

Constitution of the Student Government Association of New Mexico Institute of Mining and Technology

February 2, 2018

1 Preamble

We, the undergraduate student body of New Mexico Institute of Mining and Technology, in order to provide for effective, efficient, and representative means of self-government, reestablish this Constitution of the Student Government Association of New Mexico Institute of Mining and Technology.

2 Mission Statement

We, the Student Government Association of New Mexico Institute of Mining and Technology, will identify student concerns, address significant student issues, and work together with the Institute and surrounding community to enhance the NMIMT experience of today and tomorrow.

3 Foreword and Definitions

3.1 Foreword

1. SGANMIMT offices, SGANMIMT positions, and SGANMIMT agents named herein may be referred to without full prefix (i.e. SGANMIMT President referred to as President or SGA President). Any student in any SGANMIMT position named herein must be in good standing, unless otherwise noted in this Constitution.
2. For all issues not covered in this Constitution or the Book of Law, the SGANMIMT recognizes and uses the most recent version of Robert's Rules of Order. In all cases, the Constitution and Book of Law supersede Robert's Rules of Order.

3.2 Definitions

1. Academic session: the three times in the year in which classes are meeting or testing. These times are referred to as the Fall Semester, Spring Semester, and Summer Semester.

2. Active Consent: A process by which the Senate comes to a consensus by an official majority vote.
3. Agency: any group authorized by this Constitution, or by law, to represent the SGANMIMT, and/or to expend SGANMIMT funds.
4. Agent: any individual authorized by this Constitution, or by law, to represent the SGANMIMT, and/or to expend SGANMIMT funds; including all elected and appointed students within the SGANMIMT and all members of its committees.
5. Anticipated Revenue: the amount of funds anticipated from the SGANMIMT Fee as reported by the SGANMIMT Chief Financial Officer.
6. Business Day: any regularly scheduled University school day, unless specifically stated otherwise. This excludes Saturdays and Sundays.
7. Chair: the person designated to preside over any meeting.
8. Chartered Organization: A student organization which abides by a set of rules or a Constitution differing from those to which standard SGANMIMT clubs abide by; classified as Associate Clubs, Greek Life, or Other Chartered Organizations.
9. Executive agency: any group that directs or oversees any interest of the Executive Branch as stated in Article IV, Section 5 or by law.
10. Executive agent: any individual that directs or oversees any sub- organization of the Executive Branch as stated in ARTICLE IV, Section 5 or by law.
11. General Election: the election held each session with the primary purpose of electing Senators, SGANMIMT President, or SGANMIMT Vice President.
12. Good standing: not on any type of University probation and at least a 2.0 cumulative grade point average. The only exception to the required 2.0 cumulative G.P.A. is if the student is newly entering the University and has no G.P.A.
13. Graduate Student Association of New Mexico Institute of Mining and Technology (GSANMIMT): the graduate student body of the University and its representative government.
14. Gross misconduct: A forbidden or unlawful act performed intentionally with indifference to known or obvious harmful consequences.
15. Major: an academic field of study ending in a degree offered by an academic department as part of either the Arts & Sciences curricula or Engineering curricula as defined by the most recently published New Mexico Tech Catalog. (A student shall be defined as a member of one (1) of these two (2) divisions according to their first major.)

16. Malfeasance: commission of a wrongful act which an official has no legal right to do, or any wrongful conduct which affects, interrupts, or interferes with the performance of official duty or an act for which there is no authority or warrant of law.
17. Neglect of office: intentional failure to attend to one's official duties.
18. New Club: A club receives new club status if the SGA has not recognized it during the previous two sessions of the SGA Senate
19. Officer: any student holding a position in an SGANMIMT funded organization and all elected or appointed students serving in the SGANMIMT.
20. Organization: any group which meets the chartering requirements of the University or the SGANMIMT.
21. Passive Consent: A process by which the Senate comes to a consensus by verbal agreement without an official vote. Should the Senate remain silent on a matter to be decided by this process, such silence shall be interpreted as approval. The Senate must have received prior knowledge of such matters.
22. Plurality: A method of voting in which more than two (2) options are presented to those voting, and the option which receives more votes than any other wins.
23. Probationary Club Status: A club that has misused funds granted to it by the SGA Government (as judged by the SGA Finance Committee), a club that has not met set volunteer hours, or has been declared a probationary club by the SGA Club Advisory Committee. With a majority vote of the SGA Senate, a club can be removed from probationary club status.
24. Publish: The act of distributing a written document to the SGANMIMT via paper copy or electronic means, including but not limited to email and uploading said document to the SGANMIMT website.
25. Quorum: a quorum of the Senate shall consist of fifty-one percent (51%) of the seated Senate.
26. Quota: The minimum number of votes required to win a ballot. Quota for a ballot shall be set at one (1) more than the integer floor of the number of valid ballots cast divided by one (1) more than the number of available seats for that ballot. If more seats exist on a ballot than candidates for that ballot, quota shall be set to two (2).
27. SGANMIMT: the representative body of the SGANMIMT, established to pursue student concerns, regulate student affairs, and be the official voice of the SGANMIMT.
28. Semester: either of the academic sessions, Fall Semester, Spring Semester, or Summer Semester, from the first day of classes up to and including the last day of finals.
29. Special election: An election other than a General Election held by the Supreme Court.

30. Student: any person enrolled in the University in an undergraduate or graduate status.
31. Student Association of New Mexico Institute of Mining and Technology (SGANMIMT): the undergraduate student body of the University.
32. University: the educational division of New Mexico Institute of Mining and Technology and all associated sectors.
33. Campaign Material: an advertisement, document or any other thing that is intended to promote the electoral prospect of a particular candidate or group of candidates for an election.
33. Term: is equivalent to three full academic sessions in which an elected or hired position holds that said position.
34. Active Campaigning: Campaigning that is done in person.

4 Student Rights

4.1 Assertion

1. These are the rights recognized by the SGANMIMT and governing the operation of the SGANMIMT . The SGANMIMT shall promote these rights within the University community. The SGANMIMT asserts the right of student representation on University committees dealing with the formulation of policies affecting students. Any action that violates University policies, including those in the Student Handbook, shall be prohibited.

4.2 Rights

1. Every student has full and equal rights in the University regardless of sex, race, color, national or ethnic origin, religion, physical or learning disability, creed, handicap, sexual orientation, gender identity, marital or parental status, age, or military involvement.
2. Every student has the right to vote in accordance with normal procedures established by the SGANMIMT.
3. Every student has the right of access to all SGANMIMT records.
4. No student shall be denied the right of orderly assembly on the campus.
5. Every student has the right to contest before the Supreme Court the constitutionality of legislation, rulings, or decisions of the SGANMIMT or any chartered organization that would affect students.
6. All students shall be considered innocent of any infraction of SGANMIMT laws until proven guilty in a hearing of the appropriate judicial body and shall not suffer

direct or indirect penalties for an infraction until guilt has been established. No student shall be compelled to be a witness against him or herself and shall be properly informed of the nature and the cause of the accusation. The student shall have a fair and impartial hearing by the appropriate judicial body in which he or she will be confronted by the witnesses against him or her, and may utilize the assistance of counsel in any part of the proceedings.

5 Legislative Branch

5.1 Senate

1. All legislative powers of the SGANMIMT shall be vested in the Senate.

5.2 Legislative Function

1. The Senate shall make all laws and regulations it deems necessary and proper for the SGANMIMT, appropriate all funds of the SGANMIMT, approve or disapprove all appointments to constitutional and statutory executive agencies and legislative committees made by the President and Vice President, and impeach specified officials for due cause.

5.3 Composition of the Senate

1. The Senate shall consist of fifteen (15) undergraduate students, consisting of students in any but their first year at NMIMT and three (3) undergraduate students in their first year at NMIMT. Three (3) Graduate Student Representatives shall reside on the Senate as voting members, and shall be chosen by the Graduate Student Association. The term of office for each Senator shall be one (1) year following the election of the Senator, excluding Senators elected during a special election. The Senate body shall not exceed twenty-one (21) members, including all Senators and GSA Representatives.

5.4 Freshman Senators

1. There shall be an election for the three (3) Freshmen Senate seats held in the Fall session. This election must be held no later than the second (2nd) regularly scheduled Senate meeting of the Fall Session. This election will be run by the Justices abiding by the stipulations for a Special Election outlined by the SGANMIMT Constitution.

5.5 Qualifications of Senators

1. No Senator, during the time for which he or she holds office, may serve in any other branch of the SGANMIMT. There shall be no overlap between seated members of the Legislative Branch, elected or appointed executive agents of the Executive Branch, or seated members of the Judicial Branch.

5.6 Power of Subpoena

1. The Senate shall be empowered to subpoena SGANMIMT members to appear before it or any of its committees by a majority vote of the seated Senate. Any student or group failing to comply with a properly issued subpoena may be suspended from SGANMIMT offices and committees.

5.7 Legislation

1. Legislation must be submitted to the Vice President in the form of a bill no later than three (3) days prior to the Senate meeting in which it is to be acted upon. The Vice President shall provide all legislation to all Senators for their review no less than two (2) days prior to the appropriate Senate meeting.
2. A bill passed by a majority vote of the Senate shall become law upon the signature of the President within five (5) days after its passage. A bill left unsigned by the President on the sixth (6th) day after its passage shall be considered vetoed. All vetoed legislation must be presented orally to the Senate by the President at the next Senate meeting after being vetoed, accompanied by a written explanation of why the bill was vetoed.

5.8 Powers and Responsibilities of the Vice President

1. The Vice President shall be the head of and preside over the Senate, and shall have no vote except in the event of a tie. The Vice President shall preside over Senate meetings in accordance with Robert's Rules of Order. The Vice President shall have earned a minimum of thirty (30) credit hours at New Mexico Institute of Mining and Technology and shall be in good standing with the institution. The Vice President shall have held office for a minimum of one term in any SGA position. This includes the following: SGA Senator, SGA Justice, or an SGA Executive Agent.
2. Preceding the Spring General Election, the current Vice President shall prepare and submit to the Senate Finance Committee a budgetary proposal for the Legislative Branch for the next fiscal year. The budgetary proposal shall include the Senate, Senate committees, Senate employees, and SGA offices under the jurisdiction of the Vice President.
3. The Vice President shall hire a Secretary for the purpose of taking the minutes of Senate meetings, managing all SGANMIMT records, and assisting in any clerical activities deemed necessary.
4. The Vice President shall have the power to hire a Webmaster for the purpose of updating and maintaining the SGANMIMT web page, and assisting the Secretary in any clerical activities deemed necessary. The Webmaster is at the service of the three (3) branch heads of the SGANMIMT (President, Vice President, and Chief Justice).

5. The Vice President shall be allowed a Vice-Presidential Discretionary Fund, which he/she may allocate as he/she sees fit without approval from the Finance Committee or Senate. It is prohibited to use these funds to increase any financial compensation for an elected or appointed member of the SGANMIMT. It is intended that these funds be used primarily for unforeseen costs within the operation of the SGANMIMT.
6. The Vice President shall be responsible for taking attendance of the Senators at all Senate meetings and relaying attendance information to the Secretary to be placed in the meeting minutes. The Vice President shall announce at each Senate meeting all Senators who qualify for consideration for removal due to lack of attendance as outlined by SGANMIMT law. The Vice President shall send all correspondence to specific Senators concerning disciplinary action upon that specific Senator; if the Vice President is not able to carry out this duty due to a serious conflict of interest, he or she may solicit the aid of the President Pro-Tempore of the Senate.
7. The Vice President shall have the power to require any committee of the Senate to submit a written report to the Senate as often as once every two (2) weeks and shall have the power to require any committee to meet as often as once every two (2) weeks. The Vice President may require the committee to advertise the meeting to the public if so needed.
8. The Vice President shall draft a letter to the GSANMIMT and Dean of Graduate Studies whenever a Graduate Student Representative position becomes vacant, requesting the name of the replacement Representative.
9. The Vice President shall publish and update a manual outlining the process for drafting bills each session. This manual shall include a document template and example bill.
10. The term of office for the Vice President is one (1) year, beginning the first calendar day after Commencement of the Spring Semester and ending the calendar day of Commencement the following Spring Semester. The Vice President may serve a maximum of two (2) terms within the office to which they were elected.

5.9 Powers and Responsibilities of the Secretary

1. The Secretary shall be responsible for the duties of managing the SGA email account and PO box. He or she is also responsible for making available to the SGA and public a contact list including all elected and appointed officials. The Secretary shall post meeting agendas and notice of meeting time and place at least two (2) days prior to each regularly scheduled meeting and the first two (2) meetings of each session.

5.10 Powers and Responsibilities of the President Pro-Tempore

1. A President Pro-Tempore of the Senate shall be elected from the membership of the Senate by plurality. The President Pro-Tempore of the Senate shall preside over the Senate in the absence of the Vice President. In the event that the office of the Vice President is vacant, the President Pro-Tempore of the Senate shall assume the title and duties of the office. The President Pro-Tempore of the Senate shall be reelected each session of the Senate or when the position becomes vacant. The President Pro-Tempore of the Senate may be removed by a majority vote of the seated Senate at the first meeting following the introduction of a motion for removal. The President Pro-Tempore must meet with the Vice President at least once (1) a month to ensure an understanding of the duties associated with the office of the Vice President.

5.11 Senate Committees

1. The Senate shall have the power to designate Senate committees as necessary. The Vice President shall appoint all members of Senate committees with the passive consent of the Senate. Following the Vice Presidential appointments, the floor shall be opened to nominations by the Senate for committee heads.
 - (a) Appointments to Senate committees will expire the day of the first meeting of the session immediately following the session in which the appointments were made.
 - (b) If the Senate rejects the Vice Presidential recommendation, they are required to give a written request to the Vice President for the changes to be made. If this request is not made, the committees will stand until an alternative is proposed in written form.
 - (c) The committees will be formed, as appointed by the Vice President, and assumes all of the committees responsibilities until the written request are formally presented to the Vice President
 - (d) Only students may serve on committees. Any student may serve on a SGAN-MIMT committee as outlined by the committee composition. All Senate committees, with the exception of the Finance Committee, may elect their own chair if the current chair does not meet the standards as outlined in the Constitution.
 - (e) First-Semester Senators are to be placed in committees at the discretion of the Vice President. These three (3) Senators must all be in separate committees.
2. The Finance Committee shall be established to review budget requests and make recommendations on the budget of the SGANMIMT to the Senate. Legislation concerned with finances shall be referred to this committee. This includes, but is not limited to, event grant requests and Financial Legislative Bills.
 - (a) The Finance Committee shall submit a complete budget for each academic session, including chartered organizations' budgets, to the Senate by the fourth regularly scheduled Senate meeting of each academic session. This complete budget shall include changes to Government branch and executive agency budgets.

- (b) This committee shall be composed of seven (7) students, of which a minimum of five (5) must be Senators and two (2) non Senate Members. The Chief Financial Officer shall serve as chair and shall have no vote except in the event of a tie. Meetings shall be held at least once a month during the regular academic year and at least two (2) times between the end of the Spring Semester and the beginning of the Fall Semester.

3. The Legislative Standards Committee shall be established to review all legislation not allocating SGANMIMT funds. This committee shall be composed of no less than four (4) Senators and two (2) Associate Justices. One (1) of the Senators shall serve as chair and shall have no vote, except in the event of a tie.
4. The Club Advisory Committee shall be established to review all club legislation and promote club involvement on campus. This committee shall be composed of no less than three (3) Senators and two (2) club representatives. This committee shall assist with the organization of club fair and mandatory club meetings. The committee is responsible, in conjunction with the Vice President of the SGA, for chartering student organizations.
5. The Public Relations Committee shall be established to consider Presidential appointments, help recruit potential cabinet members, and run SGANMIMT events intended for increasing SGA awareness. The committee shall be composed of no less than three (3) Senators, one (1) Associate Justices, and one (1) undergraduate student at large chosen by the committee head.
 - (a) There shall be an interview board composed of the SGA President and two (2) Public Relations Committee Members excluding Freshmen Senators. The President shall prepare and conduct the interview, designate the role of the Senators during the interview, and present the results to the entire Public Relations Committee.
 - (b) Senators chosen to be members of the interview board need to be present for any and all executive position appointments.
 - (c) The undergraduate student committee member shall not be allowed to apply for any positions which this committee reviews.
 - (d) The Senate members of the committee are required to present the appointments, as made by the President, to the committee and offer a recommendation for action to the Senate floor.
 - (e) The committee shall be responsible for all Senate related public relations, which includes but is not limited to, social events, meet and greets, and advertisement.

5.12 Sessions of the Senate

1. There shall be three (3) sessions of the Senate each academic year. The first session shall begin the calendar day before the first day of classes of the Summer Semester. The second session shall begin the calendar day before the first day of classes of the Fall Semester. The third session shall begin the calendar day before the first day of classes of the Spring Semester. The newly elected President, Vice President, and Senators shall take an oath of office administered by a Supreme Court Justice at the first Senate meeting of the session in which they take office. The Senate shall meet on the call of the President, the Vice President, or upon petition of at least one third (1/3) of the Senators. Notice for an unscheduled Emergency Meeting must be given at least twenty

four (24) hours in advance. Meetings shall be held at least every two (2) weeks while classes are in session.

5.13 Salaries

1. The Senate may establish salaries for the purpose of compensation for student officials and employees. Compensation may not be diminished during an individual's term of office.
 - (a) The salaries of the President and Vice President shall be, at maximum, one and three-fifths (1.6) times the in-state tuition for a full-time student (as published in the New Mexico Tech Catalog), and, at minimum, one (1) times the in-state tuition for a full-time student (as published in the New Mexico Tech Catalog), of the academic sessions covering their terms in office.
 - (b) The President and Vice President salaries shall be drawn from SGANMIMT funds.
 - (c) Senators are entitled to receive a financial stipend totaling a maximum of \$200.00 USD for each of the Spring and Fall sessions and a maximum of \$100.00 USD for the Summer session. A Senator cannot get paid more than \$500.00 USD for a full term.
 - i. Senators who receive a leave of absence over the Summer session forfeit their right to receive the summer stipend.
 - (d) Hourly rates, for contracted and salaried positions, shall not exceed 1.75 times minimum wage, unless explicitly reviewed and accepted by the Senate.
 - (e) No more than one (1) salaried position in the SGANMIMT Government or one (1) hourly wage position may be held by any one (1) student. All hourly salaries being paid by the SGANMIMT shall meet at least federal minimum wage

5.14 Chartering Authority

1. The Senate may, with approval of a proper club constitution by the club chartering authority of the SGA, choose to charter a student organization that it determines as meeting a necessity among the University community.
2. Any chartered organization must have a minimum of fifteen (15) members of the SGANMIMT and/or GSANMIMT to receive funding from the SGANMIMT.
3. Any chartered organization is required to have at least one undergraduate member holding an executive position. This includes President, Vice President, or Financial Officer.
4. Chartering requirements will be fulfilled no later than the third (3rd) Monday of the current session. These organizations shall remain chartered until the end of that session.

5. The Vice President of the SGANMIMT, with the passive consent of the Senate, shall publish rules and requirements of all chartered organizations to ensure that the organization is conducting itself according to SGANMIMT standards.

6 Executive Branch

6.1 The President

1. The President is the spokesperson and representative of the Student Association and its Government. The President is responsible for the administrating of student activities and SGANMIMT funds, for representing the SGANMIMT in dealings with entities outside the SGANMIMT, and for upholding the Constitution of the SGANMIMT.
 - (a) The President shall have earned a minimum of thirty (30) credit hours at New Mexico Institute of Mining and Technology. In the event that the office of the President is vacant, the Vice President shall assume the title and duties of that office.
 - (b) The President shall have held office for a minimum of one term in any SGA position. This includes the following: SGA Senator, SGA Justice, or a SGA Executive Agency Director
 - (c) The President shall be in good standing with the institution for the duration of their term.
 - (d) The term of office for the President is one (1) year, beginning the first calendar day after Commencement of the Spring Semester and ending the calendar day of Commencement the following Spring Semester. The President may serve a maximum of two (2) terms within the office to which they were elected.

6.2 Powers and Responsibilities of the President

1. The President shall be allowed a Presidential Discretionary Fund, which he/she may allocate as he/she sees fit without approval from the Finance Committee or Senate. It is prohibited to use these funds to increase any financial compensation for an elected or appointed member of the SGANMIMT. It is intended that these funds be used primarily for unforeseen costs within the operation of the SGANMIMT.
2. In times of need, the President may make executive rulings necessary for the enforcement and execution of this Constitution and SGANMIMT legislation which are not in violation of this Constitution and SGANMIMT legislation. The executive rulings must then be reviewed by the Judicial Branch within two weeks to ensure constitutionality. The executive ruling must be recorded and presented to the Senate at the following regularly scheduled Senate meeting. If the ruling is found to be unconstitutional or compromises the ideals of the SGANMIMT, it shall be reversed.

3. At least four times during each session, the President shall give the Senate information in person, as to the state of the SGANMIMT and may recommend such measures, as he or she deems necessary.
4. Preceding the Spring General Election, the President, in consultation with his or her executive officers, shall prepare and submit to the Senate Finance Committee a budgetary proposal for the next fiscal year for the Executive Branch of Government. The budgetary proposal shall include operating costs for the SGANMIMT offices with the exception of those that fall under the jurisdiction of the Vice President. The budgetary proposal shall include executive agencies unless an executive agency does not have a director. If the President prepares a budget proposal for an executive agency while an agency has no director and a director is appointed before the Spring General Election, the director may take control over the executive agencies budget proposal if the director so wishes.
5. The President may establish and appoint any executive officer or executive agency to advise and assist him or her in the execution of his or her prescribed duties. The tenure of these appointments shall not exceed the term of office of the appointing President.
 - (a) If the position is paid, the President must present a budgetary proposal to be approved by the Senate by passive consent before the hire can be made.
 - (b) If the request is denied by the Senate, the President can look to outside sources of funding to make the hire
 - (c) In times of need, the President may make emergency hires without initial approval from the Senate. However, he or she must have the appointment approved by the Senate by active consent at the next regularly scheduled Senate meeting or it is gross negligence. Emergency hires made in this fashion may not last for more than a three week period of time.

6.3 Powers and Responsibilities of the Executive Office of the President

1. There shall be an executive office of the President composed of a Chief Financial Officer, a Student Activities Chair Director, a Paydirt Editor in Chief, a AV Director, Governmental Affairs Officer, and any other executive officers the President might appoint that has been approved by the Senate by active consent. Each executive officer must be an undergraduate student and in good standing with the institution. It shall be the duty of this office to advise and assist the President in the execution of his or her duties.
2. The executive agency directors, in conjunction with the President and with the approval of the Senate, may publish a standard operating procedures manual that should be the basis for job duties and expectations. The President is responsible for ensuring all positions are accurately described and job descriptions correctly implemented.

3. There shall be a Chief Financial Officer appointed by the President and confirmed by the Senate, who shall oversee the finances of the Executive Office and handle all finances as directed by the Senate.
 - (a) It is the responsibility of the Chief Financial Officer to assure that all transactions and procedures within his/her control follow all federal, New Mexico, and University laws and Procedures.
4. There shall be a Paydirt Editor in Chief appointed by the President and confirmed by the Senate by active consent, who shall be responsible for running the student newspaper of NMIMT. The Editor in Chief shall be responsible for obtaining content and hiring and maintaining a staff to assist in the duties of the office.
5. There shall be a Student Activities Chair Director appointed by the President and confirmed by the Senate by active consent, who shall coordinate and oversee any and all activities that are for the entertainment or improvement of the student body. These include, but are not limited to 49ers, Spring Fling, dances, comedy nights, and movies. The Student Activities Chair Director may appoint any assistants that they deem necessary with the approval of the President and the Chief Financial Officer
6. There shall be an AV Director appointed by the President and confirmed by the Senate, who shall be responsible for maintaining the Student Activity Center, coordinating the use of the Student Activity Center, oversee the rental of technical equipment, and anything else deemed necessary by the President or Senate.
7. There shall be a Governmental Affairs officer appointed by the President and confirmed by the Senate, who shall be responsible for attending all City Council meetings of the town of Socorro, communicating with their respective counterparts at NMSU and UNM, work with NMIMT's governmental lobbyists on issues concerning the student body, and anything else deemed necessary by the President or Senate. They will be required to report to the Senate at least four (4) times per semester.

6.4 The Executive Cabinet

1. There shall be an Executive Cabinet composed of the President, the Vice President, the Chief Financial Officer, the Student Activities Officer, the AV Director, and any other officials or persons prescribed by the President. The Executive Cabinet shall advise and assist the President in his or her duties as well as facilitate cooperation and coordination among the executive agencies and executive officials.
2. The Executive Cabinet shall meet no less than once a month to report on and discuss any SGA agency issues or concerns.
3. The President shall be empowered to call to order any executive cabinet meeting he/she feels necessary in order to execute his/her duties. A minimum of three (3) days' notice must be given for an emergency meeting.

4. The President shall be empowered to enforce disciplinary action for missing, disrupting, or inhibiting any executive cabinet meeting.
5. The Vice President shall be a member of the Executive Cabinet, but shall not be subject to disciplinary action by the President without the active consent of 2/3 of the seated Senate.

6.5 Executive Agencies

1. The President shall, in conjunction with the Public Outreach Committee, appoint all directors of all executive agencies, to be ratified by the Senate by active consent. All other student appointments to executive agencies shall be made by the executive agency's director, with the consent of the President
 - (a) The term of office for agency membership shall coincide with that of the President
 - (b) The President shall be empowered to remove any of his or her appointments to any executive agencies, with the approval of the Public Outreach Committee.
 - (c) Any hires made must be previously budgeted for or approved by the Senate by active consent. It must be explicitly shown where the money will originate if not previously budgeted for.
2. Preceding the Spring General Election, each executive agency's director shall prepare and submit to the Senate Finance Committee a budgetary proposal for the next fiscal year for the director's executive agency.

7 Judicial Branch

7.1 Judicial Function

1. The Judicial power (including Constitutional and legal interpretations) of the SGANMIMT (with the exception of impeachment) shall be vested in the Supreme Court.

7.2 Jurisdiction

1. The Supreme Court shall have original jurisdiction in all cases arising under this Constitution, the laws and bylaws of the SGANMIMT, the regulations and actions of the various bodies and committees of the SGANMIMT with the exception of certain designated powers of the Senate.
2. All legislation signed or passed into law, motions passed by the Senate, and referenda and amendments passed by the student body must be submitted to the Supreme Court to be checked for constitutionality a minimum of three (3) days before being voted upon.
 - (a) A submission for legislation signed or passed into law must be written and a hard copy saved by the office of the Vice President and the Chief Justice.

- (b) Any motions passed by the Senate, and allowed by the Supreme Court, are assumed to be constitutional. If there is a question of constitutionality, the Supreme Court shall make an interpretation and formally present it at the next regularly scheduled Senate meeting.

7.3 Justices

1. The Supreme Court shall be composed of a Chief Justice and four (4) Associate Justices.
 - (a) The Associate Justices must have attended the University at least one (1) semester immediately prior to their appointment. Associate Justices shall be voted upon by the Student Body. Two (2) shall be elected during the Fall General Election and two (2) during the Spring General Election. The term of office for all Justices shall be one (1) year.
 - (b) The Chief Justice shall be appointed by the President and confirmed by the Senate. The Chief Justice shall preside over the Court and shall be responsible for the publication of the decisions of the Court.
 - i. Chief Justices are required to have served as an Associate Justice for a minimum of one (1) term. In the event that the office of the Chief Justice becomes vacated, the President shall appoint any qualified individual. If no qualified candidate applies, this stipulation is void.
 - (c) Two (2) justices from the Supreme Court shall be members of the University Disciplinary Committee, unless extenuating circumstances prevents Justices from this duty. In this case, the President and Chief Justice shall nominate a replacement from the Executive or Legislative branches.
 - (d) No less than two (2) Justices shall be present at each meeting of the Senate.
 - (e) In the event that the seat of an Associate Justice becomes vacated, then the seat shall be filled by the Justice elect with the next highest number of votes. In this case the Justices term will be treated as though it began at the beginning of the current session and last for remainder of the one (1) year term.
 - (f) All elected or appointed Justices shall receive the most current edition of Roberts Rules of Order to be used throughout his/her term and returned to the SGAN-MIMT at the end of the term.

7.4 Procedures

1. A decision of the Court shall be made with the written concurrence of at least three (3) of the justices. Appeals of decisions of the Supreme Court may be made to the Dean of Students. If there is a vacancy or absence of at least three (3) of the justices, the remaining justice(s) may only act on administrative matters subject to later approval by at least three (3) justices. Preceding the Spring General Election, the Chief Justice shall prepare and submit to the Senate Finance Committee a budgetary proposal for the next fiscal year for the Judicial Branch of the government. Details of court procedure

not prescribed by this Constitution or by law shall be the responsibility of the court itself.

7.5 Records

1. The Supreme Court shall keep an SGANMIMT Book of Law, which shall include all referenda passed into law by the student body and all bylaws passed by the Senate. Permanent records of the Constitution, Amendments, Laws, Interpretations, and written explanations of Interpretations are to be kept by the Secretary. It is the responsibility of the Chief Justice to provide the correct documentation to the secretary.

7.6 Subpoenas

1. Any Justice, upon written request for the issuance of a subpoena ordering a person to appear before the Supreme Court, may issue such subpoena. The subpoena may be contested before the Supreme Court. Any student failing to comply with a properly issued subpoena may be suspended from SGANMIMT offices and committees. Any student failing to comply with a properly issued Court Order may be suspended from SGANMIMT offices and committees.

7.7 Contempt of Court

1. Any act, which is calculated to hinder or obstruct the Supreme Court in its administration of justice, may be considered in contempt of court. Any student or group found guilty of contempt of court may be suspended from SGANMIMT offices, committees, and/or funding. A party may be found guilty of Contempt of Court only if: the act is done in the presence of the court and its presiding Justice.

8 Disciplinary Action

8.1 Disciplinary Actions Defined

1. **Mandatory Mediation:** mediation that must be held between the accusing student, the accused official, the SGANMIMT Vice President, and another neutral party that both the student and the accused official agree upon.
2. **Suspension:** removal of duties, rights, and voting privileges associated with the position for a period of no longer than four (4) weeks. During this period the suspended party shall not receive financial compensation.
3. **Removal from Office:** removal of duties, rights, and voting privileges associated with the position for the remainder of their term, with a minimum requirement of one (1) semester.

4. **Alternative Disciplinary Action:** with the concordance of the Legislative, Judicial, and Executive Branches, the SGANMIMT shall be allowed to take disciplinary action in a way appropriate to the severity of the infraction. This disciplinary action must also be approved by the Advisor to the SGANMIMT to ensure it is fair and just.

8.2 Grounds

1. Call for disciplinary action may be brought against any elected or appointed official in the SGANMIMT by any student. Grounds for disciplinary action shall be violation of law(s), willful neglect of office, willful malfeasance, or gross misconduct. Precedence of past matters shall be considered where the constitution is unclear.

8.3 Procedures

1. Motions to discipline any elected or appointed official of the SGANMIMT Government may be brought forth to the Senate by any student, The motion must be presented in written form to the Vice President of the SGANMIMT no less than one (1) week prior to the next Senate meeting.
2. If the SGANMIMT Vice President is the accused official, the President Pro-Tempore shall replace the Vice President in the following described procedures.
3. The Vice President shall notify the subject of the disciplinary motion within two (2) days of receiving the motion. If the accused party does not acknowledge the notice within three (3) days, then a second notice shall be given no less than six (6) days after the Vice President received the motion. The Vice President shall make at least four (4) attempts to contact the accused official before ceasing his/her efforts.
4. The hearing shall occur at the next regularly scheduled Senate meeting after receiving the motion. The motion must receive a second and a third by Senators in order to be voted upon.
5. If the either the President or the Vice President are the accused party, then either party must be impeached through a majority vote undertaken by the Supreme Court before disciplinary action can be ordered by the Senate.
6. Disciplinary action against an elected or appointed official shall only be ordered by a majority vote of the present and voting SGANMIMT Senators. In the case of removal from office, a two-thirds (2/3) vote of the seated Senate is required. GSA representatives are not to be counted in this vote. A disciplinary motion that passes may not be vetoed by the office of the President.

8.4 Senate Disciplinary Action

1. The Senate, in conjunction with the President of the Senate, may determine the rules of its procedures and discipline its members for neglect of office and/or disorderly

behavior in its presence; and may, with concurrence of two thirds (2/3) of the seated Senate, expel a member. If any member of the Senate is removed for disciplinary reasons, that person may not run for any SGA office or position in the future.

2. A Senator who neglects to attend two (2) consecutive or three (3) non-consecutive Senate meetings in one (1) session of the Senate may be considered for removal from office by the Senate. If a Senator meets the above criteria at the last meeting of the session, the Senator is eligible for removal during the following session.
3. Any Senator may be brought up for disciplinary action to the Senate with just cause at any time by three (3) Senators with consent of the Vice President or five (5) members of the seated Senate.
4. All members of the seated Senate will be evaluated during each session of the Senate based on a point value system as outlined by the Vice President and approved by the Senate by passive consent. The Vice President will set the point value system at the start of each semester, and it will remain in effect for the entirety of that semester.
 - (a) If the Vice President chooses to change the point value system, he/she must present a new system to the senate for approval no later than the second (2nd) regularly scheduled Senate meeting of the current semester.
5. If a Senator is unable to attend meetings due to absence over a summer session, serious illness, or family tragedy, then a leave of absence may be granted with majority vote of the seated Senate in place of Senator removal. Senators granted a leave of absence will lose their vote and be removed from quorum requirements for the duration of their absence. However, they will still retain their seat and upon return from the absence the leave shall be terminated and their vote returned to quorum.
 - (a) Under no circumstances is a Senator on leave accountable for attendance during the period of leave.
 - (b) Senators wishing to request a leave of absence for the summer session must do so at or before the final regularly scheduled meeting of the Spring session.
 - (c) If a Senator is elected in Spring but cannot attend the summer session, they must request a leave of absence as well. If 2 consecutive meetings are missed without notification during the summer session, that Senator will forfeit his/her seat.

8.5 Appeals

1. Disciplinary decisions approved by the SGANMIMT Senate pursuant to this ARTICLE may be challenged in the Supreme Court on the grounds that the procedures were not followed in good faith, or on procedural or legal grounds.

9 Finance

9.1 Student Funds

1. The funds of the SGANMIMT shall be derived from designated SGANMIMT fees, GSANMIMT fees, income from enterprises of the SGANMIMT, and other legally approved sources.

9.2 Authorization of SGANMIMT Fees

1. An SGANMIMT fee shall be levied on each undergraduate student at the University subject to authorization by the NMIMT Board of Regents. For each part-time student carrying at least one (1) credit hour, the fee shall be prorated according to the number of credit hours registered and paid for by the student.

9.3 Distribution of the SGANMIMT Fee

1. The Finance Committee shall present all SGA budgetary proposals received before the Spring General Election accompanied by the Finance Committee's recommendations to the Senate for approval no later than the third regularly scheduled meeting following the Spring Semester. The combined proposed budgets for the SGA shall not exceed ninety percent (90%) of the anticipated revenue for the following fiscal year.
2. During the Spring academic session Budget and Analysis will communicate with the CFO the anticipated revenue for the following year. Upon their approval the SGA can budget exceeding the ninety percent (90%).
3. Any funds not allocated by the SGA budget proposals may be allocated by the Senate according to established laws and statutes. Any financial request must first be approved by the Senate Finance Committee. If an organization or person is denied funding or change of funding allocation by the Finance Committee, they may appeal the decision to the Senate in the form of a bill.
4. SGA Chartered Organizations wishing to receive SGANMIMT funding shall submit a detailed budget to the SGA Chief Financial Officer as per the Finance Committee Policy. The SGA Chief Financial Officer shall publish the approved budgets as per the Finance Committee Polic. All budgets received from a chartered organization must be approved by the Senate Finance committee.
 - (a) New organizations or those with probationary status may only receive a maximum of \$300.00 USD during the current session. New clubs may receive more funding with a two-thirds (2/3) vote of the Senate.
 - (b) A new club loses its new status after spending, in good faith (as judged by the SGA Finance Committee), funds granted to the club
 - (c) Additional funding may be requested from the full seated Senate in the form of a Bill.

5. A portion of each session's budget shall be allocated to a Senate Bill Supplementary Fund for the purpose of providing money to a student or any group of students requesting money from the SGANMIMT. This portion of the budget shall be allocated by discretion of the Senate.
6. If it is found that the budget is overspent at any time during the fiscal year the CFO and President will be immediately brought up for disciplinary action based on gross-misconduct and malfeasance at the next scheduled Senate meeting.

9.4 Authority of Financial Control

1. The SGANMIMT Chief Financial Officer shall be the sole fiscal agent for all SGANMIMT financial transactions. All expenditures must have prior clearance from the SGANMIMT Chief Financial Officer. The SGANMIMT, executive agencies, and any organizations funded through the SGANMIMT may not spend in excess of their approved allocation. This will result in termination of any agent involved and a formal inquiry into the actions of the appropriate executive officer, President, or Vice President. Deficit spending may result in substantial penalties as governed by SGANMIMT law.

9.5 Education in Financial Matters

1. Agents shall be responsible for familiarizing themselves with the SGANMIMT and SGANMIMT Chief Financial Officer policies and financial procedures before any expenditure is made.

9.6 Accounting Requirements

1. All SGANMIMT accounting systems shall be in accordance with appropriate federal, state, and University requirements.

9.7 Ownership

1. All items purchased with SGANMIMT funds become the property of the SGANMIMT and thus the property of the New Mexico Institute of Mining and Technology Board of Regents.

10 Election Procedures

10.1 Election of Senators

Senators shall be elected at large from among those candidates declared eligible by the Supreme Court. Candidates for senatorial seat must receive a minimum of two (2) votes during an election to become a Senator.

10.2 Election of the President and Vice President

The President and Vice President shall be elected at large in the Spring General Election from among those candidates declared eligible by the Supreme Court. The election should be held to the same standards as the Senate Elections, with the only change being as follows: Only one vote per office may be cast by voters.

10.3 Senate Vacancies

1. In the event of a vacancy in the Senate, the candidates receiving the next highest number of votes from the election for that session that did not receive a senatorial seat shall fill that vacancy. Senatorial duties shall be assumed upon confirmation by the Supreme Court and swearing in by a Supreme Court Justice in a timely manner.
2. In the event that the position is refused or the Vice President (after reasonable attempts) is unable to contact the candidate within ten (10) days, the next candidate on the above described list shall be appointed. This process shall continue until all vacancies are filled or there are no remaining candidates to fill the vacancies.
3. In the event that there are no remaining candidates to fill the vacancies, the Supreme Court shall hold a special election.

10.4 Election Process

1. All elections shall be run by the SGANMIMT Supreme Court. The Supreme Court shall set the dates for all elections. Only current students of NMT shall vote at elections held by the Supreme Court. Each person may only vote one time. At least two (2) members of the Supreme Court shall be present when the votes are tallied. In the event of a disputed vote, the Supreme Court shall decide the dispute. Any candidate may demand a recount within fourteen (14) calendar days of the election's end.
 - (a) All general elections shall be held on or between the first week of classes after mid semester and the second-to-last week of the semester (as defined by the most recently published New Mexico Tech catalog.
 - (b) Only current SGANMIMT members may vote. It is at the discretion of the Chief Justice on how to ensure that the person voting is indeed a current undergraduate student.
 - (c) The date and purpose of a General Election shall be advertised for a minimum of twenty-one (21) days before the date of the election. Advertising shall minimally consist of flyers and a general email to the student body, mailbox memos. Additional advertisement may be used, but is not required. All elections shall be held to this level of advertising.
 - (d) Declaration of candidacy forms shall be made available and submissions of candidacy shall be accepted twenty-one (21) days before the election date. All forms

- must be turned into the Chief Justice at least three (3) days prior to the date of the election.
- (e) The Supreme Court shall insure that all candidacy forms for all elections contain a list of eligibility requirements. The Supreme Court shall also ensure all candidates meet the minimum requirements for the office they are running for.
 - (f) An election day shall start on the day advertised, at the time advertised, and at the place advertised by the Supreme Court Justice of the SGANMIMT. The election shall run for a minimum of ten (10) hours throughout one (1) consecutive week with a minimum of 2 days. The election must be held during business hours of the university and may not be held on the weekend.
 - i. The election shall be held on the dates advertised by the Supreme Court. If the election is on more than one day, it must be made clear on the advertisement and to every person running for an office. The scheduled and advertised dates shall not be paused, postponed, interrupted, or relocated.
 - ii. The election shall be held in a single location regularly accessed by the voters.
 - iii. At least one Supreme Court Justice shall be present at the ballot box at all times to ensure that there is neither active campaigning nor any visible or audible campaign materials within one hundred (100) feet of the ballot box during the election.
 - iv. The Chief Justice may allow the candidates to post biographies at the voting booth. Biographies must be submitted two (2) days prior to the election and approved passively by all of the candidates at least twenty-four (24) hours before the first day of the election. If in the case a biography has not been approved that said candidate will be able to resubmit a new biography. Biographical material shall be limited to: name, major, positions held in the SGANMIMT, positions held in clubs or affiliations with clubs, and the specific being sought in the SGANMIMT.
 - v. The Chief Justice may, with the approval of 2/3 of the Senate and the Executive Branch, present regulations and rules for an election in which an extenuating circumstance prevented/ will prevent the election from being performed as prescribed above.
 - vi. If there is a breach in conduct, rules, or regulations, the justices shall make an interpretation and present it to the Senate. This interpretation shall contain evidence for any decision made regarding any action to be taken, or not to be taken.
 - (g) The Chief Justice may choose the method of voting, so long as it is advertised and constitutionally sound. This includes, but is not limited to, electronic voting, secret ballot voting, and absentee voting.

10.5 Emergency Election

1. The date and purpose of a special election shall be advertised starting no later than two (2) days after the Senate meeting at which the special election becomes necessary. The special election shall be held between ten (10) and fifteen (15) days after the date of the Senate meeting at which the special election became necessary. Declaration of candidacy forms shall be made available and submissions of candidacy accepted the day that the special election becomes advertised. All candidacy forms must be submitted at least two (2) days before the election date. If a special election becomes necessary within the last twenty (20) days of the academic session, the special election shall be held the next academic session. In such a case the above guidelines shall be followed and the election shall be considered necessary as of the first day of classes of the new academic session.

11 Referenda

11.1 Law

1. Legislation may become law via referendum. Referendum items shall be put to a vote of the student body during elections. Referenda that are passed by a majority of those students voting shall become SGANMIMT law. All referenda passed into law by the student body shall override the bylaws of the Senate, and both forms of law shall be identified separately in the SGANMIMT Book of Law.
2. Legislation may become law with three-quarters (3/4) majority vote of each of the three branches: Legislative, Judicial, and Executive. This vote shall include all members of each branch of the SGA, not just the present members.
3. Any additions to the Law done through Legislative Bills must be added to the SGANMIMT Book of Law. The Chief Justice, in conjunction with the secretary, shall be responsible for recording the changes and additions of legislation.

11.2 Repealing

1. Said laws shall be binding on the SGANMIMT for one (1) year following passage into law provided it is within SGANMIMT power to enact the provisions of the referenda. Said laws may not be overturned by any actions of the Senate or the President. Said laws may only be repealed or amended via referenda. Said laws shall remain enacted until repealed or amended.

11.3 Overturning

1. The student body may overturn actions of the Senate or Presidential vetoes through the referendum process by a majority vote of those voting.

11.4 Voting

1. Referenda may be placed on the SGANMIMT ballot by a majority vote of the seated Senate or by petitions presented to the court and signed by one half (1/2) of the number of students voting in the previous General Election.

11.5 Amendments

1. Amendments to this constitution may be proposed by a two thirds (2/3) vote of the seated Senate or by petition signed by two thirds (2/3) of the number of students voting in the previous election. The proposed amendment shall be placed on the ballot of the next election. An affirmative vote by two thirds (2/3) of those students voting on the amendment shall be sufficient to approve the amendment. Amendments of this Constitution approved by the student body shall be placed in the appropriate context within this document, including specific numerical references (ARTICLE, Section, and subsection). The previous replaced text (if any) shall be recorded in a historical record. If this Constitution or any portion thereof becomes inadequate the Senate shall amend this Constitution subject to the the outlined rules for such constitutional amendments. This constitution shall not be up for revision or amendment until three (3) academic sessions after the date of the last amended version.

11.6 Implementation

1. This Constitution shall become the law of the SGANMIMT the calendar day after Commencement of the Spring Semester in which it was ratified or the Spring Semester following its ratification if ratified during a Fall Semester. Upon implementation of this Constitution into law, a Book of Law will accompany this Constitution shall be implemented. The Book of Law may be ratified before the implementation of this Constitution. Upon the implementation of this Constitution into law, all laws and bylaws associated with the previous Constitution shall be considered repealed.

Book of Law of the Supreme Court of the SGANMIMT

August 23, 2016

1 By-laws

1.1 Required Representation by Clubs

All agencies and individuals submitting a financial bill must appear, either in person or by any representation at the SGANMIMT Senate meeting at which the bill is considered. Any such bill not defended by the requester or representative will be dismissed without consideration.

2 Supreme Court Interpretations

2.1 Interpretation of Article 3, Section 8, subsection 1

"...consider all presidential appointments..." means that the appointments committee shall be allowed to inspect all pertinent documents to make sure the best person for the position was picked for the position.

Signed by Jarrod Lombardo, Jeffrey Phipps, Christopher Rapson
EXPIRED under Constitutional revision of Spring 2012

2.2 Robert's Rules of Order - Voting Procedures

If a Senate vote is improperly conducted, it may be considered null and void and the vote may be retaken properly at the discretion of the Senate.

Signed by Jarrod Lombardo, Jeffrey Phipps, Christopher Rapson

2.3 Robert's Rules of Order - Quorum

If quorum is not met, all those absent are considered absent as per the SGANMIMT Constitution and subject to discipline under the SGANMIMT Constitution, Article 8. This holds even though the only actions available to the Senate are to adjourn, recess, or call the house (force members to attend under penalty.)

Signed by Jarrod Lombardo, Jeffrey Phipps, Christopher Rapson

2.4 Definition of a Week

"Meetings shall be held at least every two (2) weeks while classes are in session." A week is a seven (7) calendar day block from Sunday to Saturday, inclusive. This means that a Senate meeting could be held on a Sunday and the next Senate Meeting could be held on the Saturday twenty (20) calendar days later. Note: This example is the most extreme case of valid times for Senate meetings.

Signed by Jarrod Lombardo, Jeffrey Phipps, Christopher Rapson

3 Senate Resolutions

3.1 Scholarship to Transfer Graduate Fellowships

30 September, 1996

Whereas, NMIMT scholarships are limited and,

Whereas, the retention of NMIMT undergraduate students is a major concern and,

Whereas, there is a proposal to the institute senate to transfer \$60,000 in undergraduate scholarships to graduate fellowships and,

Whereas, the NMIMT student senate is the official voice of the undergraduate student body.

Resolve that it would be in the best interest of new and returning undergraduate students to not transfer or move any funds from the undergraduate scholarship fund to graduate fellowships.

3.2 University Name Change

2 August, 1999

Whereas, the regents of NMIMT are considering a legal name change and,

Whereas, the senate has been asked to express its opinion and,

Whereas, the NMIMT student senate is the official voice of the undergraduate student body.

Resolve that it would be in the best interest, image, and history of the institute to retain the name "New Mexico Institute of Mining and Technology" as the official designation.

3.3 Lengthening of Thanksgiving Break

6 December, 1999

Whereas, it has come to our attention that the faculty council has expressed interest in removing the Monday registration and Friday 49ers holidays to form a week-long Thanksgiving break and,

Whereas, it is the opinion of the SA that the 49ers academic holiday serves a useful purpose, being a stress-relieving break just after midterms and,

Whereas, 49ers is one of a very few proud NMIMT traditions remaining and enhances school spirit and,

Whereas, numerous scheduling difficulties will arise should the registration process be moved to an earlier date and,

Whereas, a week-long Thanksgiving break does not present any benefits to the student body, being so close to the end of the semester.

Resolve that it remains in the best interest, not only of the student body, but of the image and traditions of this institution to leave well enough alone.

3.4 Coffee Shop Restoration

10 July, 2000

Whereas, the coffee shop is an intrinsic part of many students' lives and,

Whereas, its importance lies in its ability to be a haven for many students on campus and,

Whereas, there are few places of such an atmosphere that fosters group studying, programming, and club meetings and,

Whereas, it provides more job opportunities for students and,

Whereas, the coffee shop is a service, not a business.

Resolve that it remains in the best interest of the student body to open the coffee shop ASAP and to include the following things:

- Music: preferably a stereo attached to a cable to get KTEK and other radio stations.
- Computers: about five because any more than that would decrease the family feeling of the area.
- Fountain drinks, coffee, Italian sodas, bagels, microwave popcorn.
- A microwave, coffee pot, fridge, and a toaster for student use.
- No real vending machines (too sterile)
- Table space is very good and outdoor is great.
- Sale of cheap ramen to students.
- Nights open should be every night.
- House of service should be 7am to 3am.

3.5 Tagline Change

6 November, 2000

Whereas, the suggestions made by the students to change the tagline were examined and dismissed and,

Whereas, the suggestions made by the faculty council were examined and dismissed and,

Whereas, the new tagline was a collaborative effort by the entire NMIMT community and therefore a general and majority consent and suggestion and,

Whereas, the quick dismissal of these suggestions made by the said participants was viewed as blatantly disrespectful and inconsiderate.

Resolve that the suggestions made by these persons involved with the attempted tagline change be heavily reconsidered and reviewed in light of the senate's support.

3.6 Dorm Gutters

7 February, 2001

Whereas, South and Baca water falls on students approaching from the un-guttered side and,

Whereas, un-guttered water splatters first floor residents and,

Whereas, seasonal snow and freezing temperatures create a safety issue with un-drained water.

Resolve that it is in the best interest of Baca and South residents that gutters be attached along the sides of both dormitories to drain water safely and unobtrusively.

3.7 PO Box Door Issues

7 February, 2001

Whereas, the student union building's exterior door, post office box door, and the outside gate to the patio area have been closed and locked prematurely and,

Whereas, the reason given for the closure of the post office box door was that no other lock existed on the building to protect campus dining properly.

Resolve that we, the Student Association senate, wish the door in the student quiet lounge that leads to campus dining should be equipped with its own lock.

3.8 Lobbying Platform for Tuition Increase

4 March, 2001

Whereas, the New Mexico State Legislature is voting on a base tuition increase and,

Whereas, the Associated Students of New Mexico wish to lobby for a specific percentage and,

Whereas, the increase last year was four percent.

Resolve that the SA of NMIMT would like the lobbying platform of the ASNM to be a base increase of, at most, four percent.

3.9 Equipment Replacement for NMT TCC

25 March, 2001

Whereas, the Technology Planning Committee (TPC) wishes to create a fund to cover equipment replacement for the Tech Computer Center and,

Whereas, the TPC has proposed a fee of \$50 per fall and spring semesters and \$25 per summer semester, estimated to intake \$610,000 over the next four year period and,

Whereas, equipment replacement is an academic necessity which should be covered entirely by tuition, rather than a non-essential which would fall under the realm of fees and,

Whereas, the students of NMT are solely paying for this increase and,
Whereas, the proposed amount is too much of a burden on students.
Resolve that the equipment supported by this increase be accessible to all students.
Resolve further that the charge per student per semester should not exceed \$25.

3.10 Re-Vote for Constitutional Amendment

1 April, 2001

Whereas, there was much confusion among a certain body of voters as to their right to vote in the election on March 22, 2001 and,

Whereas, many of the members of this body of voters did not bother to go vote due to word of mouth.

Resolve that it be in the best interest of the SA of NMIMT that the proposed constitutional amendment, which failed by eight votes, be put on the ballot for re-vote.

3.11 Repeated Election

29 April, 2001

Whereas, the most recent run-off election was changed and was not advertised and,

Whereas, the election did not follow the spirit of an election.

Resolve that it be in the best interest of the SA of NMIMT to repeat this election as soon as possible.

3.12 Dorm Gutters Update

18 June, 2001

Whereas, South and Baca water falls on students approaching from the un-guttered side and,

Whereas, un-guttered water splatters first floor residents and,

Whereas, Seasonal snow and freezing temperatures create a safety issue with un-drained water.

Re-resolve that it is in the best interest of Baca and South residents that gutters be attached along the sides of both dormitories to drain water safely and unobtrusively.

3.13 Reinstatement of the Internet Tax Freedom Act

8 December, 2003

Whereas, the Internet Tax Freedom Act expired on November 1, 2003 and,

Whereas, it is now possible for the internet to be taxed by the local, state, and federal governments and,

Whereas, the NMIMT SA is the official voice of the undergraduate student body.

Resolve that the internet tax ban be reinstated and made permanent.

3.14 Campus Skateboarding Ban

22 March, 2004

Whereas, skateboarding does not cause significant damage to the campus and,

Whereas, the inherent risk of injury involved in skateboarding is taken as a choice of the individual involved in the activity and skateboarding does not unnecessarily put bystanders at risk for injury, and,

Whereas, skateboarding is a common form of campus transportation for students and,

Whereas, skateboarding is a common form of recreation for students and, by its nature, improves the campus atmosphere and,

Whereas, disallowing skateboarding on campus is in violation of collegiality as set forth in the institutional values of the NMIMT.

Resolve that skateboarding be explicitly allowed on campus and that the "no skateboarding" signs be removed.

3.15 Office Space for the Student Regent

21 March, 2006

Whereas, it has come to the attention of the SA and the GSA that the student regent has not been allocated space in the new Fidel Student Center and,

Whereas, the student regent should be easily accessible by phone, via the internet, and in person to all students at NMT.

Resolve that the student regent should always have access to office space in the Fidel Student Center where the student regent can hold regular office hours, have access to a phone, and have an internet connection.

3.16 Club and Department Representation

25 September, 2006

Whereas, departments and clubs should have representation at all SA meetings.

Resolve that clubs and academic departments are recommended to have representation at all meetings.

3.17 Form Requirements at the Cashier's Office

25 September, 2006

Whereas, students should be able to receive funds from the cashier's office that are less than \$100 without a special form.

Resolve that the cashier's office should release funds under \$100 without a special form.

3.18 Free Game Room

6 March, 2012

Whereas, during recent years, the Fidel Game Room has been charging a fee of \$1.60 per student per hour of usage and,

Whereas, this fee has deterred students from using the game room due to lack of money and,

Whereas, during the free trial month of April 2011, the student usage greatly increased and,

Whereas, Auxiliary Services has proposed that there be a \$5 increase to the Fidel Student Center fee to make the game room unlimitedly accessible to the students.

Resolve that the SA of NMIMT supports the proposal of Auxiliary Services.

3.19 Proposed Tuition Increase

6 March, 2012

Whereas, due to state-wide budget cuts, faculty have elected to transfer to other institutions for better pay and benefits and,

Whereas, at the NMIMT President's Executive Cabinet Meeting, he presented his lobbying effort with the Legislative Finance Committee and,

Whereas, the NMIMT President would like to provide a 2% salary increase for faculty members and,

Whereas, the NMIMT president proposes a tuition increase of 4% to help alleviate the impact of this 2% salary increase on the NMT general budget.

Resolve that the SA of NMIMT supports the proposal of the NMIMT President.

3.20 Stadium Lights Proposal

6 March, 2012

Whereas, the NMT Athletic Field will be under construction on April 16, 2012 and,

Whereas, the NMT administration approached the SA of NMIMT regarding any improvements that the student body would appreciate and,

Whereas, the SA suggested the installation of stadium lights to provide the option of night games for the appropriate sports clubs on campus and,

Whereas, this would also provide the opportunity for more night events during 49ers and Spring Fling.

Resolve that the SA supports the installation of stadium lights on the NMT Athletic Field.

3.21 Event Grant Reallocation

20 March, 2012

Whereas, the event grants committee is out of money and requires more to fulfill its duties and,

Whereas, clubs actively use this fund for on campus activities and,

Whereas, the SA has unallocated funds for this spring semester and,

Whereas, clubs have been requesting money from the event grants committee and Spring Fling events will need access to this fund.

Resolve that \$1000 be transferred into the event grants fund to continue functioning.

3.22 Senatorial Financial Stipend

3 April, 2012

Whereas, the senate has previously requested financial compensation for their work within the SA and,

Whereas, many student governments around the state compensate their senators for their efforts and time, and,

Whereas, there has been a continual lack of motivation and involvement from the senators and a financial stipend would give them work incentive and,

Whereas, financial compensation would aid in the disciplinary action of those senators who do not adequately uphold their responsibilities.

Resolve that the senators of the SA of NMIMT be financially compensated with a stipend that does not exceed \$100 per fall and spring semesters and \$50 per summer semester.

3.23 Protection Against Light Pollution

5 August, 2013

Whereas, there have been several unfiled complaints of light, coming from Facilities Management and Property, obstructing the view of the night sky by members of the NMIMT Astronomy Club, students enrolled in the Astronomy I and II labs, and Community Star Party attendees, and,

Whereas, the close proximity of Etscorn Observatory to Facilities Management and Property is unavoidable and increases light pollution at the observatory, and,

Whereas, the Night Sky Protection Act, held under NM law, states that "All outdoor lighting from fixtures installed after January 1, 2000 shall be shielded, except incandescent fixtures of one hundred fifty [150] watts or less and other sources of seventy [70] watts or less," and,

Whereas, the Property Office has, as recently as six (6) months ago, installed additional flood lights on their premises, and,

Whereas, the SGANMIMT is the official governing body on campus, elected to be the combined voice of the students regarding issues on campus.

Resolve that Facilities Management and Property adhere to the following:

1. Abide by the Night Sky Protection Act as signed into law by Governor Gary Johnson in 1999 to avoid future legal obligations.
2. Install hoods on all light fixtures of one hundred [100] watts or more as a courtesy to the students of NMIMT using the observatory.
3. Investigate safety protocol and attempt to replace outdoor lighting with motion sensing light fixtures.

Resolve further that the SGANMIMT Senate directs the SGANMIMT President to submit a signed fully executed copy of this resolution to the Vice President for Student University Relations, the Director of Facilities Management, and the Director of Property.

3.24 Wireless Router in the Gymnasium

15 October, 2013

Whereas, the NMT gymnasium does not have wireless internet access in the downstairs portion of the building, and,

Whereas, this creates an inconvenience for those wishing to use their electronic devices for accessing internet radio, social media, and other online activities and,

Whereas, the SGANMIMT is the official governing body on campus, elected to be the combined voice of the students regarding issues on campus, show of support by the SGANMIMT Senate for this resolution will be weighted heavily by administration.

Resolve that an internet router be installed in the gym to provide access to the previously mentioned items.

Resolve further that the SGANMIMT directs the SGANMIMT President to submit a signed fully executed copy of this resolution to the Vice President for Student University Relations and the President of NMT.

3.25 Graduate Student Club Restriction Amendment

14 January, 2014

Whereas, the SGANMIMT is meant to serve the entire student body of the university, and,

Whereas, the graduate students are part of this student body, and,

Whereas, the SGANMIMT receives a portion of the graduate student fees collected every semester, and,

Whereas, the SGANMIMT Constitution currently restricts the level of graduate student involvement in SGA Clubs (Reference section Legislative Branch: Chartering Authority, article 4 regarding the composition percentage).

Resolve that the restriction on graduate student involvement in clubs be stricken from the SGANMIMT Constitution.

4 Constitutional Amendments

4.1 Legislative Branch

1. Vice Presidential Discretionary Fund

- (a) The Vice Presidential Discretionary Fund shall consist of a minimum of \$250 USD each session. The remaining balance of these funds at the end of each session shall not roll over to the next session.

2. Sessions of the Senate

- (a) At the last regularly scheduled meeting of a session the Senate shall set the time and place of the first meeting of the next session. During the first meeting of a session the Senate shall set the time and place of the second meeting. At the second meeting of the session the Senate shall set the place and time of the

regularly scheduled meetings for the remainder of the session. The Senate may change the current session's schedule of meetings at any meeting that reaches quorum.

- (b) Any unexcused Senator elect who does not attend both the first and second scheduled meetings of the current Senate session, shall be automatically relieved of his/her position and responsibilities. His/her seat shall be awarded to the Senator Elect with the next highest number of votes in the most recent election.

4.2 Executive Branch

1. Presidential Discretionary Fund

- (a) The Presidential Discretionary Fund shall consist of a minimum of \$250 USD each session. The remaining balance of these funds at the end of each session shall not roll over to the next session.

2. Powers and Responsibilities of the Executive Office of the President

- (a) The Chief Financial Officer, in conjunction with the Finance Committee, shall be responsible for publishing a financial procedures manual for the purpose of informing interested persons of necessary procedures required to obtain and legally spend SGANMIMT funds.
- (b) The Paydirt newspaper staff shall consist of, but is not limited to, a Layout Editor, a copy Editor, and an ad manager. Other staff members may be hired with the approval of the President and Chief Financial Officer.
- (c) The Student Activities Officer shall work in conjunction with the Performing Arts Series, Macey Center, and other non-SGA entertainment organizations on campus. He/she shall be responsible for all incorporated administration, including but not limited to, contracts, routing sheets, permissions, venues, and security necessary for all SGA approved activities.
- (d) It is the responsibility of the Technical Director to maintain and purchase, with approval from the Chief Financial Officer, any non-permanent, student owned equipment. It is the responsibility of this Director to manage usage of the equipment and train all users.
- (e) The KTEK General Manager shall be in charge of keeping current station documentation, recording all station finances, managing DJs, general upkeep, and station development. The General Manager may, with approval of the President and Chief Financial Officer, hire additional employees to aid in KTEK responsibilities. This includes, but is not limited to, a KTEK Music Director.

4.3 Finance

1. Distribution of the SGANMIMT Fee

- (a) SGA Chartered Organizations wishing to receive SGANMIMT funding must submit a detailed budget to the SGA Chief Financial Officer by the third (3rd) Monday of the current session of the Senate. The SGA Chief Financial Officer shall publish the approved budgets no later than the fourth (4th) Monday of the session. Funding will only be given to student organizations meeting the minimum requirement of fifteen (15) members and all other outlined requirements.