

# SGA NMIT

SPRING 2021

Constitution

Book of Law

Senator Handbook

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

January, 2021

## **1. Preamble**

The undergraduate student body of New Mexico Institute of Mining and Technology establishes this Constitution to provide effective, efficient and representative means of self- government. The Student Government Association of New Mexico Institute of Mining and Technology henceforth referred to by SGA, shall identify student concerns, address significant student issues, and work with the University and Socorro community to improve the NMT experience. The SGA shall uphold all student rights defined in this constitution and ensure SGA organizations follow the procedures defined in this constitution as well as the Book of Law.

## **2. Foreword**

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

## **3. Student Rights**

**3.1** 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.

**3.2** Every student has the right to vote in accordance with normal procedures established by the SGA.

**3.3** Every student has the right of access to all SGA records.

**3.4** No student shall be denied the right of orderly assembly on the campus.

**3.5** Every student has the right to contest before the Supreme Court the constitutionality of legislation, rulings, or decisions of the SGA or any chartered organization that would affect students.

**3.6** All students shall be considered innocent of any infraction of SGA 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 them 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 they will be confronted by the witnesses against them and may utilize the assistance of counsel in any part of the proceedings.

**3.7** All students will retain the right of free speech and expression on NMT campus. The SGA will work on behalf of any student that has been unfairly denied this right.

## **4. Legislative Branch**

### **4.1 Legislative Function**

All legislative powers of the SGA shall be vested in the Senate. The Senate shall make all laws and regulations it deems necessary and proper for the SGA, appropriate all funds of the SGA, approve or disapprove all appointments to constitutional and statutory executive agencies and legislative committees made by the President and Vice President, and impeach specified officers for due cause.

### **4.2 The composition of the Senate**

The number of Senators shall be quantified by 1 Senator per every 100 Current Undergraduate Students, of which 15% (rounded down to the nearest integer) shall be First Year Senators in their first year at NMT. There must be a total of three (3) GSA Representatives to be designated by the GSA. This number of Senators shall be recalculated every 2 years starting at the beginning of the Fall 2020 semester.

The election for Freshman Senators 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 SGA Constitution.

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. In the case of a special election, the elected Senators shall have a term of 1 year starting from the beginning of the semester the special election was held.

### **4.3 Qualifications of Senators**

Senators must be in good academic standing, may only hold office in one SGA branch, and hold only one position in that branch. Senators must have attended at minimum, one semester at NMT.

### **4.4 Power of Subpoena**

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

### **4.5 Legislation**

1. Legislation must be submitted to the Office of the Vice President in the form of a bill no later than three (3) business 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. All legislation must be defended at a meeting in which it is to be acted upon by the individual, organization, or designated representative requesting action.
3. A bill passed by a simple ( $>1/2$ ) majority vote of the Senate shall become law upon the signature of the President within five (5) days after its passage.

4. 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. A vetoed bill cannot be resubmitted to the Office of the Vice President without substantial changes.

#### **4.6 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 House Rules. 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 session in any SGA position.
2. The Vice President shall hire a Secretary for the purpose of taking the minutes of Senate meetings, responsible for taking attendance of the Senators at all Senate meetings, managing all SGA records, and assisting in any clerical activities deemed necessary.
3. 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 SGA law. The Vice President must notify senators considered for disciplinary action a minimum of 3 days before the Senate meeting their case will be voted on by the senate; if the Vice President is not able to carry out this duty due to a serious conflict of interest, they may solicit the aid of the President Pro-Tempore of the Senate.
4. The Vice President shall draft a letter to the GSA and Dean of Graduate Studies whenever a Graduate Student Representative position becomes vacant, requesting the name of the replacement Representative.
5. 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.
6. 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.

## **4.7 Powers and Responsibilities of the Secretary**

The Secretary shall be responsible for the duties of managing the SGA email account and PO box. They are also responsible for making available to the SGA and public a contact list including all elected and appointed officers. 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. Secretary shall be responsible for maintaining a record of all votes taken during the course of a Senate meeting (ie. name and associated vote).

## **4.8 Powers and Responsibilities of the President Pro-Tempore**

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 re-elected each session of the Senate or when the position becomes vacant. The President Pro-Tempore of the Senate may be removed by a super 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.

## **4.9 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. The nominee must be an SGA officer to be eligible as a Committee head.

- (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 assume all of the committee's responsibilities until the written request is formally presented to the Vice President.

(d) Only students may serve on committees. Any student may serve on a SGA 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.

(f) All committees will follow House Rules.

2. The Financial Committee shall be established to review all Legislation concerned with finances. 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 eight (8) students, of which a minimum of five (5) must be Senators, two (2) non-Senate Members, and one (1) Associate Justice. 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 SGA 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 and can act as a mediator for inter club complaints.
  
5. The Public Relations Committee shall be established to consider Presidential appointments, help recruit potential cabinet members, and run SGA events intended for increasing SGA awareness. The committee shall be composed of no less than three (3) Senators, one (1) Associate Justices, the Webmaster, 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.

#### **4.10 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.

#### **4.11 Salaries**

1. The Senate may establish salaries for the purpose of compensation for student officers 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 salary of the Chief Justice shall be, at a minimum, \$1,700 per fall and spring semesters, or \$3,400 per year. This shall be based on a \$10 pay rate for a 10 hour work week, for 17 weeks per semester.
  - (c) The President, Vice President and Chief Justice salaries shall be drawn from SGA funds.
  - (d) Senators and Associate Justices 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 or Justice cannot get paid more than \$500.00 USD for a full term.
    - i. Senators or Justices who receive a leave of absence over the Summer session forfeit their right to receive the summer stipend.

(e) Hourly rates, for contracted and salaried positions, shall not exceed 1.75 times minimum wage, unless explicitly reviewed and accepted by the Senate.

(f) No more than one (1) salaried position in the SGA Government or one (1) hourly wage position may be held by any one (1) student. All hourly salaries being paid by the SGA shall meet at least federal minimum wage.

2. No SGA members can be salaried or contracted for working more hours than specified in the student employment handbook.

3. Any bonus given to an SGA employee shall be reviewed by the Supreme Court to check for constitutionality. If the bonus is constitutional, then it shall be given to the SGA employee. If the bonus is not constitutional, the Supreme Court has the power to and will reject the bonus. Once the Supreme Court has reviewed the bonus and either approved or rejected it, they must submit a report to the Senate within the next two (2) meetings that includes who the bonus was given to, the current salary of the employee, the highest amount that employee can constitutionally make, and the amount the salary plus bonus of that employee would be.

(a) If the bonus is approved, the processing of the bonus must be held off for 2 weeks from the day the Senate receives the report about that bonus from the Supreme Court. This waiting period is to allow for a bill to be submitted to contest the amount of the bonus. If a bill is submitted contesting the bonus amount, the bonus cannot be processed until both the Legislative and Judicial branches have voted, and the bill must be voted upon at the next possible meeting. A 2/3rds vote of both the Legislative and Judicial branches is required to reject a bonus. If a 2/3rds vote of both the Legislative and Judicial branches is not reached, the bonus passes and can be processed. The President may not veto any bill contesting a bonus.

#### **4.12 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) student members to receive funding from the SGA.

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 SGA, 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 SGA standards.
6. The possible club status is determined by the vice president once club packets are turned in: Good Standing, Probationary Club Status, Associate Club, and New Club Status. If a chartered organization is stripped of its club status it is no longer considered a chartered organization of the SGA and will lose all rights and privileges associated with being an SGA chartered organization.

## **5. Executive Branch**

### **5.1 The President**

1. The President is the spokesperson and representative of the SGA. The President is responsible for the administration of student activities and SGA funds, for representing the SGA in dealings with entities outside the SGA, and for upholding the Constitution of the SGA.
  - (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 full session in any SGA position.
  - (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.

## **5.2 Powers and Responsibilities of the President**

1. The President shall be allowed a Presidential Discretionary Fund, which they may allocate as they see 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 SGA. It is intended that these funds be used primarily for unforeseen costs within the operation of the SGA.
2. In times of need, the President may make executive rulings necessary for the enforcement and execution of this Constitution and SGA legislation which are not in violation of this Constitution and SGA 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 violates the Student Code of Conduct, it shall be reversed.
3. Preceding the Spring General Election, the President, in consultation with their executive officers, shall prepare and submit to the Senate Finance Committee a budgetary proposal for the next fiscal year for All SGA. The budgetary proposal shall include operating costs for the SGA 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 agency's budget proposal if the director wishes.
4. The President may establish and appoint any executive officer or executive agency to advise and assist them in the execution of their 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 supermajority vote before the hire can be made.

- (b) If the request is denied by the Senate, the President can look to other sources of funding to make the hire, as reviewed by the Supreme Court.
- (c) In times of need, the President may make emergency hires without initial approval from the Senate. However, they must have the appointment approved by the Senate by supermajority vote at the next regularly scheduled Senate meeting or the President shall be brought up for disciplinary action for gross negligence. Emergency hires made in this fashion may not last for more than a three-week period of time.

### **5.3 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, an AV Director, Governmental Affairs Officer, Webmaster, and any other executive officers the President might appoint that has been approved by the Senate by supermajority vote. 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 their 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 their control follow all federal, New Mexico, and University laws and Procedures.
  - (b) During reports, the Chief Financial Officer must report on the status of the SGA budget and submit an updated formal report to be included in the Meeting Minutes.

4. There shall be a Paydirt Editor in Chief appointed by the President and confirmed by the Senate by supermajority vote, who shall be responsible for running the student newspaper of NMT. 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 supermajority vote, 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 Student Activities Technical Director (SATD) appointed by the President and confirmed by the Senate, who shall be responsible for maintaining the Student Activity Center, operating KTEK as the general manager, 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 NMT's governmental lobbyists on issues concerning the student body, and anything else deemed necessary by the President or Senate.
8. There shall be a Webmaster appointed by the President and confirmed by the Senate, who shall be responsible for updating and maintaining the SGA 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 SGA (President, Vice President, and Chief Justice).

#### **5.4 The Executive Cabinet**

1. There shall be an Executive Cabinet composed of the President, the Vice President, the Chief Financial Officer, the Student Activities Chair Director, the Student Activities Technical Director, the Governmental Affairs Officer, the Webmaster, and any other officers or persons prescribed by the President. The Executive Cabinet shall advise and assist the President in their duties as well as facilitate cooperation and coordination among the executive agencies and executive officers.

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 they feel necessary in order to execute their duties. A minimum of three (3) days' notice must be given for an emergency meeting.
4. The President's disciplinary actions shall be limited to those defined in section 8.1. The President shall be empowered to bring up any executive cabinet member for disciplinary action for missing, disrupting, or inhibiting any Executive Cabinet meeting. For the President to discipline an Executive Cabinet member, the action must be approved by a supermajority of the Executive Cabinet. This excludes the Vice President, who would be brought up per Article 7 of the Constitution.
5. At least four times during each session, each member of the Executive Cabinet shall give the Senate information in person about what they have done in the SGA since the previous report.

## **5.5 Executive Agencies**

1. The President shall, in conjunction with the Public Relations Committee, appoint all directors of all executive agencies, to be ratified by the Senate by supermajority vote. 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 their appointments to any executive agencies, with the approval of the Public Relations Committee.
  - (c) Any hires made must be previously budgeted for or approved by the Senate by supermajority vote. 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.

## **6. Judicial Branch**

### **6.1 Judicial Function**

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

### **6.2 Jurisdiction**

1. The Supreme Court shall have original jurisdiction in all cases arising under this Constitution, the laws and bylaws of the SGA, the regulations and actions of the various bodies and committees of the SGA 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.

### **6.3 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 Student Discipline 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. If deemed unfit, the representative can be removed from the Student Discipline Committee by the Senate with a supermajority vote.
- (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 will last for the remainder of the one (1) year term.
- (f) All elected or appointed Justices shall receive the most current edition of the House Rules of Order to be used throughout their term and returned to the SGA at the end of the term.

## **6.4 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 SGA Advisor. 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.

## **6.5 Records**

1. The Supreme Court shall keep an SGA 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.

## **6.6 Subpoenas**

1. Any Justice, upon a 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 SGA offices and committees. Suspension is dependent on a majority vote of the Judicial Branch.

## **6.7 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 in contempt of court may be suspended from SGA offices, committees, and/or funding. A party may be found in contempt of court only if the act is done in the presence of the court and its presiding Justice. The Supreme Court has the power to determine if a party is in contempt, at which point they will be asked to leave the meeting or brought up for disciplinary action.
2. Parties charged with Contempt of Court may appeal the decision to the Senate, who may absolve the decision with a three-fourths (3/4) majority vote.

## **7. Disciplinary Action**

## 7.1 Disciplinary Action Defined

1. **Mandatory Mediation:** Mediation that must be held between the accusing student, the accused officer, the SGA Vice President, and another neutral party that both the student and the accused officer 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. This can be extended to all SGA offices if deemed necessary.
4. **Alternative Disciplinary Actions:** With the concordance of the Legislative, Judicial, and Executive Branches, the SGA 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 SGA and the Dean of Students to ensure it is fair and just.

## 7.2 Grounds

1. Call for disciplinary action may be brought against any elected or appointed officer in the SGA 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.
2. The President shall be empowered to enforce disciplinary action for missing, disrupting, or inhibiting any executive cabinet meeting.

## 7.3 Procedures

1. If the SGA Vice President is the accused officer, the President Pro-Tempore shall replace the Vice President in the following described procedures. If the President is the accused officer, an executive officer will be chosen by the Executive Branch with the approval of the quorum of the Senate and Justice Department to replace the President in the following described procedures. If the Chief Justice is the accused officer, an Associate Justice shall replace the Chief Justice in the following described procedures.

2. Motions to discipline any elected or appointed officer of the SGA 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 SGA no less than two (2) weeks prior to the next Senate meeting.
4. 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 business (3) days, then a second notice shall be given no less than six business (6) days after the Vice President received the motion. The Vice President shall make at least four (4) attempts to contact the accused officer before ceasing their efforts and bringing the action before the senate.
5. No less than one (1) week prior to the next senate meeting, a preliminary hearing must occur. The preliminary hearing is mandatory for the accused parties, the plaintiff, the President, the SGA Advisor, and the Chief Justice to determine if a preponderance of evidence exists and to permit open discussion of the charges before the the President, the Chief Justice, the SGA Advisor, and vote in majority to bring the action before the senate. This hearing is open to all members and constituents of the SGA. The deliberation period will only be open to the President, the SGA Advisor, and the Chief Justice. Any and all disciplinary action evidence must be prepared on behalf of the plaintiff three (3) days before the preliminary hearing and is open to public review after the hearing as per FERPA and right to privacy.
6. The disciplinary hearing shall occur at the next regularly scheduled Senate meeting after  
19  
receiving the motion. The motion must receive a second and a third by Senators in order to be voted upon.
7. If 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.
8. All disciplinary action procedures must be overseen by and are subject to the approval of the Supreme Court. Final decisions regarding disciplinary action must be approved by a supermajority vote of the Senate on the standard of clear and convincing evidence, and verified for constitutionality by the Supreme Court.
9. Disciplinary action against an elected or appointed officer shall only be ordered by a

majority vote of the present and voting SGA Senators. In the case of removal from office, a supermajority vote of the seated Senate is required. A disciplinary motion that passes may not be vetoed by the office of the President.

(a) If an SGA agent is removed from office for disciplinary reasons by a body that is not the Senate, they can still run for SGA offices or positions in the future.

(b) If any SGA agent is removed for disciplinary reasons, that person may not run for any SGA office or position in the future.

#### **7.4 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 supermajority of the seated Senate, expel a member.
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 supermajority vote. 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) 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 their seat.

## **7.5 Appeals**

1. Disciplinary decisions approved by the SGA 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.

## **8. Finance**

### **8.1 Student Funds**

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

### **8.2 Authorization of SGA Fees**

1. An SGA fee shall be levied on each undergraduate student at the University subject to authorization by the NMT 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.

### **8.3 Distribution of the SGA 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 SGA 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 Policy. 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 supermajority 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 SGA. 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. This is the responsibility of the Supreme Court with the assistance of the Vice President.

#### **8.4 Carry Forward and Reserve Fund**

1. Any unspent SGA funds at the end of the fiscal year shall be transferred to the Carry Forward account.
2. Withdrawal from the Carry Forward requires a (3/4) majority vote of the seated Senate.
3. Each fiscal year, no more than 25% of the Carry Forward account sum, as determined at the beginning of the fiscal year, may be spent by the SGA.
4. The Associate Director of Budget and Analysis shall be consulted before final approval.
5. The Reserve Fund shall be used in case of extreme emergency, as deemed by the President, Vice President, SGA Advisor, and the Chief Justice. If no consensus can be made, then a supermajority vote by the senate is required to access the Reserve funds.
6. A Reserve Fund request must be approved by the Supreme Court and a (3/4) majority vote of the Senate.

## **8.5 Authority of Financial Control**

1. The SGA Chief Financial Officer shall be the sole fiscal agent for all SGA financial transactions. All expenditures must have prior clearance from the SGA Chief Financial Officer. The SGA, executive agencies, and any organizations funded through the SGA 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 SGA law and disciplinary action against the CFO.

## **8.6 Education in Financial Matters**

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

## **8.7 Accounting Requirements**

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

## **8.8 Ownership**

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

## **9. Election Procedures**

### **9.1 Election of Senators**

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

### **9.2 Election of the President and Vice President**

The President and Vice President shall be elected at large in the Spring General Election Season 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.

### **9.3 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 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. 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.

## **9.4 Election Process**

1. All elections shall be run by the SGA 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 or the Dean of Students (or their representative), 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 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 SGA 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. 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 SGA. 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 or the Dean of Students (or their representative) 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 re-submit a new biography. Biographical material shall be limited to only: name, major, positions held in the SGA, positions held in clubs or affiliations with clubs, and the specific position being sought in the SGA.
  - 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.

vii. 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.

(g) An individual may only run for one office in a given election.

## **9.5 Special/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.

## **10. Referenda**

### **10.1 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 SGA 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 SGA 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 SGA Book of Law. The Chief Justice, in conjunction with the secretary, shall be responsible for recording the changes and additions of legislation.

## **10.2 Repealing**

1. Said laws shall be binding on the SGA for one (1) year following passage into law provided it is within SGA 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.

## **10.3 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.
2. A presidential veto or action of the senate may be overturned by a 2/3rd's vote of the Legislative, Judicial, and Executive branches respectively.

## **10.4 Voting**

1. Referenda may be placed on the SGA 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.

## **10.5 Amendments**

1. Amendments to this constitution may be proposed by supermajority vote of the seated Senate or by petition signed by supermajority 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 supermajority 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 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.

## **10.6 Implementation**

1. This Constitution shall become the law of the SGA 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.

## **11. Glossary**

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 Campaigning: Campaigning that is done in person.
3. Agency: any group authorized by this Constitution, or by law, to represent the SGA, and/or to expend SGA funds.
4. Agent: any individual authorized by this Constitution, or by law, to represent the SGA, and/or to expend SGA funds; including all elected and appointed students within the SGA and all members of its committees.
5. Anticipated Revenue: the amount of funds anticipated from the SGA Fee as reported by the SGA Chief Financial Officer.
6. Bills: Legislation that requires a vote by the senate to allocate money.
7. Business Day: any regularly scheduled University school day, unless specifically stated otherwise. This excludes Saturdays and Sundays.
8. 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.
9. Carry Forward: all unspent SGA funds shall be transferred to this account at the end of the fiscal year.
10. Chair: the person designated to preside over any meeting.

11. Chartered Organization: A student organization which abides by a set of rules or a Constitution different from those to which standard SGA clubs abide by; classified as Associate Clubs, Greek Life, or Other Chartered Organizations
12. Concordance: A supermajority vote from all present officers at the current Senate meeting.
13. Constituent: any member of the undergraduate student body of the University who has paid the student activity fee.
14. Day: A twenty-four (24) hour period.
15. Executive agency: any group that directs or oversees any interest of the Executive Branch as stated in Article IV, Section 5 or by law.
16. 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.
17. General Election: the election held each session with the primary purpose of electing Senators, SGA President, or SGA Vice President.
18. 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.
19. Graduate Student Association of New Mexico Institute of Mining and Technology (GSA): the graduate student body of the University and its representative government.
20. Gross misconduct: A forbidden or unlawful act performed intentionally with indifference to known or obvious harmful consequences.
21. 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.)
22. Majority: Greater than half of the votes available

23. Malfeasance: commission of a wrongful act which an officer has no legal right to do, or any wrongful conduct which affects, interrupts, or interferes with the performance of officer duty or an act for which there is no authority or warrant of law.
24. Neglect of office: intentional failure to attend to one's official duties.
25. New Club: A club receives new club status if the SGA has not recognized it during the previous two sessions of the SGA Senate.
26. Officer: any student holding a position in an SGA funded organization and all elected or appointed students serving in the SGA.
27. Passive Consent: A process by which the Senate comes to a consensus without an official vote. Should no objections be raised by the Senate on a matter to be decided by this process, such shall be interpreted as approval. The Senate must have received prior knowledge of such matters.
28. 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.
29. 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 supermajority vote of the SGA Senate, a club can be removed from probationary club status.
30. Publish: The act of distributing a written document to the SGA via paper copy or electronic means, including but not limited to email and uploading said document to the SGA website.
31. Quorum: a quorum of the Senate shall consist of fifty-one percent (51%) of the seated Senate.
32. 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).

33. Referendum: A vote taken by the student body to decide an important legislative or policy issue directly, as opposed to having the issue decided by a representative assembly or other legislative agency. It is the right to approve or reject by popular vote a measure passed upon by a legislature.
34. Reserve Fund: A capital outlay fund for emergency use by the SGA.
35. Resolution: Official stance (or policy) of the student body that requires a vote by the student body.
36. New Mexico Institute of Mining and Technology Student Government Association (SGA): the representative body of the student body, established to pursue student concerns, regulate student affairs, and be the official voice of the student body.
37. SGA Record: Any record, including emails, created by an SGA officer that is specifically related to the SGA. Emails sent from a non-SGA account are not considered SGA records.
38. 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.
39. Special election: An election other than a General Election held by the Supreme Court.
40. Statement of Purpose: Official stance of the SGA.
41. Student: any person enrolled in the University in an undergraduate or graduate status.
42. Supermajority: Greater than or equal to two-thirds of the votes available
43. Term: is equivalent to three full academic sessions in which an elected or hired position holds that said position.
44. University: the educational division of New Mexico Institute of Mining and Technology and

all associated sectors.

# Book of Law of the NMT SGA

January 2020

## 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 NMT SGA 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  
EXPIRED under Constitutional revision of Spring 2016

### 2.3 Robert's Rules of Order - Quorum

If quorum is not met, all those absent are considered absent as per the NMT SGA Constitution and subject to discipline under the NMT SGA 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

EXPIRED under Constitutional revision of Spring 2016

## 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

## 2.5 Power of Subpoena

“The Senate shall be empowered to subpoena NMT SGA 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 NMT SGA offices and committees” (Section 5.6.1, 2016 Constitution). Any undergraduate student may be subpoenaed by the NMT SGA Senate. Failure to appear before the senate when issued an official subpoena will result in removal from any official offices and committees held by the NMT SGA member, unless that student holds no offices or is not on any committees. In this case, no punishment can be applied.”

Signed by Nicole Sheerin, Gregory Strobel, Andrew Alister, Anthony Salazar

## 2.6 Power Over Club Chartering

“...the Vice President does in fact have the power to set a deadline for club packets, and to also refuse them. Though the Vice President in conjunction with the Club Advisory Committee also has the power to work with clubs to get them approved under certain circumstances.”

Signed by Nicole Sheerin, Gregory Strobel, Andrew Alister, Anthony Salazar

## 2.6 Emergency Senate Meeting

“The intention of the emergency meeting is to be able to make decisions quickly when a decision is urgently required, but these decisions do not include legislature. The requirements for legislature are clearly outlined in Section 4.10.1 of the NMT SGA Constitution. To submit a bill for an Emergency Meeting, the notice bill must be submitted to the Vice President no later than three (3) days prior.”

Signed by Nicole Sheerin, Gregory Strobel, Andrew Alister, Anthony Salazar

# 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 Dorm Gutters Part Three

30 April, 2013

Whereas, when there is precipitation, water falls off the Baca Hall Dorm roof onto students approaching and departing the building as well as residents; and,

Whereas, seasonal precipitation and freezing temperatures create a safety issue, such as standing water, ice, or snow; and,

Whereas, Facilities Management has been very prompt in responding to safety concerns around campus; and,

Whereas, there were two resolutions regarding this issue submitted 12 years ago and not acted upon (see Resolutions 6 and 12); and,

Whereas, issues of student safety should be acted upon with greater alacrity; and,

Whereas, the NMT SGA 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 NMT SGA Senate for this resolution will be weighted heavily by administration;

Resolve that, it is in the best interest of Baca Hall residents that Facilities Management install gutters along the sides of the dormitory to drain water safely and unobstrusively; and,

Further resolve that, the NMT SGA Senate directs the NMT SGA President to submit a fully signed, fully executed copy of this resolution to the Vice President for Student University Relations and the President of NMT.

### 3.24 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 NMT SGA 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 NMT SGA Senate directs the NMT SGA 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.

### 3.25 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 NMT SGA 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 SGAN-MIMT 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 SGANIMIMT directs the NMT SGA President to submit a signed fully executed copy of this resolution to the Vice President for Student University Relations and the President of NMT.

### 3.26 Graduate Student Club Restriction Amendment

14 January, 2014

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

Whereas, the NMT SGA 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 NMT SGA Constitution.

### 3.27 Lottery Scholarship Support

23 October, 2014

Whereas, the Legislature is going to remove the statute requiring thirty (30) percent of Lottery revenues to go to the Legislative Lottery Scholarship;

Whereas, freeing up the revenue will leave more chance to the students and the amount awarded to the students through the Legislative Lottery Scholarship;

Whereas, there is no guarantee that increased lottery revenues will not yield greater returns to the Lottery Scholarship;

Whereas, the NMT SGA 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 NMT SGA Senate for this resolution will be weighted heavily by administration;

Resolve that, the New Mexico Institute of Mining and Technology Student Government Association support this resolution and Think New Mexico on preventing the release of thirty (30) percent of the Lottery's revenue in the upcoming Legislative session.

### 3.28 Senate Faculty Committee Members

23 October, 2014

Whereas, Senate Faculty committees need student representatives;

Whereas, the Student Government Senators are meant to fill these positions if they are vacant;

Whereas, the Senate Faculty Committees that need representatives are, but not limited to, Student Discipline Committee, Computing Committee, Student Learning Committee, Retention Committee, Space Utilization Committee, and the ADA Committee;

Whereas, the NMT SGA 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 NMT SGA Senate for this resolution will be weighted heavily by administration;

Resolve that, when Senators are being sorted into committees they should also be sorted into the Senate Faculty Committees by nomination similar to when they are nominated into committee head positions.

### 3.29 Capital Outlay Limitation Act

23 October, 2014

Whereas, the Capital Outlay is an account specifically made for the President to use in order to better the state of the NMT SGA;

Whereas, the Capital Outlay should remain under the control of the President and used only by the President;

Whereas, the Capital Outlay is a new account made to hold excess money from other accounts after the semester is officially over in order to build up NMT SGA funds without pulling from the general account;

Whereas, Future Presidents may not have the same conservative views as the current President;

Whereas, the NMT SGA 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 NMT SGA Senate for this resolution will be weighted heavily by administration;

Resolve that, the Capital Outlay should be limited to a spending with a one-third (1/3) limit per semester and if the President would like to exceed this limit he/she will have to gain active consent of two-thirds (2/3) of present Student Government members at a regularly occurring meeting during the Fall or Spring Semester.

### 3.30 Prevention of Charging Students Double Act

23 October, 2014

Whereas, clubs are beginning to ask for Student Government money while simultaneously charging students to attend their events;

Whereas, charging students and asking the Student Government for money is “double-dipping”; and,

Whereas, the Student Government should be aware of when clubs charge students to participate in their events;

Whereas, Student Government money should be used to give students an opportunity to participate in events of campus for free;

Whereas, the NMT SGA 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 NMT SGA Senate for this resolution will be weighted heavily by administration;

Resolve that, clubs that charge students to participate in their events should not be allowed to receive any Student Government funding; and,

Further resolve that, if a club charges students to participate in their event after receiving Student Government funding, the Student Government will retract the given money from the club's account and the club should be immediately stripped of its club status and on probation the following semester.

### 3.31 Amending the Student Handbook to Allow for Greek Life Organizations

15 November, 2016

Whereas, the NMIMT Student Handbook does not allow for the Greek Life organizations, specifically the NMIMT sorority Alpha Sigma Kappa, Eta Chapter, and the NMIMT fraternity Kappa Sigma, Pi-tau chapter, to be NMT SGA approved clubs due to the fact these organizations discriminate on the basis of sex;

Whereas, according to Section 1681, Chapter 38, of Title 20 U.S. Code, 'No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance, except that:...

(6) Social fraternities or sororities; voluntary youth service organizations

This section shall not apply to membership practices—

(A)Of a social fraternity or sorority which is exempt from taxation under section 501(a) of Title 26, the active membership of which consists primarily of students in attendance at an institution of higher education or..."

Whereas, the Greek Life organizations of NMIMT organize and sponsor philanthropic events that do not discriminate against any people attending, and also benefit the community and student body of NMIMT;

Whereas, in the past, Greek Life organizations have been willing to make exceptions to their bylaws that relate to membership requirements for transgender people and other special circumstances;

Whereas, the Greek Life organizations of NMIMT have a large amount of volunteer hours (averaging between 700-1000 service hours per semester) that go towards making NMIMT, the community of Socorro, and even communities beyond better places;

Whereas, the Greek Life organizations are major volunteers for NMT SGA beginning of semester events, 49ers events, and community outreach efforts;

Whereas, the Greek Life dues required of members are set forth by and sent to their national headquarters and do not subsidize any of the organization's activities;

Resolve that, the forty-fifth page of the Student Handbook be amended to have two sentences added after the second sentence of the fifth paragraph that state the following, "For the reason that the NMIMT fraternity Kappa Sigma, Pi-Tau chapter, and sorority Alpha Sigma Kappa, Eta chapter, are exempt from nondiscrimination on the basis of sex under Section 1681, Chapter 38, of the Title 20 U.S. Code, they shall be allowed to be NMT SGA approved clubs. Any other clubs that violate the NMIMT Student Handbook requirement of nondiscrimination on basis of sex, but

are exempt under Section 1681, Chapter 38, of Title 20 U.S. Code must contact the NMT SGA for further counseling on how, and if an exception may be made to the Student Handbook to allow their organization to be NMT SGA approved.” This would allow the Greek Life organizations of NMIMT to become NMT SGA approved clubs, and to receive NMT SGA funds to support their open Fall and Spring semester events for the student body, while also allowing future clubs, which have exceptions under Section 1681, Chapter 38, of Title 20 U.S. Code, to make a case to become NMT SGA approved clubs.

### 3.32 Deficit Limitation Bill

25 September, 2018

Whereas, the listed deficit in the fall 2018 budget is 15.28% and,

Whereas, this deficit is unsustainable and will bankrupt the SGA in 6 years if left unchecked and,

Whereas, a Deficit Limit would help to alleviate this drain and would help ensure long term financial stability.

Resolve that the Senators of the NMT SGA institute an enduring deficit limit with the following listed conditions:

- The deficit limit will take effect in the 2019-2020 Fiscal Year.
- The deficit shall be held at 7% maximum at any given time. This deficit limit shall be known as the Vote Line Deficit.
- To exceed this max deficit, a  $\frac{3}{4}$  vote is required with a provided reasoning from the CFO and financial committee for the need of such an increase.
- The Absolute Max that the deficit may hit is 12%. The deficit may never exceed this number and any vote or bill presented wishing to exceed this number automatically becomes nullified. This will be known as the Absolute Max Deficit.
- 3 years after this is implemented, the Vote Line Deficit shall be set at 5% and the Absolute Max Deficit shall be set at 10%

### 3.32 Resolution to Conserve NMT SGA Funds Via Limiting Individual Requests

2 April 2020

Whereas, there has been an increase in the amount of individual requests for money from the NMTSGA senate.

Whereas, an “individual request” shall be defined as a request for funds from the Senate Bill Supplementary Fund by one or more students for their own or others benefit rather than the benefit of a SGA club and its members.

Whereas these funding requests can go into the thousands of dollars, yet only providing a limited benefit to a small amount of students.

Resolve that in an effort to conserve SGA funds as well as more fairly distribute these funds to the student body, all individual funding requests shall be limited to no more than \$500.

Resolve that this limit may be raised by a vote of  $\frac{2}{3}$  of the senate.

SGA NMT

# Senator Handbook

*Spring 2021*

## Senatorial Duties

- Attend all SGA meetings and be attentive for the duration of the meetings
- Participate, as members appointed by the SGA Vice President, in SGA committees and attend all committee meetings
- Vote on all bills and legislation in the best interests of the SGA and the NMIMT student body
- Abide by the SGA Ethics Policy and Senatorial Point System that have been set forth in this handbook
- Be familiar with the SGA Constitution and Book of Law
- Be the voice of NMIMT students and bring forth any student concern

## Things Every Senator Should Know

**What follows is a list of everything that I expect the SGANMT Senate to know. These things are very obvious and also very important points in our functionality as a student government.**

1. There are 21 voting members in the SGA Senate. 15 of which are upperclassmen, 3 of which are freshmen, and 3 of which are graduate students.
2. The constitution can only be amended during a general election and must be approved by the majority of the student body.
3. House Rules... KNOW them.
4. A bill officially becomes legislation after the president signs it, five days following approval from the SGA Senate.
5. A Senator can be removed from the Senate with a two-thirds majority vote. If the Senator has been attending meetings regularly, they can still be removed by being brought up at a meeting by, either 3 Senators and the Vice President, OR 5 Senators.
6. The SGANMT is responsible for roughly \$325,000 for the 2018-2019 Fiscal Year.
7. The Judicial Branch is composed of 1 Chief Justice and 4 Associate Justices.
8. All Senators, Justices, and Executive Cabinet Members are required to remain in Good Academic standing with NMIMT.
9. For general elections, the ballot box must be available for a minimum of 10 hours split between at least 2 days of a week.
10. Also for general elections, the election must be advertised for a minimum of 21 days prior to the Election Day.
11. In ANY election, no active campaigning is allowed within 100 feet of the ballot box.

# **SGA Ethics Policy**

## **Fall 2020 Senator Point System**

Each Senator in Good Standing can receive up to \$200 as a stipend for their work on the SGA Senate. This stipend is determined using a point system where one point corresponds to \$10. Here codifies the point system to be used for this session:

- Each Senator shall start with 10 points
  - Perfect attendance to SGA Senate meetings will result in gaining 5 points
  - Excused absences up to 2 meetings will not affect points
  - Attending all other meetings will result in gaining 3 points
  - The third and all future excused absences will result in the loss of 1 point each time
  - One unexcused absence will result in the loss of 2 points
  - A second non-consecutive unexcused absence will result in the loss of 3 points
  - Two consecutive or three non-consecutive absences will result in that Senator being brought up for removal from office and the loss of all points
- Filling out one Event Evaluation will be worth one point

# House Rules

To Do This	You Say This	May You Interrupt the Speaker?	Do You Need a Second ?	Is it Debatable?	Can it be Amended?	What Vote is Needed?	Can it be Reconsidered?
Introduce Business	"I move that..."	No	Yes	Yes	Yes	Majority	Yes
Amend a Motion	"I move to amend the motion by..."	No	Yes	Yes	Yes	Majority	Yes
Request Information	"Point of information"	Yes	No	No	No	No vote	No
Postpone Discussion for a Certain Time	"I move to postpone discussion until..."	No	Yes	Yes	Yes	Majority	Yes
Suspend Further Consideration of an Issue	"I move to table the motion..."	No	Yes	No	No	Majority	No
Call an Intermission	"I move to recess for..."	No	Yes	No	Yes	Majority	No
Adjourn Meeting	"I move that we adjourn..."	No	Yes	No	No	Majority	No
Time Limits	"I'd like to remind the speaker..."	Yes	No	No	No	No	No

Agenda	"I move to amend the agenda..."	No	Yes	Yes	Yes	Majority	Yes
More Time	"I move to grant more time..."	No	Yes	Yes	No	Majority	No
Ad Nauseum	"I motion to move past this point..."	Yes	Yes	Yes	No	Majority	No
With Prejudice	"I motion to...with prejudice"	No	Yes	Yes	No	Majority	Yes
Request of Interpretation	"I request an interpretation from the Supreme Court..."	No	Yes	No	No	Supermajority	No

**Time Limits:** Defense of a Bill or Resolution has twenty (20) minutes unless extended. Any spare time can be given to the Question or Motion segment also consisting of twenty (20) minutes.

**Agenda:** The Agenda is set before the Senate meeting. If this Senate requires or is requested to do so they may Amend the Agenda.

**More Time:** If necessary the Senate may grant more time to a speaker or Senate member to finish their bill defense or line of questioning.

**Ad Nauseum:** If a Senate member is repeating themselves or using multiple metaphors to make the same point they may be deemed of speaking Ad Nauseum and another member of the Senate may move to further a line of question, discussion, motions, or voting.

**With Prejudice:** To grant anything With Prejudice means to grant the party immunity or amnesty from the line of questioning or accusation. It will be permanent.

**Request of Interpretation:** To request that the Chief Justice or any presiding Justices make an interpretation of the Constitution or Book of Law in a capacity that affects the Senate or any party in session.

# Legislative Bill Template

Below is a template for legislative bills. All pieces of legislation presented to the SGA Senate must follow this format. The italicized sections are to be replaced by the correct information

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A RESOLUTION PRESENTED TO THE STUDENT GOVERNMENT ASSOCIATION OF NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY

**Title of Resolution:** *write title here*

**Author(s):** *write author(s) name(s) and SGA positions here*

**Sponsor(s):** *write the name(s) of the people presenting the bill along with SGA positions here*

**Date Presented to the Senate:** *write the date of the meeting that this legislation will be presented*

**Purpose:** *write the purpose of your legislation here*

**Resolution:** *write the outcome you are seeking here*

Adopted by the SGANMT on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

I hereunto set my hand in affirmation of the adoption of this legislation by the SGA senate:

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Signature –SGA President

I hereunto set my hand in witness and certification of the adoption of this resolution by the SGA senate:

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Signature – SGA Vice Preside