their funds were reverted:
    - a. A student group that violated Article VI Section 1(A) will be eligible for an appropriation after a charter is submitted and accepted through the Student Activities Center.
    - b. A student group that violated Article VI Section 1(B) will not be eligible for an appropriation during the semester in which their funds have been reverted.
    - c. The student group will be eligible to submit a budget request during the Spring Budget Process for the following fiscal year.
- D. If the alleged violation occurs after the last meeting of the Senate session, a committee consisting of the President, the Vice President, and the Chair of the Finance Committee will function in the place of the Finance Committee and Senate. Their actions will stand until ratified or overturned by the full Senate at the beginning of the next session.

### Section 3. Appeals

- A. Any reversion of funds may be appealed to the Student Court. This appeal must be filed within two (2) weeks of the Vice President’s final notification to the student group.
1. Any student group found to be in violation of Article VI, Section 1(A) will be ineligible to appeal the reversion of funds.

## **Article VII: Standing Rules**

### Section 1.

The Finance Committee will adopt a set of Standing Rules to be used in committee at the first committee meeting of each session. A majority vote is necessary for adoption of the Standing Rules. These rules will then be submitted to the Senate at the first Senate meeting of each session.

### Section 2.



Standing Rules may be suspended by a two-thirds vote of the committee. Extreme caution should be exercised when and if this is considered as the Standing Rules are meant to serve as uniform guidelines for operation.

Section 3.

Any policies that the Student Government Accounting Office is currently using at the time of the Appropriation or Budgeting of funds will supersede any Standing Rules where conflict occurs, and will be considered to be part of the Standing Rules.

**Article VIII: Distribution of Salaries**

Section 1.

The Student Government Accounting Office is authorized to redistribute salaries in accordance with the annual budget. The amounts redistributed may not exceed the budgeted amount for that particular salary.

Section 2.

No individual will be paid prior to their appointment.

**Article IX: Enforcement**

Any individual or group knowingly obstructing or violating any section of this code will be subject to disciplinary actions and/or impeachment proceedings as prescribed by the Constitution and/or Law Book.

## **Article I: Purpose**

### Section 1.

The purpose of the ASUNM Spring and Fall Budget Processes are to endeavor to meet the financial needs of chartered student organizations, service entities and governmental offices at the University of New Mexico.

### Section 2.

Each process performs a separate function in the types of funding that are addressed. The guidelines are as follows:

- A. Spring Budget Process will attempt to provide for the basic operating expenses of groups for the upcoming fiscal year.
- B. Fall Budget Process will attempt to provide for:
  - 1. The basic operating expenses of groups that missed the preceding Spring Process.
  - 2. The basic operating expenses of groups whose request were zeroed out by the Finance Committee in the Spring Process.
  - 3. The basic operating expenses of new student organizations.

### Section 3.

All budget requests must contain a comprehensive overview of the submitting group. The following must be included:

- 1. Name of group
- 2. Mailing address and phone number
- 3. Officers' names, titles, and phone numbers
- 4. Number of active members (undergraduate, graduate, and non-student)
- 5. Purpose of group and brief history including a list of accomplishments and goals
- 6. Line-item requests and descriptions

## **Article II: Spring Budget Process**

### Section 1. Budget Workshops

- A. There will be three (3) or more mandatory workshops offered by the Finance Committee by the third week of the spring semester. Any others will be scheduled at the discretion of the Committee.
- B. The Budget workshops will be advertised in the NM Daily Lobo and/or website at least two (2) days in advance of each workshop.
- C. Budget forms will be distributed via email after the workshop. The Finance Committee and the Accounting Manager or designee will be present to answer any questions regarding the process.

- D. All groups requesting funding must have at least one (1) undergraduate attend at least one (1) of the mandatory workshops. Attendance will be verified via sign in of the authorized undergraduate representative(s) attending the workshop.

### Section 2. Submission of Budget Request Forms

- A. A group will be considered a part of the Spring Budget Process when its completed request is received by the ASUNM Finance Chair in accordance with the submission guidelines delineated by the Vice President and Finance Committee Chair.
- B. The completed budget request must be submitted by 5:00 pm Wednesday of the fourth week of the spring semester.
- C. Incomplete budget requests or those turned in after the deadline will not be accepted. This will result in the group being dropped from the semester's budget process.

### Section 3. Budget Hearings

- A. The Finance Committee reserves the right to order the schedule of the budget hearing as they see fit. The order will be posted in the ASUNM office and with the Student Government Accounting Office by noon of the Wednesday preceding the first hearing.
- B. If a group does not contact the Finance Committee by noon on the Friday prior to their scheduled hearing regarding their inability to attend their scheduled hearing appointment, they will be expected to attend at the appointed time.
- C. Each group will be allowed a specified amount of time during their hearing to present their budget request and details about their organizations. The Finance Committee will review, evaluate, and recommend adjustments in line-items.
- D. Groups that fail to attend their scheduled budget hearing will still be considered for the spring budget process.
- E. The Finance Committee and the Senate reserve the right to make any adjustments in line-items or total budgets it deems appropriate or necessary with or without notice to the group.
  - a. Senate shall not rely upon the anticipated surplus funds remaining at the end of the fiscal year during the Budget process for ASUNM salaries.

### Section 4. Penalties

- A. Failure to attend a budget workshop will result in the following penalty:
  - a. The maximum funding the group can be allotted will be thirty (30) percent less than their previous budget.
  - b. If the group did not receive funding in either of the immediately preceding fall or spring budget or appropriation processes, they shall be considered a "New Group" and the maximum funding they can be allotted will be thirty (30) percent less than the maximum allowable limit.

- B. If a group fails to appear before the end of their scheduled budget hearing, they will be considered to have missed their hearing. Failure to attend the scheduled budget hearing will result in the following penalty:
  - a. The maximum amount of funding a group absent from their scheduled hearing will be eligible to receive shall be thirty (30) percent less than their previous budget.
  - b. If the group did not receive funding in either of the immediately preceding fall or spring budget or appropriation processes, they shall be considered a “New Group” and the maximum funding they can be allotted will be thirty (30) percent less than the maximum allowable limit.
  - c. Groups that fail to attend their hearing will not be rescheduled for another hearing.
- C. In the event that a group fails to attend both a budget workshop and its budget hearing, then it will be dropped from the budget process for that particular semester.

### Section 5. Senate Budget Presentation

The Finance Chair will present the recommendations of the Finance Committee for a balanced budget to the President of the Senate for approval no later than the eleventh week of the spring semester. A simple majority vote of the Senate is required for approval.

- A. Senate shall not rely upon the anticipated surplus funds remaining at the end of the fiscal year during the Budget process for ASUNM salaries.

## **Article III: Fall Budget Process**

### Section 1. Budget Workshops

- A. There will be two (2) or more workshops offered by the Finance Committee for the Fall Budget Process. The first will be held during the second week of the Fall semester. The second will be held during the third week of the fall semester. Any others will be scheduled at the discretion of the Committee.
- B. Budget request forms will be distributed via email after the workshop. The Finance Committee and the Accounting Manager or their designee will be present to answer any questions regarding the process.
- C. All groups requesting funding must have at least one (1) undergraduate attend at least one (1) of the mandatory workshops. Attendance will be verified by sign in of the authorized undergraduate representative(s) attending the workshop.

### Section 2. Submission of Budget Request Forms

- A. A group will be considered a part of the fall budget process when its completed is received by the ASUNM Finance Chair in accordance with the submission guidelines delineated by the Vice President and Finance Committee Chair.
- B. The budget request must be submitted by 5:00 pm, Wednesday of the fourth week of the fall semester.

- C. Incomplete budget requests or those turned in after the deadline will not be accepted. This will result in the group being dropped from the semester's budget process.

### Section 3. Budget Hearings

- A. The Finance Committee reserves the right to order the schedule of the budget hearings as they see fit. The order will be posted in the ASUNM office and with the Student Accounting Office by noon of the Wednesday preceding the first hearing.
- B. If a group does not contact the Finance Committee by noon on the Friday prior to their scheduled hearing regarding their inability to attend their scheduled hearing appointment, they will be expected to attend at the appointed time.
- C. Each group will be allowed a specified amount of time during their hearing to present their budget request and details about their organizations. The Finance Committee will review, evaluate, and recommend adjustments in line-items.
- D. Groups that fail to attend their scheduled budget hearings will still be considered for the fall budget process.
- E. The Finance Committee and the Senate reserve the right to make any adjustments in line-items or total budgets it deems appropriate or necessary with or without notice to the group.

### Section 4. Penalties

- A. Failure to attend a budget workshop will result in the following penalty:
  - a. The maximum funding the group can be allotted will be thirty (30) percent less than their previous budget.
  - b. If the group did not receive funding in either of the immediately preceding fall or spring budget or appropriation processes, they shall be considered a "New Group" and the maximum funding they can be allotted will be thirty (30) percent less than the maximum allowable limit.
- B. If a group fails to appear before the end of their scheduled budget hearing, they will be considered to have missed their hearing. Failure to attend the scheduled budget hearing will result in the following penalty:
  - a. The maximum amount of funding a group absent from their scheduled hearing will be eligible to receive shall be thirty (30) percent less than their previous budget.
  - b. If the group did not receive funding in either of the immediately preceding fall or spring budget or appropriation processes, they shall be considered a "New Group" and the maximum funding they can be allotted will be thirty (30) percent less than the maximum allowable limit.
  - c. Groups that fail to attend their hearing will not be rescheduled for another hearing.
- C. In the event that a group fails to attend both a budget workshop and its budget hearing, it will be dropped from the budget process for that particular semester.

### Section 5. Senate Budget Presentation

The Finance Chair will present the recommendations of the Finance Committee for a balanced budget to the President of the Senate for approval no later than the eleventh week of the fall semester. A simple majority vote of the Senate is required for approval.

#### **Article IV. Student Publications Board Memorandum**

##### **Section 1. Composition**

The Student Publications Board Memorandum shall include statements of anticipated revenues and expenditures as pertaining to the 8.5 percent ASUNM allocation.

##### **Section 2. Submission & Disbursal of Funds**

- A. The memorandum will be submitted to the ASUNM Office Manager, by 5:00 PM on the Friday of the fourth week of the semester. The person accepting the request will issue a receipt noting the time and date.
- B. No funds shall be allocated or disbursed until such a memorandum is received.

## **Article I: Justices**

### Section 1. Oath of Office

- A. No Justice will assume the duties of that office until an Oath of Office has been administered. The Oath of Office must be administered within 14 days of confirmation by the ASUNM Senate. During the time between a justice being appointed and the date they are sworn in, the candidate for the position of justice must follow the standards of conduct as outlined in Article III Conduct. Failure to do so may result in disciplinary action as outlined in the Constitution.
- B. The Judicial Oath of Office must be administered by the Chief Justice of the Associated Students of the University of New Mexico, and must be witnessed by a representative from each of the following:
  - 1. The Executive Branch;
  - 2. The Legislative Branch.
- C. In the case that the Chief Justice is unavailable to administer the Judicial Oath of Office, the President of the Associated Students of the University of New Mexico will administer the Judicial Oath of Office. In the case that the President of the Associated Students of the University of New Mexico is unavailable to administer the Judicial Oath of Office, then the Vice President of the Associated Students of the University of New Mexico will administer the Judicial Oath of Office.
- D. The Oath of Office will be administered with the right hand uplifted and the following words said aloud: “I, (name), do solemnly swear that I will uphold the laws of the Associated Students of the University of New Mexico, the State of New Mexico, and the United States of America; that I will judge fairly and with no previous bias the evidence and proceedings before me, and that I will otherwise fulfill the duties and obligations of the Student Court Justice to the best of my ability.”
- E. Upon affirmation of the Oath of Office, an affidavit will be filed attesting to the authority of the Justice. The Justice may then assume office.

### Section 2. Seniority

- A. Should the Chief Justice resign from the Student Court for any reason or be the subject of impeachment proceedings, the Senior Associate Justice will assume the duties of the Chief Justice until the President appoints a new Chief Justice.
- B. Seniority of the Justices will be determined by the date of approval of appointments by the Senate.

### Section 3. Court Clerk

- A. The Chief Justice may, as deemed necessary, retain the services of a Court Clerk.
- B. The Court Clerk shall assist the Court in clerical matters only, and will not play a role in the Court’s decision-making process.

## **Article II: Duties**

### Section 1. General Duties

- A. Each Justice will establish and maintain regular office hours. Office hours will be no less than two (2) per week per semester. These hours will be posted in the ASUNM office.
- B. Each Justice will make known to the Chief Justice their schedule of classes no later than the end of the second week of each semester. Justices will specify at that time under which circumstances, if any, class schedules are to be released.
- C. The Student Court shall conduct bi-weekly meetings throughout each semester.
- D. Written opinions will become part of the official Court Record and be published.
- E. The Justices must meet with the ASUNM Student Court legal advisor at least twice per semester.
- F. The Student Court shall conduct one (1) mock trial per semester by the end of the 12<sup>th</sup> week of the said semester. In preparation for the mock trial the Student Court shall conduct three (3) mandatory training sessions in addition to their prescribed duties.

### Section 2. Chief Justice

- A. The Chief Justice will maintain office hours. Office hours will be no less than two (2) per week per semester.
- B. The Chief Justice will preside at all meetings of the Court, or be responsible for assigning a Justice to preside when the Chief Justice cannot attend. The Chief Justice will preside at all judicial sessions of the Court.
- C. The Chief Justice will publish all rulings and decisions of the Student Court within five days of issuance.
- D. The Chief Justice will conduct an ethics workshop for the purpose of educating any ASUNM individuals who represent the student body on the ethical behavior expected during a term. The Chief Justice will conduct this workshop during the ASUNM retreat or any other scheduled training.

## **Article III: Conduct**

### Section 1. Integrity

- A. All members of the Court will establish, observe, and maintain high standards of conduct so that the integrity and independence of the judiciary may be preserved.
- B. Members of the Court will respect and comply with the law and will conduct themselves at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- C. Members of the Court will not allow their family, social or other relationships to influence their judicial conduct or judgment.
- D. Members of the Court will not permit those under their control to convey the impression that they are in a special position to influence the decisions of the Court.

### Section 2. Responsibility

- A. Adjudicative:
  - a. Members of the Court will be faithful to the law and remain unswayed by partisan interests, public clamor, or fear of criticism.



- b. Members of the Court will maintain order and decorum in proceedings before them.
  - c. Members of the Court will be patient, dignified, and courteous to those with whom they deal in an official capacity, and will require similar conduct of those subject to their direction and control.
  - d. Members of the Court will accord to every person who is involved in a proceeding, or their counsel, a full right to be heard according to law.
  - e. Members of the Court will neither initiate nor consider communications from only one party of a pending or impending proceeding.
  - f. Each Justice is charged with the duty of carefully reading and analyzing the pertinent submitted material on each case in they participate.
  - g. Members of the Court will abstain from public comment about a pending proceeding in the Court and will require similar abstention on the part of Court personnel not subject to their direction and control. This 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.
  - h. Members of the Court will dispose promptly of the business of the Court.
- B. Administrative:
- a. Members of the Court will require of Court officials and assistants that they observe the standards of confidentiality, fidelity, and diligence that apply to themselves.
  - b. Each member of the Court will take or initiate appropriate disciplinary measures against any other member of the Court for unprofessional conduct of which they become aware.
  - c. In exercising the power and authority of the Court, members of the Court will avoid nepotism and favoritism.

### Section 3. Disqualification

A Justice is disqualified and will excuse themselves in any proceeding in which:

- A. The Justice has a personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceeding.
- B. The Justice or the Justice's spouse/domestic partner, or a person related to the Justice within the third degree, by blood, marriage, or other relationship to either the Justice or the Justice's spouse/domestic partner:
  - 1. is a party to the proceeding, or an officer, director, or trustee of a party;
  - 2. is acting as legal counsel in the proceedings;
  - 3. is known by the Justice to have an interest that could substantially affect or be affected by the outcome of the proceeding;
  - 4. is to the knowledge of the Justice likely to be a material witness in the proceeding;
- C. A party to the proceeding is an assistant or employee of the Justice.

### Section 4. Non-judicial Activities

- A. Members of the Court may appear at a public hearing before an executive or legislative body, and may consult with an executive or legislative body official, but only on matters concerning the administration of justice.
- B. Members of the Court will not act as arbitrators or mediators except in the performance of judicial duties.
- C. Members of the Court will not accept any gift, bequest, favor, or loan other than ordinary social hospitality, if the source of said gift, bequest, favor, or loan could imply or give the appearance of influencing the decisions of the Court or otherwise give the appearance of impropriety.

## **Article I: Complaint and Appeals of the Elections Commission: Procedure and Hearing Specifications**

### Section 1. Statute of Limitations

- A. The statute of limitations will be ten (10) days from the alleged infraction of the ASUNM Constitution and/or Law Book. If the Plaintiff is unaware of the infraction at the time it occurs, Plaintiff must file the claim within ten (10) days from the day they learn of, or should have learned of, the infraction.
- B. Any challenge to determine that the statute of limitations has elapsed is a matter to be resolved by the Student Court.
- C. Extensions of the Statute of Limitations will be granted only to accommodate observed University Holidays, finals, or events deemed emergencies by the Court.

### Section 2. Complaint

- A. The Complaint form may be obtained from the Student Court office or from the ASUNM Student Government office.
- B. A completed Complaint form will be submitted to the Court prior to the expiration of the statute of limitations.
- C. The Court has four (4) days to review the Complaint and determine if it is within the Court's jurisdiction as defined in Article IV, Section 2 (A) of the ASUNM Constitution and whether all information required by the Complaint form has been submitted and is fully completed.
- D. If corrections are required, the Plaintiff has two (2) days in which to correct the Complaint and re-submit it to the Court.
- E. The Court will not accept any complaint over which it lacks jurisdiction. The Court reserves the right to dismiss any Complaint on the grounds that the Amended Complaint is incomplete and/or the time for submitting corrections as set forth in Sub-section D herein has expired.

### Section 3. Answer

- A. On or before the fifth day following receipt of the Complaint or Amended Complaint, the Court must supply the Defendant(s) with a copy of the Complaint or Amended Complaint and an Answer form.
- B. The Defendant(s) has (have) three (3) days in which to return the completed answer form to the Court.
- C. If the Court determines that the Answer form is incomplete or inaccurate, it will be returned to the Defendant(s) who will have two (2) days in which to amend the Answer form and re-submit it to the Court.

### Section 4. Pre-Hearing Guidelines

- A. The Court has two (2) days from receipt of the Answer (or Amended Answer) in which to schedule a Hearing if the Court finds the case to be within the Court's jurisdiction as defined in Article IV, Section 2, Sub-section A of the ASUNM constitution.

- B. It is the responsibility of the Court to distribute copies of the Complaint (or Amended Complaint) and the Answer (or Amended Answer) to each party at least three (3) days prior to the Hearing.
- C. It is the responsibility of the Court to decide the time allowed for Plaintiff(s), Defendant(s), and Witness Statements before the Hearing, and to notify each party at the same time they distribute copies of the Complaint (or Amended Complaint) and the Answer (or Amended Answer). Time allowed for statements will be no less than five (5) minutes.
- D. Extensions of the time allotted for submission of the Complaint (or Amended Complaint), the Answer (or Amended Answer), and/or scheduling of a hearing will be granted only to accommodate observed University Holidays, finals, or events deemed emergencies by the Court.

### Section 5. Subpoenas

- A. Grounds for issuing a subpoena:
  - 1. To order a witness to appear and testify at a Hearing.
  - 2. For the production of documentary evidence; the person subpoenaed for the documentary evidence must produce the information before or at the Hearing (to be specified in the subpoena).
- B. The subpoena will be issued by a Justice of the Court at the request of the Plaintiff/Defendant.
- C. The subpoena will be issued by mail and the person being subpoenaed will also be notified by phone at least five (5) days prior to the Hearing date.
- D. If a subpoenaed witness is unable to appear for good cause (i.e. because of a serious personal conflict with the Hearing Date), the witness must notify the Court at least two (2) days before the Hearing and explain their reasons. The Court will decide whether to reschedule the Hearing or to take other appropriate action at its discretion.
- E. Contest of a Subpoena
  - 1. If a subpoena is contested by the person receiving it, the person must appear at the hearing to contest its issue.
  - 2. Grounds for contest of a subpoena will include:
    - a. The subpoena is unreasonable or oppressive.
    - b. The subpoena is improperly issued, and/or is inaccurate.
    - c. Other circumstances at the discretion of the Court.
- F. If a subpoenaed witness fails to appear at the Hearing and/or fails to produce required documentary evidence, the Court may decide to postpone the Hearing or may proceed with the Hearing, after the Plaintiff(s) and Defendant(s) are allowed to address the Court on the matter.
- G. Failure to comply with a subpoena will result in consequences to be decided by the Court at the Hearing as per the ASUNM Constitution, Article IV, Section 2, Sub-section D.

### Section 6. Hearing Procedures

- A. The Court will hear all contests to any subpoenas, if any have been issued.
- B. The Plaintiff(s), followed by the Defendant(s) will present Opening Statements.
- C. The Court will ask question, if clarification is needed.

- D. Witnesses for both the Plaintiff(s) and Defendant(s).
- E. The Court will question the witnesses, if necessary.
  - 1. After each witness has presented their statement, either party may submit questions for that witness in legible, written form to the Chief Justice.
  - 2. After all the Witnesses have presented their statements, the court will briefly recess to evaluate the submitted questions. Questions will not be asked of Witnesses if the Court finds the question to be inflammatory, repeating information already clarified, or otherwise inappropriate.
  - 3. The Court will resume the Hearing and recall witnesses to be questioned by the Court.
  - 4. There will be no direct interaction between the Plaintiff(s) and Defendant(s) and Witnesses.
- F. The Court reserves the right to recall any Plaintiff(s), Defendant(s), and/or Witnesses at any time during the hearing.
- G. The Plaintiff(s) and the Defendant(s) will be allowed to make Closing Statements.
- H. The Court will then recess to deliberate in a closed session. The Court will also decide consequences for any failures to comply with a subpoena.
- I. The Court will issue a decision no later than five (5) days following the Hearing.

#### Section 7. Hearing Guidelines

- A. All Hearing proceedings will be audio recorded.
- B. The Court will be allowed to recess at any time, for any reason.
- C. The time allowed for Plaintiff(s), Defendant(s), and Witness Statements will be decided by the Court prior to the Hearing, and will be no less than five (5) minutes.
- D. Plaintiff(s) and/or Defendant(s) have the right to appear with an advisor at the Hearing. The advisor may be, but is not required to be, an attorney. However, the Plaintiff(s) and Defendant(s) are responsible for presenting their cases in their entirety. Advisors are, therefore, not permitted to speak or participate directly in any Hearing.
- E. Circumstances not described above will be resolved at the discretion of the Court.

#### Section 8. Procedure Guidelines

- A. Whenever a party is required to do some act (e.g. submit Complaint, Answer a Complaint, etc.), the time for compliance begins to run on the day that the party receives notice of the need to act. If notice is sent by mail, receipt thereof will be presumed three (3) days after the notice is mailed.
- B. After submission of a Complaint, it will be kept confidential until the Defendant(s) have been properly served with the Answer form and a copy of the Complaint or Amended Complaint. Once the Defendant(s) receive, or are presumed to have received notice (as described herein), the Complaint and other Court records pertaining to the case will be open to scrutiny, in compliance with the Family Educational Rights and Privacy Act.
- C. Circumstances not described above will be resolved at the discretion of the Court.

### **Article II: Procedure for Charging ASUNM Officials With Misconduct**

#### Section 1.

Those presenting charges must swear that to the best of their knowledge, the charges and evidence are valid and must be presented within ten (10) days of the offense or within ten (10) days of when the plaintiff learns, or should have learned of the offense.

### Section 2.

A call for disciplinary action will be filed on an official complaint form with the Student Court.

- A. The Student Court will consider each charge, if more than one, to determine its validity. The Court will judge the validity of each charge in terms of:
  - 1. Whether each charge stands independently as a separate offense
  - 2. Whether each charge violates law or some other explicit standard of conduct, such as the UNM Disciplinary Code, and
  - 3. Whether the plaintiffs are immediate parties to the alleged actions, or have been affected by the alleged actions. A majority vote in the affirmative is necessary for any charge to be determined as formally valid.
- B. Once the charges have been determined valid, having met the above stated criteria, the hearing procedures outlined in Article I, Section 6 of this code will be followed.

### **Article III: Succession of Office**

If any Chair of any Standing Committee, the President Pro Tempore of the Senate, the Vice President, or the President resigns, is removed from office, or suspended, a replacement must be appointed. Replacements will act with all the duties and privileges incumbent in their new office.

- A. Should the President resign or be disciplined, the Vice President will be their replacement.
- B. Should the Vice President resign or be disciplined or acting as President, the President Pro Tempore of the Senate will be their replacement.
- C. Should the President Pro Tempore of the Senate resign or be disciplined or acting in some higher capacity, the Appointed Chair of the Steering and Rules Committee will be their replacement.
- D. Should the President and Vice President both resign or be disciplined, the President Pro Tempore of the Senate will be the President's replacement. The Appointed Chair of the Steering and Rules Committee will be the Vice President's replacement.
- E. Should the Chair of any Senate Standing Committee resign or be disciplined or acting in some higher capacity, the Vice Chair of the committee will be their replacement as an Elected Chair.

## **Article I: Open Meetings Act**

### Section 1. Open Meetings

In recognition of the fact that a representative government is dependent on an informed electorate and ASUNM is a public policy making body, it is required that ASUNM follow the Open Meetings Act of the State of New Mexico. (NMSA 10-15-1 to 4). All ASUNM Senate meetings of quorum are declared to be open to the public at all times, except as otherwise provided by the Open Meetings Act of the State of New Mexico.

## **Article II: The ASUNM Senate**

### Section 1.

The ASUNM Senate is required to pass a Standing Resolution at the first meeting of each session of the ASUNM Senate. The Standing Resolution will provide the following information.

- A. Location, dates, and times of every Senate meeting
- B. Guidelines for Special Meetings
- C. Requirements for providing information to the public in regard to the location, time, and date of every meeting of the Senate and where the public can obtain an agenda
- D. Means of accommodating persons that may have a disability
- E. Guidelines for closing a meeting
- F. Guidelines for public input to an open meeting
- G. Procedure regarding the preparation and approval of the minutes

## **Article I. Purpose**

### Section 1.

In accordance with its Constitution the ASUNM Student Government has been established to protect and defend the rights of the students. Mindful of this charge, it is essential that this government provides an accurate account of its efforts for reasons of public information and posterity. Therefore, this act shall provide for the establishment of an annual report and official history of the Student Government. The title of this document shall be “The ASUNM Annual Report”.

## **Article II. Reporting Authority & Organization**

### Section 1.

The Executive Office through the Chief of Staff in conjunction with the Legislative Coordinator and Senate Clerk shall be the reporting authority for all information contained within the ASUNM Annual Report.

### Section 2.

- A. The ASUNM Annual Report shall be comprised of, but not limited to the following sections:
1. Introduction from the ASUNM President
  2. ASUNM Organizational Chart
  3. Names of Student Government Leadership (President, Vice President, President Pro Tempore, Standing Committee Chairs, Chief of Staff, Chief Justice, SSA Directors/chairs, and Attorney General)
  4. Names of Senators and their Student Constituencies
  5. ASUNM Constitution & Law Book
  6. ASUNM Spring Budget (Condensed)
  7. Standing Committees Reports (Steering & Rules, Finance, and Outreach & Appointments)
  8. Student Service Agency Reports
  9. Report of the Student Court and Attorney General

## **Article III. Approval & Distribution**

### Section 1.

The ASUNM Annual Report shall be submitted by the President and Vice President at the end of their terms in the Spring Semester and given to the incoming administration.

### Section 2.

- A. A copy of each year’s ASUNM Annual Report shall be kept in the following locations:
1. ASUNM Office



2. University Archives
3. Student Activities Office

#### **Article IV. ASUNM Records Management**

##### Section 1.

The Executive Office shall adequately maintain ASUNM records, by identifying and preserving historically and legally significant documents.

##### Section 2.

Records shall be maintained in the ASUNM Office for a period of five (5) years. After such time the records shall be relinquished to the University Archives for storage.

### **Article I: Purpose**

The ASUNM Senate hereby establishes the Jenny Marie Ames Scholarship in memory of our colleague, teacher, and friend to recognize students, like Jenny who demonstrate outstanding character, vision, and leadership qualities. Jenny served as Associate Justice for the ASUNM Student Court from August of 1996 until her untimely death on November 7<sup>th</sup> of the same year. During her time at UNM she touched the lives of many students and staff. While serving on the Student Court, she acted vigilantly to maintain the standards of our Constitution. She was both fair and impartial in her judgments and was working to revise the Judicial Code to make it more equitable and current. ASUNM would like to keep Jenny's memory alive by awarding these prizes in her name to those students who reflect the citizenship, intelligence, community service, and the determination which personified Jenny Marie Ames.

### **Article II: Maintenance of Funds**

#### Section 1.

ASUNM Government shall provide six thousand dollars (\$6,000) per year to create six (6) one thousand dollar (\$1000) scholarships for full-time students.

#### Section 2.

The ASUNM Finance Committee shall be responsible for ensuring that these scholarship funds are provided for during each spring budget process. These scholarship funds shall be maintained in a separate scholarship account with the Student Government Accounting Office until credited to the university accounts of the scholarship recipients.

### **Article III: Qualifications of Applicants**

#### Section 1.

The above scholarships shall be awarded by ASUNM to applicants that have displayed community service both to UNM as well as the greater Albuquerque area. The scholarship shall be awarded without regard to sex, race, color, national or ethnic origin, religion, physical or learning disability, political belief, handicap, sexual orientation, marital or parental status, age, or military commitment.

#### Section 2.

Any student applying for the scholarship must at the time of application and award be an undergraduate or a non-degree student who has not received a baccalaureate degree. Any applicant must be a full-time student at the University of New Mexico, with at least twelve (12) completed credit hours during either the spring, summer, or fall semesters prior to application, and have at least a 2.5 cumulative grade point average at both the time of application and award.

#### Section 3.

All ASUNM officials (elected or appointed), employees, and agents of ASUNM are prohibited from applying for and/or receiving these scholarships.

#### **Article IV: Procedure for Awarding the Scholarships**

##### Section 1.

Three (3) scholarships will be awarded per semester. Awarding of the scholarships will be determined by the ASUNM Scholarship Committee. The funds will be distributed to recipients the same semester in which they are selected. Students are eligible to receive the scholarship once per semester.

##### Section 2.

The ASUNM Scholarship Committee will be composed of the ASUNM President, ASUNM Vice President, President Pro Tempore, Chief Justice, and Outreach & Appointments Committee Chair. The chair will be elected by the committee.

##### Section 3.

The Office of the Vice President is responsible for ensuring that the scholarships are advertised in the NM Daily Lobo, with at least a 2 column by 4-inch advertisement, twice during the fall semester preceding Fall Break and twice during the spring semester preceding Spring Break. The advertisement should contain information regarding the overall nature of the scholarship, as well as application form locations and deadlines. The Office of the Vice President is also responsible for assembling the scholarship application.

##### Section 4.

The applications to be used for these scholarships will be available in the ASUNM office. A one-page biography of the candidate which outlines the community service that the applicant participates in must also be submitted. Applications and biographies will be submitted to the ASUNM office. All submitted packets are to be collected by the committee chair by 5:00 PM on the Monday before Fall Break and the Monday before Spring Break for review by the committee. The committee will have no more than two weeks to review the packets and award the scholarships. The recipients will be notified in writing by the Office of the Vice President of their awarded scholarships immediately following the scholarship committee's decision.

##### Section 5.

After the applications have been reviewed, the committee has the discretion to request the Office of the Vice President run another advertisement to solicit additional applicants. This solicitation period may not exceed two weeks. The committee shall also have the discretion to award fewer or more scholarships in a given year based upon the applicant pool.

##### Section 6.

In the event that not all of the funds for the scholarship are awarded in the fall semester, the scholarship committee may convene in the spring semester to distribute those funds. All deadlines contained herein would be translated to the spring semester, with spring break replacing any instance of fall break.

Section 7.

All funds not awarded shall be financially reverted by the Office of the Vice President into the scholarship line-item for the subsequent year's budget.

## Definitions Code

**Absence** – (senatorial) Missing a meeting for any period of time, excluding tardiness, early departure, and points of personal privilege

**Academic Year** – A period of time that consists of two semesters, excluding the summer intercession terms.

**Act** – (legislative) A bill or an appropriation bill which has been enacted by the Senate but has not yet been signed or otherwise affirmed as law.

**Administrative Term** – The term beginning upon the administration of the oath of office to the President and ending when that President leaves office, whether by completion of the term, expulsion from the University, or other causes.

**Advisory Opinion** – An opinion stated by the Attorney General upon the request of the Senate or the Executive Branch. An advisory opinion has no force of law but is given as a matter of courtesy. These opinions are often cited as the probable correct law on the subject but are not binding.

**Answer** – (judicial) The means by which the defendant states: (a) their defense to the claim stated in the complaint, (b) any counterclaim against the plaintiff.

**Appropriation Bill** – A proposed piece of legislation which, if enacted, signed, or otherwise confirmed would authorize the expenditure of funds. It is a mechanism to request funding outside of the budget processes.

**Appointed Chair** – A member of a Senate Committee who is appointed by the Vice President to serve as chair.

**ASUNM Positions** – Any position that is not elected, but is filled by an individual who has gone through an application and appointment process and is ultimately selected by the ASUNM President with approval of the ASUNM Senate. This excludes students appointed by the ASUNM President to non-ASUNM Boards and Committees.

**Bill** – A proposed piece of legislation which, if enacted, signed, or otherwise affirmed, would become law.

**Campaign Worker** – Any person or organization involved in the campaign for the passage/defeat of an issue on the ballot or that aids a candidate or group of candidates in the solicitation of votes for the purpose of obtaining an elected office within ASUNM. Any person or organization becomes a campaign worker when the candidate(s), any group of candidates, or any candidates running together, consents to the aid or is aware of it and does not attempt to stop it. Aiding in a campaign includes but is not limited to creating and/or distributing campaign material, fund-raising, and soliciting votes in any manner.

**Campaign** – any and all acts and/ or resources that are involved in the solicitation of votes or endorsements for the purpose of obtaining an elected office, or the passage/defeat of any issue appearing on the ballot.

**Challenge Ballot** – A ballot cast by a challenge voter, and subject to individual verification by the Election Commission.

**Challenge Voter** – A voter who has their status as a member of ASUNM questioned.

**Claim** – Any demand for something as one's right or the right to an equitable remedy for a breach of contract or performance.

**Community Service** – An unpaid act of a Senator, on behalf of ASUNM, that benefits the community in any way.

**Complaint** – a formal charge.

**Constitutional Amendment** – a proposed alteration in or addition to the ASUNM Constitution.

**Contest of Election** – a written challenge to the results of an election.

**Contestant** – any student who files a written notice of contest of an election.

**Contestee** – any official against whom a written notice of contest of election has been filed.

**Deficit Spending**– Spending of ASUNM money that is not available in an organization's account. This includes the spending of ASUNM money not available in individual line-items within an organization's budget.

**Early Departure** –Leaving a meeting before it concludes.

**Elected Chair** – A member of a Senate Committee who is elected by a vote of a Senate Committee to serve as Vice Chair and who assumes the position of chair on a permanent basis when the Appointed Chair can no longer serve.

**Election Official** – any member of the Election Commission, Poll workers, or other persons appointed to assist in any ASUNM election.

**Ex-Officio** – A non-voting member with speaking privileges by virtue of, or because of, an office/position held, unless specified in the Law Book or Constitution otherwise.

**Financial Enjoinment** – a legislative remedy issued in order to prohibit a group from engaging in any financial transactions.

**Fiscal Year** – The period of time beginning July 1st and ending June 30th.

**General Election** – A regularly scheduled election held during either the Fall or Spring Semester each year for the purpose of electing Senators and/or the President and Vice President or any referendum or constitutional amendment.

**Group** – any chartered organization, service entities, Student Service Agency or committee, or General Government.

**Impeach** – to accuse an ASUNM official, elected or appointed, of a crime or malfeasance, before the Senate, by the presentation of a written accusation.

**Interim** – A temporary presidential appointee position pending approval from the Outreach and Appointments Committee-

**Interlineation** – 1. the act of writing between the lines of a document. 2. what is written between the lines, interpolation.

**Joint Resolution** – A Senate Resolution may become a Joint Resolution if it is signed by the President, at which time it will become an expression of intention or sentiment of the Government. A Joint Resolution is limited to the term of the President who signed it.

**Jurisdiction** – 1. the authority to interpret and apply the law. 2. the territory under a given authority or control.

**Official Candidate** – a student who has filed with the Election Commission an affidavit for candidacy and who has been validated by the Election Commission, and who has also attended the mandatory candidate meeting.

**One-Time Capital Outlay** – A purchase that is made on an infrequent basis, usually equipment. Generally a purchase is considered a one-time capital outlay only if time between purchases is 3–5 years or longer.

**Opening Statement** – an outline of anticipated proof in a case. Its purpose is to give the court introductory information about facts and issues so that the court will be able to understand the evidence. Such does not constitute evidence and may be limited in time by a rule of the court.

**Outreach Hours** – period of time a Senator commits to being physically present at:

(A) a student organization meeting or event in which the Senator is not a member of the organization but may represent through ASUNM, (B) a meeting or event sponsored or cosponsored by a campus group of which the Senator does not regularly attend, or (C) tabling. In

the case of tabling, the Senator must be clearly identified by a sign or ASUNM apparel. This does not include office hours, committee meetings, student service meetings, or joint committee meetings. These are to be done outside of the ASUNM office.

**President Elect** – The candidate elected during the spring ASUNM general election to the position of ASUNM President. This position will exist for the duration of time between the election results being certified and deemed official and the time the Presidential Oath of Office is administered. The President Elect is not formally powered to carry out actions on behalf of the Executive Branch and is therefore not considered a member of the Executive Branch.

**Principal Sponsor** – the Senator whose name appears first among the sponsors on a piece of legislation or the chair of the Senate Standing Committee sponsoring a piece of legislation.

**Professional Services** – Includes, but may not be limited to, a service done by a person or group specialized in a certain field or subject.

**Referendum** – an item of legislation which will be placed on the ballot of the next general election for a vote of the membership of ASUNM, but does not provide for an amendment to the Constitution.

**Reversion of Funds** – a process facilitates through the Finance Committee that reverts some or all of a student group's ASUNM-appropriated funding back into the ASUNM General Fund.

**Seated Senate** – all current members of the Senate session who have taken the oath of office.

**Semester** – the first day of classes until the Friday of Finals week.

**Senate Resolution** – An expression of intent or sentiment of the Senate. A Senate Resolution does not have the effect of law and may not be used to provide for the establishment of any rule or regulation; nor may it provide for an appropriation; nor may it provide for the establishment of

any committees. A Senate Resolution is limited to the life of the session of the Senate in which it was passed.

**Senator** – an elected or Vice Presidentially appointed member of the Senate.

**Senatorial Office Hours** – period of time a senator commits to being physically present in the ASUNM office to conduct senate business.

**Special Legislation** – any item of legislation where immediate action is necessary to protect the interests of ASUNM either in whole or in part.

**Student Life Sector** – A university office, department, or recognized student group overseen by a professional staff member. **Seniority** – Determined by (1) the greatest amount of time in office, or (2) in the event of a tie, selection will be determined by the greatest number of votes received by the eligible Senators in their most recent election.

**Service Entity** – A program whose primary purpose is to provide service to the students of UNM.

**Session** – the sitting of the legislature, court, etc., for the transaction of its business.

**Standing Resolution** – a resolution passed by the senate that provides for a directive or rule within the senate. A standing resolution shall stand as law within the senate and its life is limited to the session in which it was passed. A standing resolution does not need to originate in a committee, is passed by a majority vote, and does not need to be signed by the President of ASUNM.

**Standing Rules** – the rules guiding a government body on matters including but not limited to, speaking time, rules of debate, limits of debate, etc. A Government body will include but not be limited to, the Senate, its Committees, and Student Service Agencies.

**Tardy** – When a senator is not seated when their name is called during roll call.

**Town Hall Meeting** – An open forum, coordinated by the Outreach and Appointments committee and the Vice President, which allows the University of New Mexico community to voice their concerns and questions regarding the University of New Mexico as a whole or special subject to ASUNM.

**Voter** – any ASUNM member who votes in an ASUNM election.

**Voting Period** -The period from when voting opens until voting closes.