



### Faculty Senate Transmittal and Administrative Action Routing Form

To: Office of the President

From: Faculty Senate Chair, Vimal Chaitanya

RE: **Proposition: 02-24/25** Bill Resolution Memorial Joint Proposition

Other

Date: August 29, 2024

Please find enclosed Faculty Senate Legislation No. 02-24/25 entitled, “**Proposal to repeal the Amended Senate Bylaws passed at the 2 May 2024 Senate meeting.**” approved by the Faculty Senate on September 5, 2024.

#### Please Route for Approval:

<b>Faculty Senate Request</b>	<input type="checkbox"/> Your review and approval. <input type="checkbox"/> Please indicate your availability to meet with Faculty Senate leadership to discuss. <input checked="" type="checkbox"/> For your review and acknowledgement only (approval/veto not required for memorials and some resolutions).
<b>Administration Action</b>	<input type="checkbox"/> I acknowledge receipt of the above. <input type="checkbox"/> I will respond further at a later date. <input type="checkbox"/> I approve this legislation and will process according to NMSU Rules & Policies. <input type="checkbox"/> I approve this legislation on a provisional basis. It will become effective immediately, and I will place it on the Agenda for a future meeting of the Board of Regents. <input type="checkbox"/> I veto this legislation. <input type="checkbox"/> Other:
	<p>_____ <b>Date:</b> _____</p> <p><b>Lakshmi Reddi, Interim Provost</b></p> <p>_____ <b>Date:</b> _____</p> <p><b>Monica Torres, Interim President</b></p>

#### Please return form to:

Mari Cisneros

Faculty Senate Recording Secretary

Email: [maricis@nmsu.edu](mailto:maricis@nmsu.edu) / Phone: (575) 646-3417

**Proposition:** 02-24/25

**Proposal Type:** Bill Resolution Memorial Joint Proposition Other

**Title:** Proposal to repeal the Amended Senate Bylaws passed at the 2 May 2024 Senate meeting

**Date Submitted:** 8/26/24

**Sponsor(s):** Sponsors = Chris Erickson (COB), Tawny Aguirre (DACC), Faruk Arslan (CoB), Nathan Brooks, (A&S), Christopher Brown (A&S), Michaela Burkardt (NTT), Thaddieus Conner (A&S), Kristian Finlator (A&S), Dylan McDonald (Library), John Sandstrom (NTT), William Walker (A&S).

**Proposed Committee:** Proposed to move as emergency legislation

**Prior Approvals:** N/A – Internal Senate Bill

**Proposal:** Senate Bill, 12-23/24, Revision to the Bylaws of the Faculty Senate of New Mexico State University is repealed. A copy of the repealed Senate Bill is attached.

**Rationale:**

The bill in question, Senate Bill, 12-23/24, Revision to the Bylaws of the Faculty Senate of New Mexico State University, passed on May 2, 2024 (copy attached) conflicts with the current Constitution of the Faculty Senate (although it was consistent with the revised constitution that was NOT passed on May 2. In consultations with Senate Parliamentarian, Lawrence Le Plue, sponsors confirmed that the Constitution takes precedence over the Bylaws. This bill seeks to repeal the Bylaw Change in question so the Senate can proceed under the previous Bylaws which do not conflict with the Constitution.

There are key issues in conflict between the amended Bylaws and the Constitution:

- **Number of Senators from each Senate Representative Group that serve on the FSLC**
- **Removal of a Senator**
- **Evaluation of the Senate Chair and Vice Chair of the Senate -**

**Closing comments and argument**

In light of the conflicts between the Amended Bylaws and the Constitution noted above and the imprudence of removing the process by which the Chair and Vice Chair are evaluated, the sponsors of this bill call for the repeal of the Bylaws Amendment that was passed on May 2, 2024 and that the operation of the Senate shall revert back to the version of the Bylaws that were passed in March of 2021.