

1 Constitution and Bylaws for the Libertarian Party of New Mexico

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### 3 LIBERTARIAN PARTY OF NEW MEXICO

## 4 CONSTITUTION AND BYLAWS

5 Adopted in Convention, \_\_March 6\_\_, 2020, Albuquerque, New Mexico

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### 7 ARTICLE I – NAME

8 The Libertarian Party organization in the State of New Mexico shall be The Libertarian Party of New Mexico and may be referred to  
9 in this Constitution and other official documents as LPNM.

10 The name of LPNM organizations within each County shall be The Libertarian Party of \_\_\_\_\_ County with the appropriate  
11 designation of the county. The name of LPNM organizations on any college or university campus shall be \_\_\_\_\_ College  
12 Libertarian Club.

13

### 14 ARTICLE II – PURPOSE

15 To advance policy toward the ideals embodied in the Statement of Principles by:

- 16 - Nominating, supporting, and electing candidates for public office;
- 17 - Lobbying officials and governmental bodies;
- 18 - Engaging in educational and advocacy; and
- 19 - Other means deemed appropriate by LPNM.

20

### 21 ARTICLE III – PRINCIPLES

22 We, the members of the Libertarian Party of New Mexico advocate the American tradition of limited government and defend the  
23 rights of the individual.

24 We hold that all individuals have the right to exercise sole dominion over their own lives, and have the right to live in whatever  
25 manner they choose, so long as they do not forcibly interfere with the equal right of others to live in whatever manner they choose.

26 Governments throughout history have regularly operated on the opposite principle that the state has the right to dispose of the lives of  
27 individuals and the fruits of their labor. Even within the United States, all political parties other than our own grant to government the  
28 right to regulate the lives of individuals and seize the fruits of their labor without their consent.

29 We, on the contrary, deny the right of any government to do these things, and hold that where governments exist, they must not violate  
30 the rights of any individual, namely: the right to life - accordingly we support prohibition of the initiation of physical force against  
31 others; the right to liberty of speech and action – accordingly we oppose all attempts by governments to abridge the freedom of speech  
32 and press, as well as government censorship in any form; and the right to property – accordingly we oppose all government  
33 interference with private property, such as confiscation, nationalization, and eminent domain, and support the prohibition of trespass,  
34 fraud, and misrepresentation.

35 Since governments, when instituted, must not violate individual rights, we oppose all interference by government in the areas of  
36 voluntary and contractual relations among individuals. People should not be forced to sacrifice their lives and property for the benefit

37 of others. They should be left free by government to deal with one another as free traders, and the resultant economic system, the only  
38 one compatible with the protection of individual rights, is the free market.

39

## 40 ARTICLE IV – MEMBERSHIP

### 41 1. CATEGORIES AND DEFINITIONS OF MEMBERSHIPS

42 a. AFFILIATE MEMBER. An Affiliate Member is any registered voter within the State of New Mexico who has indicated

43 “Libertarian” as their party affiliation, on their voter registration

44 i. WAIVER OF VOTER REGISTRATION REQUIREMENT. The Central Committee is empowered to waive the voter registration

45 requirement for any individual who is otherwise qualified as a caucus member but not legally qualified to vote (due to age, felony

46 status, etc), and who request such a waiver in writing. However, under no circumstances shall any person who is registered in another

47 party or who has indicated “no party” on the affidavit of voter registration be recognized as a caucus member.

48 b. CAUCUS MEMBER. A Caucus Member is any Affiliate Member who has signed the non-initiation of force statement, which reads

49 “I certify that I do not advocate the initiation of force to achieve political or social goals,” and has met one of the membership dues

50 qualifications enumerated within the LPNM bylaws.

51 i. Caucus Members are required to provide the following information for the use of LPNM for communication purposes: full mailing

52 address, valid phone number, valid email address and/or a valid cell phone number that can receive SMS/text messages, AND consent

53 to receive communication via those means. This information is only to be used for official LPNM business and communication, and is

54 not to be shared, sold or disseminated outside of the executive committee and those sub-committees that have a legitimate need for

55 such information.

### 56 2. MEMBERSHIP BENEFITS AND RESTRICTIONS

57 a. DELEGATES TO STATE CONVENTION. In order to serve as a delegate to the annual state convention of LPNM, all Caucus

58 Memberships must be in place 30 days prior to the Convention date, to allow for the Secretary to validate memberships. All Caucus

59 Members in good standing meeting this requirement are automatically qualified to serve as state convention delegates.

60 b. Affiliate Members shall have the right to vote on approval of candidates for public office at state conventions and in LPNM primary

61 elections.

## 62 ARTICLE V – ORGANIZATION AND ADMINISTRATION

### 63 1. EXECUTIVE COMMITTEE

64 a. COMPOSITION. The Executive Committee shall be composed of the Executive Officers of LPNM: Chair, First Vice-Chair,

65 Second Vice-Chair, Secretary, and Treasurer. A quorum of the Executive Committee shall consist of a majority of the committee.

66 b. POWERS. The Executive Committee is empowered to:

67 i. Carry out the day-to-day operations of the LPNM;

68 ii. Call special conventions to nominate candidates for special elections or for other urgent purposes, and to set the date, time, and

69 place for such conventions;

70 iii. Initiate any special or extraordinary meetings of the Central Committee when there exists business of an urgent or emergent nature;

71 and

72 iv. Initiate sessions of the Judicial Council as needed.

73 c. QUALIFICATION. Executive Committee members must be Caucus Members in good standing at the time of election or

74 appointment to Executive Office.

75 d. VACANCIES. When the office of Chair becomes vacant, the First Vice-Chair shall become Chair. When other executive offices  
76 become vacant, such vacancy shall be filled by appointment of the Chair with the advice and consent of the Central Committee.

## 77 2. CENTRAL COMMITTEE

78 a. COMPOSITION. The LPNM Central Committee shall be composed of the Executive Committee, nine statewide at-large  
79 representatives, one representative from each congressional district county chair's, and additional at-large members from the various  
80 counties. The election or appointment to the Central Committee will be confirmed by their attendance at the next regularly-scheduled  
81 quarterly Central Committee meeting.

82 b. ADVICE & CONSENT. When the Central Committee shall have power of advice and consent, the Committee shall have four (4)  
83 days after notification to vote. Absent a majority of the Central Committee voting in the negative, approval and consent shall be  
84 deemed granted.

85 c. ELECTIONS AND DESIGNATIONS. Statewide at-large representatives shall be elected by a vote of all qualified convention  
86 delegates for terms of one year at each annual LPNM state convention. Congressional district representatives shall be elected by a vote  
87 of all qualified convention delegates from their respective districts for terms of one year at each annual LPNM convention.

88 i. If the boundaries of the congressional districts are changed, replacement Central Committee members affected by this change will  
89 be selected by the Executive Committee, As per Article V, Section 2.b, in the absence of the presence of a veto by the Central  
90 Committee. Each county may designate qualified caucus members of their county as members of the State Central Committee:  
91 Chairperson of each County Affiliate, two at-large Members, and one additional at-large Member for each 250 registered Libertarian  
92 voters in that county, to be calculated annually from the Secretary of State voter file on or about 1 January of each year.

93 d. POWERS. The Central Committee shall manage the affairs of LPNM as provided for in this constitution, the New Mexico Election  
94 Code, and acts of the caucus membership assembled in convention.

95 e. MEETINGS. The Central Committee shall meet a minimum of four times each year. The Secretary shall notify each member of the  
96 Central Committee of the date, time, and place of meetings, in writing, at least thirty days prior to the meeting, except as otherwise  
97 provided in Section 5.1(b). Meetings shall be conducted according to Robert's Rule of Order, except as otherwise provided in this  
98 constitution or LPNM bylaws.

99 f. QUORUMS. When thirty days written notice has been properly provided, a quorum of the Central Committee shall consist of at  
100 least twenty-five percent of the Central Committee members, one or more of whom is also a member of the Executive Committee. An  
101 issue of emergency nature, may require vote by email, telephone, and/or other electronic means by the Central Committee. Such a  
102 meeting may be initiated by one-third of current Central Committee members, the LPNM Chair, or any two Executive Committee  
103 members. All efforts should be made to assure maximum Central Committee member participation in any such meeting. Any proposal  
104 voted on by this method shall be passed by a majority of all current Central Committee members voting in favor. If the vote is tied, the  
105 Chair may break the tie.

106 g. MISSED MEETINGS. Any Central Committee member who misses two consecutive meetings during their term of office is  
107 automatically removed from the Committee.

108 h. VACANCIES. Vacancies on the Central Committee shall be filled by appointment of the Chair with the advice and consent of the  
109 Central Committee. Members representing a congressional district must reside in the district they represent. County affiliate members  
110 of the Central Committee must reside in the county they represent.

## 111 3. JUDICIAL COUNCIL

112 a. A Judicial Council may be formed for the purposes of censuring or suspension of any caucus member, removing or impeaching any  
113 Central Committee Member or member of the Executive Committee, as well as settle disputes arising from the interpretation of this

114 Constitution or acts of the Central Committee or Executive Committee. Formation of this judicial council may be triggered by a 1/3  
115 vote of the Central Committee membership, or any two members of the Executive Committee.

116 b. COMPOSITION. The Judicial Council shall consist of five (5) members of the Executive and/or Central Committee in good  
117 standing; excluding any parties to the issue to be decided by the Judicial Council, two of which will be chosen by the State Chair. If  
118 the State Chair is party to the issue before the Judicial Council, the First Vice-Chair shall serve as Chair in connection with the issue  
119 before the Judicial Council. If both the Chair and First Vice-Chair are party to the issue before the Judicial Council, the Second Vice-  
120 Chair shall serve as Chair in connection with the issue before the Judicial Council. If the Chair, First Vice-Chair, and Second Vice-  
121 Chair are all parties to the issue before the Judicial Council, then the Secretary shall serve as Chair in connection with the issue before  
122 the Judicial Council. If all members of the Executive Committee except the Treasurer are party to the issue before the Judicial  
123 Council, then the Treasurer shall serve as Chair in connection with the issue before the Judicial Council. The subsequent balance of  
124 the Judicial Council shall be chosen by the Central Committee.

125 c. DECISIONS. The Judicial Council decision will be delivered to the Central Committee for a confirmation vote: a simple majority  
126 vote for questions of interpretation of this constitution, and a two-thirds vote in the case of recommendation of the Judicial Council for  
127 censure, suspension, removal, or impeachment of any member.

#### 128 4. COUNTY AFFILIATES

129 a. In the absence of a County Affiliate, the Executive Committee Chair may appoint a County Affiliate Chair Pro Tem and a County  
130 At-Large Member to serve until a County Convention is held or a one-year term is served.

131 b. Within one year of the appointment of the County Chair, the County Libertarian Party Affiliate shall hold a convention and the  
132 county convention shall properly elect officers and ratify the county constitution. If the County Libertarian Party Affiliate fails to meet  
133 the requirements listed above the County Chair shall stand removed and the Chair of LPNM is empowered to appoint a new County  
134 Chair.

135 c. RECOGNITION. The Libertarian Party of any county shall be recognized when:

136 i. A caucus member, who has been appointed by the State Chair, has assumed the office of County Chair;

137 ii. A County Central Committee of the County Chair and at least two additional members has been seated;

138 iii. A constitution, consistent with this constitution and the laws of New Mexico and the United States of America, has been filed with  
139 the County Clerk of the respective county; AND

140 iv. The Chair of LPNM has been notified in writing that the above requirements have been met, with the contact information for each  
141 County Central Committee member.

142 d. ADMINISTRATION. Once a County Affiliate is recognized, it shall be administered by the County Central Committee in a manner  
143 identical to the administration of the LPNM except that the County Libertarian Party is empowered to determine:

144 i. The size of its Central Committee, except that it will be a minimum of three members,

145 ii. The number and qualifications of executive officers, except that the County Central Committee members must be Caucus Members.

146 e. County Affiliates shall not have their own Judicial Council. The LPNM Judicial Council shall serve as the judicial body of the  
147 County Affiliates as well as the LPNM.

148 f. CONSISTENCY OF COUNTY ACTIONS. No County Affiliate shall take any position or action which is inconsistent with the  
149 constitution, principles, or purposes of the LPNM.

#### 150 ARTICLE VI – OFFICERS

151 1. ENUMERATION. The executive officers of LPNM shall be those who compose the Executive Committee as provided in Section  
152 5.1(a): the Chair, First Vice-Chair, Second Vice-Chair, Secretary, and Treasurer.

153 2. DUTIES. Any executive officer who fails to execute their duties may be impeached and removed as provided in this constitution.

154 The duties of executive officers are, at minimum, as stated below:

155 a. CHAIR. The Chair shall serve as the chief administrative officer of LPNM;

156 b. FIRST VICE-CHAIR. The First Vice-Chair shall assist the Chair and assume the duties of the Chair when the Chair is unable to  
157 perform such duties; the First Vice-Chair shall also be responsible for coordinating the planning of Executive Committee, Central  
158 Committee meetings, and other official meetings as needed;

159 c. SECOND VICE-CHAIR. The Second Vice-Chair shall assist the Chair and First Vice-Chair, and assume the duties of either in the  
160 event they are unable to perform such duties. The Second Vice-Chair shall also be responsible for organizing and coordinating  
161 outreach events.

162 d. SECRETARY. The Secretary shall keep minutes of Executive Committee and Central Committee meetings, keep minutes of State  
163 Conventions, manage all records of LPNM except financial records, and manage all official LPNM correspondence; AND

164 e. TREASURER. The Treasurer shall manage the monies of LPNM, produce at least quarterly reports on the finances of the LPNM to  
165 the Executive Committee and Central Committee, and manage the property of LPNM.

166 3. ELECTION AND TERMS. Executive officers shall be elected by the delegates voting at the first state convention following a  
167 regular congressional election. Voting shall be taken by ranked-choice voting, as defined in the appendix to this constitution. If the  
168 vote results in a tie, the candidates shall participate in further debate, and the vote shall be taken again. If the second vote also results  
169 in a tie, it shall be settled by coin toss, or similar game of chance. The term of an elected executive officer shall be two years.

170 4. MEETINGS. The Executive Committee shall meet, either in-person, or by teleconference, no less than once per month. Failure to  
171 attend two consecutive Executive Committee meetings, without prior notice to and excusal by the Chair, shall constitute an effective  
172 resignation from the Executive Committee.

173 5. CABINET OFFICERS. The Chair is empowered to appoint and remove caucus members to positions of cabinet officers.

## 174 ARTICLE VII – CONVENTIONS AND CANDIDATES

### 175 1. CONVENTION DATES

176 a. WHEN LPNM IS A MAJOR PARTY. In election cycles when LPNM is qualified as a major party, LPNM shall hold annual  
177 conventions on or about the first weekend in March in even years and as determined by the Central Committee in odd years.

178 b. WHEN LPNM IS A MINOR PARTY. In election cycles when LPNM is qualified as a minor party, annual conventions shall be  
179 held as determined by the Central Committee.

180 2. NOTICE. The Secretary shall notify each caucus member of the dates, time, and public place of state conventions, and shall cause  
181 to be published on the LPNM web page notice of state conventions at least thirty days prior to the date of the convention provided.  
182 This notice shall include the information that all caucus members must be in good standing 30 days prior to the convention, to allow  
183 the Secretary to validate the qualifications of the delegates.

184 3. BUSINESS OF THE CONVENTION. Each annual state convention shall include a business meeting. Caucus members in good  
185 standing shall be automatic delegates to state convention business meetings. The Chair of LPNM, or the designee thereof, is  
186 empowered to verify the credentials of any delegates. Business meetings shall be conducted according to Robert's Rules of Order  
187 except as otherwise provided by this constitution and LPNM bylaws.

### 188 4. NOMINATION OF CANDIDATES

189 a. WHEN LPNM IS A MAJOR PARTY. In election cycles when LPNM is qualified as a major party, nominations of candidates for  
190 public office, presidential electors, and delegates to the national convention of the Libertarian Party shall be made in accordance with

191 the New Mexico Election Code and Primary Law. The New Mexico Election Code and Primary Law is hereby incorporated into this  
192 section.

193 b. WHEN LPNM IS A MINOR PARTY. In election cycles when LPNM is a minor party, nominations of candidates for federal  
194 office, statewide office, and offices elected from multi-county districts shall be made by majority vote of the affiliate and caucus  
195 members voting at annual conventions, except for special elections in odd-numbered years. Nominations of candidates for offices  
196 selected from multi-county districts shall be made by affiliate and caucus members from the counties comprising such districts, in  
197 caucus at the state convention.

198 c. CERTIFICATION AND VACANCIES. Candidates nominated for public office shall be certified in accordance with the provisions  
199 of the New Mexico Election Code. The Central Committee is empowered to fill vacancies in the list of federal, statewide, and multi-  
200 county district candidates in accordance with the New Mexico Election Code.

## 201 5. DELEGATES TO THE LIBERTARIAN PARTY NATIONAL CONVENTION

202 a. In order to serve as a delegate from LPNM to the National Convention of the Libertarian Party, an individual must have been a  
203 Caucus Member in good standing for the three months preceding the State Convention at which the delegate is elected to serve at the  
204 National Convention. This requirement may be waived for a particular candidate on a two-thirds vote of the convention.

205 b. Voting at the state convention for national delegates will be by block vote, with all qualified nominees appearing on the ballot, and  
206 votes entered on each ballot up to the number of available slots. In the event an elected national delegate cannot travel to the national  
207 convention, the delegate must notify the executive committee two weeks in advance of the date of convention, the Chair shall select a  
208 replacement.

209 c. On the opening day of the national convention, in the event that not all of the delegate slots are filled by New Mexico caucus  
210 members, the chair of the delegation to the national convention may fill the delegation with delegates from other states.

## 211 ARTICLE VIII – PLATFORMS AND POSITIONS

212 LPNM hereby adopts the platform of the National Libertarian Party. LPNM may also maintain its own platform. The platform of  
213 LPNM may be amended, including by the addition or deletion of individual planks, by a two-thirds vote of the LPNM Central  
214 Committee. Proposed amendments to the LPNM Platform must be circulated to the members of the Central Committee for review at  
215 least fifteen days before the meeting at which the amendment is to be considered.

## 216 ARTICLE IX – AMENDMENTS AND BYLAWS

### 217 1. PROVISION FOR AMENDMENTS AND ADDITION OF BYLAWS.

218 a. The Statement of Principles may be amended by a nine-tenths vote of the delegates voting at any state convention. This Constitution  
219 and Bylaws may otherwise be amended by a two-thirds vote of the delegates voting at any state convention.

220 b. Bylaws may be added or deleted by a two-thirds vote of the delegates voting at any state convention.

221 c. The Judicial Council is empowered to remove any section of this constitution found to be in violation of federal or state law.

222 d. The Secretary is empowered to renumber this document as needed.

223 2. Should any circumstance or situation arise that is not clearly and directly addressed by this constitution and bylaws, then the  
224 National Libertarian Party Bylaws and Convention Rules shall govern.

## 225 BYLAWS

### 226 1. CAUCUS MEMBERSHIP DUES QUALIFICATIONS.

227 a. A minimum of a \$10 monthly donation, or, if by check or with credit card processing fees paid, a \$100 annual donation;

228 i. For those that sign a statement of financial hardship, a 50% discount to the above dues may be given.

- 229 ii. Similarly, a 50% discount to the dues may be given on approval of the Central Committee with at least 10 hours of annual volunteer  
230 activity on behalf of LPNM.
- 231 b. With proof of a donation to the national Libertarian Party, the amount of that annual membership/donation may be deducted from  
232 LPNM dues, up to a limit of \$25/year.
- 233 c. For the purposes of voting in the annual LPNM convention, at least half of the required annual dues must have been paid in the 12  
234 months prior to the date of the convention.
- 235 d. Lifetime memberships in LPNM may be awarded for donations totaling \$1500 within a 12-month period.
- 236 i. LPNM Lifetime Memberships prior to 2006 are recognized. The LPNM Secretary is to keep a record of all Lifetime Memberships.
- 237 ii. Individuals who have made donations sufficient to qualify for lifetime membership shall only be deemed members of LPNM during  
238 those times that they are registered as Libertarian with the Secretary of State, unless a vote of the Central Committee excuses their  
239 lack of registration.

240 2. RULES FOR MEETINGS OF THE LPNM

241 The Chair may direct the Secretary, or in the absence of the Secretary, another member of the executive Committee, to call the  
242 quorum at any time during an LPNM Convention, Central Committee meeting, or Executive Committee meeting.

243

244 **APPENDIX**

245 **RANKED-CHOICE VOTING:** When these Constitution and By-laws provide that any vote shall be taken by ranked-choice voting,  
246 each member participating in the vote shall be given the opportunity to rank the candidates for the position at issue in order of  
247 preference. Votes shall then be tallied based upon all first-choice votes. If one candidate receives a majority of the votes cast, that  
248 candidate shall be declared the winner. If, however, none of the candidates receives a majority of the votes, the votes cast for the  
249 candidate with the least number of votes shall be re-distributed to the voters' second-choice candidates. If one candidate then has a  
250 majority of the votes cast, that candidate shall be declared the winner. If not, the votes for the candidate who then has the least number  
251 of votes shall be redistributed to those voters' next-choice candidates. The process shall repeat until one candidate receives a majority  
252 of all votes cast, at which point that candidate shall be declared the winner.