

Copies of this letter are available in the ASNMSU Office:

To the Students of New Mexico State University,

It is with a heavy heart that I write you today, Monday, April 30, 2012, to inform you that the democratic process within the ASNMSU Senate has failed you. On the afternoon of Thursday, April 26, 2012, the ASNMSU Senate Special Committee on Elections met to review an appeal filed that day by Christopher Schoonover, Senator for the College of Extended Learning. The appeal was to be filed on Wednesday, April 11, 2012 by 5PM. Christopher never filed a formal appeal, precedence of what the word appeal meant was set when the first run off was delayed due to his detailed appeal. Notice of an appeal, "I am going to appeal this decision", is not the same as a descriptive appeal which had previously been filed and is available for public viewing the ASNMSU Office, Second Floor of Corbett Center Student Union. The action taken by the ASNMSU Senate Special Committee on Elections was illegal both in formation, already identified by Former ASNMSU Vice President, Joseph Baldonado, and in the suspension of 4-8-2 and 4-8-3 of the 2011-2012 ASNMSU Law Book. Laws of the ASNMSU Law book can only be suspended when related to funding, 8-15 "The ASNMSU Senate may suspend any portion of Chapter 8 with a three quarters (3/4) majority vote." Furthermore they may suspend Chapter 9, Rules of the Senate, per 9-15-A, Questions of Order, "The rules shall be in force from and after their adoption by the Senate and may be amended or suspended by a two-thirds (2/3) majority vote of the Senators elected at two consecutive meetings and when such amendment or suspension is not inconsistent with the constitutional provision". The ASNMSU Senate cannot lawfully suspend laws within any other chapter so as to protect the student body and other branches of the ASNMSU Government. Therefore any action taken by the ASNMSU Senate on Thursday, April 26, 2012, in relation to the topic of nullifying an ASNMSU Run Off Election was done illegally and out of order. The 55th ASNMSU Senate has broken the oath and law that they took upon themselves when receiving the duties per 9-8-C, "Before any Senator enters into the execution of office, that Senator shall take and subscribe to the following oath (or affirmation): "I do solemnly swear (or affirm) that I will support the Constitution and laws of the United States, the Constitution and the laws of the State of New Mexico and the Constitution and laws of the Associated Students of New Mexico State University and I will faithfully and impartially discharge the duties of the officer of Senator to the best of my ability (so help meGod)." Every Senator shall be present within the Senate Chamber during the sessions of the Senate unless duly excused or necessarily prevented and shall vote on each question stated from the Chair, unless that Senator has a direct personal or pecuniary interest in the event of such question." To expand upon this issue further the illegal appeal that the senate reviewed on that evening could not prove that the ASNMSU Election Ballot was jeopardized as many of the allegations were only to processes after the fact of the election not during the actual voting process and therefore did not affect the legitimacy of the ballot.

The election results have been final for quite some time now and the 2012-2013 ASNMSU President, Breeana Sylvas, receiving 1015 votes of the 1686 cast for ASNMSU President in the runoff election, will promptly be sworn in to take upon the duties of the Office of ASNMSU President. This number represents 60% of the votes cast fulfilling the requirement of 51% of

votes cast per 1-4-1 of the ASNSMU Constitution. ASNMSU recognizes the mistakes made on behalf of the ASNMSU Executive Branch and will work dutifully to ensure those mistakes are not repeated, again the legitimacy of the ballot was never at stake and each candidate had the same opportunity to receive the votes democratically in accordance with law.

ASNMSU deeply apologizes for what has taken place and hopes that the students she represents will be able to grow past this mistake. Not all senators should be scrutinized and I caution any member of the student body doing so as it only takes a few to make a whole corrupt. In the future the ASNMSU Law Book, Chapter 2: Elections, will address all issues of question and the Executive Branch will ensure that each portion of law is followed as closely as possible. The 56th ASNMSU Senate has taken their oath, the same oath seen above, and the students should continue to hold them accountable. What has already taken place should be used as a learning opportunity and the mistakes made should be used as a learning opportunity. Those elected serve the students of this great university not themselves, they are here to grow professionally and personally, not develop impressive resumes. The students and elected officials need to remember that human error is at hand with any election. Please realize that aside from elections ASNMSU has represented students on all other levels and committees within New Mexico State University and great strides have been made to better this organization always in the best interest of the students. As we close the year let us celebrate those achieving their Bachelors, Masters, or Ph.D. and move into another great year of research, education, and public service as our symbols and logos of the university represent. We as Aggies need to continue to stand strong both as current students and alumni to continue the advancement of NMSU.

Respectfully Submitted,

Austin Graham
2011-2012 ASNMSU President

Go Aggies!

We will swear in on the steps of Hadley Hall at 11AM.