

NOTE: This is an abbreviated version of the Election Code and other selections from the ASUNM Law Book, containing the sections that are relevant to ASUNM candidates. For the full election code, visit asunm.unm.edu or election.unm.edu. This document reflects the ASUNM Law Book as of Feb. 22, 2017.

Article IV: Polling Stations

Section 1. Location

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

- A. There will be one (1) polling station located on or near the mall level of the Student Union Building between the hours of 9:00 am to 7:00 pm;
- B. There will be one (1) polling station located in Zimmerman Library between the hours of 9:00 am to 7:00 pm;
- C. There will be one (1) polling station located in the Student Residence Center Commons between the hours of 9:00 am to 7:00 pm.

Section 2. Polling Operation

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

Section 3 – Universal Online Ballot

The link to the online ballot will be accessible through MyUNM on the same days and hours as the SUB Polling Station.

Article VII: Candidate Filing

Section 1.

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

Section 2.

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

Section 3.

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

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

Section 4.

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

Article VIII: Candidate Meeting

Section 1.

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

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

Section 2.

At the Candidate Meeting the following will occur:

- A. The members of the Elections Commission will be introduced to the candidates;
- B. A roll-call will be taken of all candidates or their designated legal representative at the beginning of the meeting; all candidates or their designated legal representative must be present for the entire meeting in order to be eligible for official candidacy status. Appeals may be made to the Election Commission under extreme conditions.
- C. The Election Commission will inform each candidate of the time of the combined endorsement meeting and candidate forum.
- D. Candidates will be briefed on all sections of the Elections Code that the Elections Commission deems necessary.

- E. Ballot positions will be determined by the use of a double-blind draw to be conducted as follows:
1. Each candidate's name will be printed on a slip of paper provided by the Election Commission. Each slip of paper will be the same size and color. These name slips will then be placed in a common container.
 2. A separate set of uniform slips of paper will be consecutively numbered starting with one (1) until there is a numbered slip for each of the candidates running for the office in question. The numbers six (6) and nine (9) will be underlined to differentiate them. The number slips will be placed in a second common container.
 3. Three (3) members of the Election Commission will be responsible for drawing these slips from their common containers. One (1) will draw name slips and announce the name written on the slip, one (1) will draw the number slips and announce the number written on the slip, and one (1) will serve as a verifier.
 4. One (1) slip will be drawn at a time from each of the common containers, and the number drawn with each name will be the official ballot position of the candidate. This procedure will be repeated until all candidates for an office have been assigned a ballot position.
 5. Once all the candidates for an office have been assigned a ballot position, the procedure will be repeated for each office on the ballot.
- F. After ballot positions have been assigned, the Election Commission will answer any questions that the candidates may have regarding the election and campaign process.
- G. If any questions of the candidates cannot be answered at the meeting, or the Elections Commission fails to give out all the necessary information, the Elections Commission will e-mail all candidates as soon as possible.

Article IX: Campaign Regulations

Section 1. Election Code

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

Section 2. Campaigning and Posting Materials

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

- A. Campaign materials include, but are not limited to:
1. Advertisements in any printed publication;
 2. Advertisements on any radio or television station;
 3. Handbills, flyers, posters, placards, buttons, stickers, banners, chalking, shirts, paid websites, social networking sites, or the like;

4. Any items and/or services reasonably perceived as being used with the purpose of soliciting votes for an ASUNM elected office by any person or organization that aids a candidate or group of candidates.
 - a. Campaign attire worn without campaign language, logos or names is excluded from being taken into consideration as campaign expenditures as outlined in the Elections Code, Article IX Campaign Regulations, Section 3 of the ASUNM Lawbook.
- B. No one (1) candidate or group may post more than one (1) item of campaign material on the same face of any posting area. Each side of a kiosk may display one (1) item of campaign material for each candidate. A cylindrical kiosk may have three (3) items affixed to its exterior face.
- C. No person will mark, deface, or otherwise tamper with the posted campaign material or chalking of any candidate, nor may any other individual or group of individuals remove the posted campaign material of any candidate.
- D. The Elections Commission will have the sole right to remove any illegally posted or displayed materials.
- E. No person will campaign or post materials within twenty-five (25) feet of the doors to a building containing a polling station or public computer access on Election Day or Early Voting Day. Any person or material within this area will be removed by the Elections Commission or otherwise authorized personnel.
- F. Candidates shall be expected to abide by the rules outlined in the “University of New Mexico Residence Hall Community Living Guide” and all other rules distributed at the candidates meeting.
- G. All candidates are responsible for the actions of any and all of their campaign workers and may be penalized accordingly.
- H. No candidate, or campaign worker shall be allowed to campaign at or within twenty five (25) feet of an ASUNM Town Hall Meeting.
- I. Candidates must submit a letter of permission from the proprietor of a business establishment to the Elections Commission in order to campaign in or around said establishment.
- J. No candidate or campaign worker shall use an internet-enabled device to physically solicit votes from students via the Universal Online Ballot. This includes any device owned by the candidate, campaign worker, and potential voter.

Section 3. Campaign Expenditures

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

- A. All campaign materials used in a campaign effort will be assessed at a fair market value by the Elections Commission, and this value will be included as part of the expenditures of a candidate.
- B. All money spent on behalf of a candidate will be included as part of the expenditures of the candidate. Campaign material carrying more than one candidate’s name shall be reported at the full price of the material on each of the candidate’s campaign expenditure forms.

- C. Campaign expenditures will not exceed the following limits:
1. No candidate for the office of President will exceed two hundred and fifty dollars (\$250).
 2. No candidate for the office of Vice– President will exceed two hundred and fifty dollars (\$250).
 3. No candidate for the office of Senator will exceed two hundred and fifty dollars (\$250).

Section 4. Campaign Violation Fines

A. Expenditure Fines.

1. Any candidate who exceeds the legal campaign expenditure limits will automatically be fined according to the following:
 - a. For an excess up to, and including, ten percent (10%), the assessment will be the actual amount of the excess;
 - b. For excesses greater than ten percent (10%) and up to, and including, twenty–five percent (25%), the assessment will be one–and–one–half times (1 ½) the excess;
 - c. For excesses greater than twenty–five percent (25%), the Elections Commission may impose disciplinary actions as provided by the Election Code, Article XVII, Section 1, Sub–sections A through D if the over–expenditures are of a deliberate or intentional nature;
 - d. The specific fine for overspending will not exceed one hundred fifty dollars (\$150) per candidate.

B. Financial Statement Fines:

1. Financial statements of all candidates must be turned in to the Elections Commission at the ASUNM office no later than 5:00 PM one (1) day following Election Day. Each financial statement submitted by the candidate will be signed and dated by the candidate. In addition, all receipts relating to expenditures shall be attached to the financial statement or a memorandum stating the fair market value of goods/services received by the candidate. If a candidate fails to meet the deadline, the following fines will be imposed:
 - a. Five dollars (\$5) per day, for a maximum of ten (10) days and fifty dollars (\$50), with each day concluding at 5:00 PM;
 - b. If the statement is delinquent by more than ten (10) days, then the Elections Commission may impose disciplinary actions as provided in the Election Code, Article XIV, Section 1, Sub–sections A through D.

C. Use of Fines:

1. All fines resulting from campaign violations will be deposited into the ASUNM General Fund. They should not be treated or used as a source of self–generated funds for an executive agency.

Section 5. Restrictions

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

Article X: Candidate Endorsements

Section 1.

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

- A. The endorsement forum will be scheduled by the Elections Commission.
- B. The endorsement forum will be held five (5) to seven (7) days prior to Election Day.
- C. The Elections Commission will advertise the endorsement forum's location and time in the NM Daily Lobo and/or website at least three (3) days prior to the event.
- D. The results of the endorsement forum must be delivered to the ASUNM office by 5:00 PM on the day of the endorsement forum in order to be published by the Elections Commission.
- E. Chartered student organizations may endorse one candidate for President, one candidate for Vice President, and up to ten (10) candidates for Senate. Chartered student organizations may also endorse or oppose any number of constitutional amendments or referendum appearing on the ballot. Only those chartered student organizations that have registered with the Elections Commission at the forum will be able to publish their endorsements on the official endorsement page in the NM Daily Lobo.
- F. The Elections Commission shall make available to all student groups attending the endorsement forum copies of all constitutional amendments and referendum items which are to be placed on the ballot.

Article XI: Voting

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

Section 1. Polling Stations

- A. In no case may any individual be allowed to cast a ballot before polling stations have officially opened or after polling stations have officially closed.
- B. Once a polling station has been opened, it may not be closed prior to the regularly scheduled closing time unless an unforeseeable occurrence mandates the Elections Commission to close it.

Section 2. Voting

All students may at their own discretion:

- A. Cast their ballot no more than once per election;
- B. Cast up to ten (10) total votes for Senators in a Senatorial Election and up to one (1) vote for President and one (1) vote for Vice President during the Presidential/Vice Presidential Spring General Election;
 - 1. No candidate may receive more than one (1) vote on a single ballot.

- C. The following agreement shall precede the ballot page on the Universal Online Ballot: I hereby agree that my vote is confidential and entirely my own. I understand that I may exercise my right to report misbehavior or harassment regarding the elections process to the Elections Commission at election@unm.edu or 505-277-5528.

Section 3. Early Voting

- A. Early Voting Day will take place four (4) to six (6) days prior to Election Day with the Elections Commission providing a polling station in the Student Union Building during the hours of 10:00 AM to 4:00 PM.
1. The Universal Online Ballot will also be accessible during the above hours.
- B. Early Voting Day will follow the above outlined procedures in Article XI Section 1 and Section 2.

Article XII: Results

Section 1.

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

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

Section 2.

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

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

Section 3.

The final results of any election will include:

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

Section 4.

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

Section 5.

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

Section 6.

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

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

Article XIII: Contest of Elections

Section 1.

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

Section 2.

Any candidate or member of the Elections Commission may file a contest of election in writing with the Elections Commission Executive Director no later than to 5:00 PM one (1) day following the election. If the election is contested on the grounds of improprieties concerning the Elections Commission or Attorney General, the contest will be immediately appealed to the

Student Court. If an Elections Commissioner contests the election, they shall not be allowed to vote when the Elections Commission rules on the contest.

Section 3.

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

Section 4.

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

Section 5.

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

Section 6.

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

Section 7.

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

- A. Any appeal to the Court must be made in writing by 5:00 PM of the fifth (5) day following Election Day;
- B. The Court will start hearings on any contest no later than 5:00 PM of the tenth (10) day following Election Day;
- C. The Court will have five (5) days to render a decision.

Section 8.

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

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

Article XIV: Violations of the Election Code

Section 1.

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

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

Section 2.

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

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

Section 3.

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

Article XV: Assumption of Office

Section 1.

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

Section 2.

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

Section 3.

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

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

Section 4.

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

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

Section 1. Statute of Limitations

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

Section 2. Complaint

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

Section 3. Answer

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

Section 4. Pre-Hearing Guidelines

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

- B. It is the responsibility of the Court to distribute copies of the Complaint (or Amended Complaint) and the Answer (or Amended Answer) to each party at least three (3) days prior to the Hearing.
- C. Extensions of the time allotted for submission of the Complaint (or Amended Complaint), the Answer (or Amended Answer), and/or scheduling of a hearing will be granted only to accommodate observed University Holidays, finals, or events deemed emergencies by the Court.

Section 5. Subpoenas

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

Section 6. Hearing Procedures

- A. The Court will hear all contests to any subpoenas, if any have been issued.
- B. The Plaintiff(s), followed by the Defendant(s) will present Opening Statements.
- C. The Court will ask question, if clarification is needed.
- D. Witnesses for both the Plaintiff(s) and Defendant(s).
- E. The Court will question the witnesses, if necessary.
 - 1. After each witness has presented their statement, either party may submit questions for that witness in legible, written form to the Chief Justice.

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

Section 7. Hearing Guidelines

- A. All Hearing proceedings will be audio recorded.
- B. The Court will be allowed to recess at any time, for any reason.
- C. The time allowed for Plaintiff(s), Defendant(s), and Witness Statements will be decided by the Court at the beginning of the Hearing.
- D. Plaintiff(s) and/or Defendant(s) have the right to appear with an advisor at the Hearing. The advisor may be, but is not required to be, an attorney. However, the Plaintiff(s) and Defendant(s) are responsible for presenting their cases in their entirety. Advisors are, therefore, not permitted to speak or participate directly in any Hearing.
- E. Circumstances not described above will be resolved at the discretion of the Court.

Section 8. Procedure Guidelines

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

Article III: Succession of Office

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

- A. Should the President be disciplined, the Vice President will be their replacement.

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



Definitions Code

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Complaint – a formal charge.

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

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

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

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

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

Early Departure – Leaving a meeting before it concludes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Senate Resolution – An expression of intent or sentiment of the Senate. A Senate Resolution does not have the effect of law and may not be used to provide for the establishment of any rule or regulation; nor may it provide for an appropriation; nor may it provide for the establishment of any committees. A Senate Resolution is limited to the life of the session of the Senate in which it was passed.

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

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

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

(A) a student organization meeting or event in which the Senator is not a member of the organization but may represent through ASUNM, (B) a meeting or event sponsored or cosponsored by a campus group of which the Senator does not regularly attend, or (C) tabling. In the case of tabling, the Senator must be clearly identified by a sign or ASUNM apparel. This does not include office hours, committee meetings, student service meetings, or joint committee meetings. These are to be done outside of the ASUNM office.

Seniority – Determined by (1) the greatest amount of time in office, or (2) in the event of a tie, selection will be determined by the greatest number of votes received by the eligible Senators in their most recent

election.

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

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

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

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

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

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

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

