

LIBERTARIAN PARTY OF NEW MEXICO

CONSTITUTION AND BYLAWS

Adopted in Convention, July 12, 2022, Albuquerque, New Mexico

ARTICLE I – NAME

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

The name of Libertarian Party of New Mexico organizations within each County shall be The Libertarian Party of _____ County with the appropriate designation of the county. The name of Libertarian Party of New Mexico organizations on any college or university campus shall be _____ College Libertarian Club.

ARTICLE II – PURPOSE

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

- Nominating, supporting, and electing candidates for public office;
- Lobbying officials and governmental bodies;
- Engaging in educational and advocacy; and
- Other means deemed appropriate by Libertarian Party of New Mexico.

ARTICLE III – PRINCIPLES

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

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

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

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

Since governments, when instituted, must not violate individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals. People should not be forced to sacrifice their lives and property for the benefit of others. They should be left free by the government to deal with one another as free traders, and the resultant economic system, the only one compatible with the protection of individual rights, is the free market.

ARTICLE IV – MEMBERSHIP

1. DEFINITIONS OF MEMBERSHIPS

a. Registered Libertarian Voter. A Registered Libertarian Voter is any registered voter within the State of New Mexico who has indicated “Libertarian” as their party affiliation, on their voter registration.

i. WAIVER OF VOTER REGISTRATION REQUIREMENT. The Central Committee is empowered to waive the voter registration requirement for any individual who is otherwise qualified as a Voting Member but not legally qualified to vote (due to age, felony status, etc), and who request such a waiver in writing. However, under no circumstances shall any person who is registered in another party or who has indicated “no party” on the affidavit of voter registration be recognized as a Voting Member.

b. Voting Member. A Voting Member is any Registered Libertarian Voter who has signed the non-initiation of force statement, which reads “I certify that I do not advocate the initiation of force to achieve political or social goals,” and has met at least *one of* the membership dues qualifications enumerated within the Libertarian Party of New Mexico bylaws.

i. Voting Members are required to provide the following information for the use of Libertarian Party of New Mexico for communication purposes: full mailing address, valid phone number, valid email address and/or a valid cell phone number that can receive SMS/text messages, AND consent to receive communication via those means. This information is only to be used for official Libertarian Party of New Mexico business and communication, and is not to be shared, sold or disseminated outside of the executive committee and those sub-committees that have a legitimate need for such information.

2. MEMBERSHIP BENEFITS AND RESTRICTIONS

a. DELEGATES TO STATE CONVENTION. In order to serve as a delegate to the annual state convention of Libertarian Party of New Mexico, all Voting Memberships must be in place 30 days prior to the Convention date, to allow for the Secretary to validate memberships. All Voting Members in good standing meeting this requirement are automatically qualified to serve as state convention delegates. At the conclusion of the Annual State Convention, Voting Member status will take into consideration all donations made in the previous whole 12 months.

ARTICLE V – ORGANIZATION AND ADMINISTRATION

1. EXECUTIVE COMMITTEE

a. COMPOSITION. The Executive Committee shall be composed of the Executive Officers of Libertarian Party of New Mexico: Chair, First Vice-Chair, Second Vice-Chair, Secretary, and Treasurer.

i. CHAIR. The Chair shall serve as the chief administrative officer of Libertarian Party of New Mexico. The Chair is empowered to appoint and remove Voting Members to executive committee positions.

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

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

iiii. SECRETARY. The Secretary shall keep minutes of Executive Committee and Central Committee meetings, keep minutes of State Conventions, manage all records of Libertarian Party of New Mexico except financial records, and manage all official Libertarian Party of New Mexico correspondence; AND

v. TREASURER. The Treasurer shall manage the monies of Libertarian Party of New Mexico, produce at least quarterly reports on the finances of the Libertarian Party of New Mexico to the Executive Committee and Central Committee, and manage the property of Libertarian Party of New Mexico.

vi. CABINET OFFICERS. The Chair is empowered to appoint and remove Voting Members to positions of cabinet officers.

b. QUORUM A quorum of the Executive Committee shall consist of at least half of the committee.

c. QUALIFICATION. Executive Committee candidates and appointees must have met the requirements for Voting Members 120 days prior to their election or appointment.

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

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

e. POWERS. The Executive Committee is empowered to:

i. Carry out the day-to-day operations of the Libertarian Party of New Mexico;

ii. Call special conventions to nominate candidates for special elections or for other urgent purposes, and to set the date, time, and place for such conventions; All such conventions shall comply with state law with respect to notice:¹, and in addition all Voting Members shall be notified by email, and by notice on the main web page of the Libertarian Party of New Mexico, at least 14 prior to any such convention.

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

iv. Initiate sessions of the Judicial Council as needed.

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

g. ELECTION AND TERMS. The members of the Executive Committee will be elected on rotating 3 (three) year terms:

The term of the current executive committee will be extended by

2 (two) years for the Vice Chair, 2 (two) years for the Treasurer, 1 (one) year for the Secretary, and 1 (one) year for the 2'nd Vice Chair at the 2023 convention.

The current Chairs term will expire at the 2023 convention.

At each annual convention, one or two Executive Committee Members whose term has expired will be elected by the convention.

Subsequently, the Executive Committee will elect the various Executive Committee positions from within the Executive Committee.

In the event of a vacancy on the Executive Committee, the Chair may appoint a replacement, with the consent of the Central Committee, to serve on the Executive Committee until the next annual Convention. At that Convention, the Convention shall elect a member of the Executive Committee to serve the remainder of the term for which there was a vacancy. Candidates for the Executive Committee must have been eligible to attend the last conventions as Voting Members. Voting shall be taken by ranked-choice voting, as defined in the appendix to this constitution. If the 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 in a tie, it shall be settled by coin toss, or similar game of chance.

¹Notice to be published in a newspaper of general circulation 14 days prior to such convention. The Secretary will update this footnote as a result of any changes to state law.

h. MEETINGS. The Executive Committee shall meet, either in-person, or by teleconference, no less than once per month. Failure to attend at least two Executive Committee meetings in two consecutive months, without excusal by the remaining Executive Committee, shall constitute an effective resignation from the Executive Committee.

2. CENTRAL COMMITTEE

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

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

c. ELECTIONS AND DESIGNATIONS. Statewide at-large representatives shall be elected by a vote of all qualified convention VOTING MEMBERS for terms of one year at each annual Libertarian Party of New Mexico state convention. Congressional district representatives shall be elected by a vote of all qualified convention VOTING MEMBERS from their respective districts for terms of one year at each annual Libertarian Party of New Mexico convention.

i. If the boundaries of the congressional districts are changed, replacement Central Committee members affected by this change will 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 Committee. Each county may designate qualified Voting Members of their county as members of the State Central Committee: Chairperson of each County Affiliate, two at-large Members, and one additional at-large Member for each 250 registered Libertarian voters in that county, to be calculated annually from the Secretary of State voter file on or about 1 January of each year.

d. POWERS. The Central Committee shall manage the affairs of Libertarian Party of New Mexico as provided for in this constitution, the New Mexico Election Code, and acts of the Voting Membership assembled in convention.

e. MEETINGS. The Central Committee shall meet a minimum of four times each year. The Secretary shall notify each member of the Central Committee of the date, time, and place of meetings, in writing, at least thirty days prior to the meeting, except as otherwise provided in Section 5.1(b). Meetings shall be conducted according to American Institute of Parliamentarians Standard Code of Parliamentary Procedure (AIPSC), except as otherwise provided in this constitution or Libertarian Party of New Mexico bylaws.

f. QUORUMS. When thirty days written notice has been properly provided, a quorum of the Central Committee shall consist of at least twenty-five percent of the Central Committee members, one or more of whom is also a member of the Executive Committee. An issue of emergency nature, may require vote by email, telephone, and/or other electronic means by the Central Committee. Such a meeting may be initiated by one-third of current Central Committee members, the Libertarian Party of New Mexico Chair, or any two Executive Committee members. All efforts should be made to assure maximum Central Committee member participation in any such meeting. Any proposal 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 Chair may break the tie.

g. MISSED MEETINGS. Any Central Committee member who misses two regularly scheduled consecutive meetings during their term of office is automatically removed from the Committee. American Institute of Parliamentarians Standard Code of Parliamentary Procedure (AIPSC).

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

3. JUDICIAL COUNCIL

- a. A Judicial Council may be formed for the purposes of censuring or suspending any Voting Member, removing or impeaching any Central Committee Member or member of the Executive Committee, as well as settle disputes arising from the interpretation of this Constitution or acts of the Central Committee or Executive Committee. Formation of this judicial council may be triggered by a 1/3 vote of the Central Committee membership, or any two members of the Executive Committee.
- b. COMPOSITION. The Judicial Council shall consist of five (5) members of the Executive and/or Central Committee in good 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 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 before the Judicial Council. If both the Chair and First Vice-Chair are party to the issue before the Judicial Council, the Second Vice-Chair shall serve as Chair in connection with the issue before the Judicial Council. If the Chair, First Vice-Chair, and Second Vice-Chair are all parties to the issue before the Judicial Council, then the Secretary shall serve as Chair in connection with the issue before the Judicial Council. If all members of the Executive Committee except the Treasurer are party to the issue before the Judicial Council, then the Treasurer shall serve as Chair in connection with the issue before the Judicial Council. The subsequent balance of the Judicial Council shall be chosen by the Central Committee.
- c. DECISIONS. The Judicial Council decision will be delivered to the Central Committee for a confirmation vote: a simple majority vote for questions of interpretation of this constitution, and a two-thirds vote in the case of recommendation of the Judicial Council for censure, suspension, removal, or impeachment of any member.

4. COUNTY AFFILIATES

- a. CREATION In the absence of a County Affiliate, the Executive Committee Chair may appoint a County Affiliate Chair Pro Tem and a County At-Large Member to serve until a County Convention is held or a one-year term is served.
- b. CONVENTIONS Within one year of the appointment of the County Chair, the County Libertarian Party Affiliate shall hold a convention and the county convention shall properly elect officers and ratify the county constitution. If the County Libertarian Party Affiliate fails to meet the requirements listed above the County Chair shall stand removed and the Chair of Libertarian Party of New Mexico is empowered to appoint a new County Chair.
- c. RECOGNITION. The Libertarian Party of any county shall be recognized when:
- i. A Voting Member, who has been appointed by the State Chair, has assumed the office of County Chair, AND;
 - ii. A County Central Committee of the County Chair and at least two additional members has been seated, AND;
 - iii. A properly noticed Formation meeting, by an email/website posting and publication in a newspaper of general circulation, the time and place of such meeting, at least 14 days prior to that meeting. A constitution, consistent with this constitution and the laws of New Mexico and the United States of America, has been filed with the County Clerk of the respective county;
 - iv. The Chair and Secretary of Libertarian Party of New Mexico have been notified in writing that the above requirements have been met, with the contact information for each County Central Committee member.
- d. ADMINISTRATION. Once a County Affiliate is recognized, it shall be administered by the County Central Committee in a manner identical to the administration of the Libertarian Party of New Mexico except that the County Libertarian Party is empowered to determine:
- i. The size of its Central Committee, except that it will be a minimum of three members,
 - ii. The number and qualifications of executive officers, except that the County Central Committee members must be Voting Members.

e. County Affiliates shall not have their own Judicial Council. The Libertarian Party of New Mexico Judicial Council shall serve as the judicial body of the County Affiliates as well as the Libertarian Party of New Mexico.

f. CONSISTENCY OF COUNTY ACTIONS. No County Affiliate shall take any position or action which is inconsistent with the constitution, principles, or purposes of the Libertarian Party of New Mexico.

g. RESIDENCE A Libertarian may elect to be a member of any single County Affiliate in the state, irrespective of where they reside..

ARTICLE VI – CONVENTIONS AND CANDIDATES

1. CONVENTION DATES

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

b. WHEN Libertarian Party of New Mexico IS A MINOR PARTY. In election cycles when Libertarian Party of New Mexico is qualified as a minor party, annual conventions shall be held as determined by the Central Committee.

2. NOTICE. The Secretary shall notify each Voting Member of the dates, time, and public place of state conventions, and shall cause to be published on the Libertarian Party of New Mexico web page. and in a newspaper of general circulation, notice of state conventions at least thirty (30) days prior to the date of the convention provided. Email and website notice will be repeated between 35 and 45 days prior to such convention. This notice shall include the information that all Voting Members must be in good standing 30 days prior to the convention, to allow the Secretary to validate the qualifications of the delegates.

3. BUSINESS OF THE CONVENTION. Each annual state convention shall include a business meeting. Voting Members in good standing shall be automatic delegates to state convention business meetings. The Chair of Libertarian Party of New Mexico, or the designee thereof, is empowered to verify the credentials of any delegates. Business meetings shall be conducted according to American Institute of Parliamentarians Standard Code of Parliamentary Procedure except as otherwise provided by this constitution and Libertarian Party of New Mexico bylaws.

4. NOMINATION OF CANDIDATES

a. WHEN Libertarian Party of New Mexico IS A MAJOR PARTY. In election cycles when Libertarian Party of New Mexico is qualified as a major party, nominations of candidates for public office, presidential electors, and delegates to the national convention of Affiliated National Organizations shall be made in accordance with the New Mexico Election Code and Primary Law, if applicable. Only VOTING MEMBERS may vote on pre-Primary Convention approval of candidates. The New Mexico Election Code and Primary Law is hereby incorporated into this section.

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

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

5. DELEGATES TO Affiliated National Organization CONVENTIONS

- a. In order to serve as a delegate from Libertarian Party of New Mexico to the National Conventions of Affiliated National Organizations as listed in the Appendix II, an individual must be a member of the Executive Committee, a member of the Central Committee, or a Voting Member in good standing for 120 days preceding the State Convention at which the delegate is elected to serve at the National Convention. In the case of Voting Members, the individual must have also provided 12 hours of volunteer service to Libertarian Party of New Mexico within the 12 months preceding the State Convention. The Secretary shall maintain records of volunteer hours served by Voting Members. These requirements may be waived for a particular candidate on a two-thirds vote of the State Convention.
- b. Voting at the state convention for national delegates to Conventions of Affiliated National Organizations will be by block vote, with all qualified nominees appearing on the ballot, and votes entered on each ballot up to the number of available slots. In the event an elected national delegate cannot travel to the national convention, the delegate must notify the executive committee two weeks in advance of the date of convention, to allow the Chair to select a replacement.
- c. On or after the opening day of a national convention, in the event that not all of the delegate slots are filled by New Mexico Voting Members, the chair of the delegation may fill the delegation with delegates from other states.

ARTICLE VII – PLATFORMS AND POSITIONS

The Libertarian Party of New Mexico maintains its own platform. The platform of Libertarian Party of New Mexico may be amended, including by the addition or deletion of individual planks, by a two-thirds vote of the Libertarian Party of New Mexico Central Committee. Proposed amendments to the Libertarian Party of New Mexico Platform must be circulated to the members of the Central Committee for review at least fifteen days (15) before the meeting at which the amendment is to be considered.

ARTICLE VIII – AMENDMENTS AND BYLAWS

1. PROVISION FOR AMENDMENTS AND ADDITION OF BYLAWS.

- a. The Statement of Principles may be amended by a nine-tenths vote of the delegates voting at any state convention. This Constitution and Bylaws may otherwise be amended by a two-thirds vote of the delegates voting at any state convention.
 - b. Bylaws may be added or deleted by a two-thirds vote of the delegates voting at any state convention.
 - c. The Judicial Council is empowered to remove any section of this constitution found to be in violation of federal or state law.
 - d. The Secretary is empowered to renumber, reorder and reword for clarity this document as needed.
2. Should any circumstance or situation arise that is not clearly and directly addressed by this constitution and bylaws, then the American Institute of Parliamentarians Standard Code of Parliamentary Procedure shall govern.

Article IX- LIBERTARIAN PARTY OF NEW MEXICO AFFILIATIONS

Any organization that the Libertarian Party of New Mexico affiliates with is specifically and absolutely without any power to direct Libertarian Party of New Mexico in any manner whatsoever.

A $\frac{2}{3}$ vote of the Central Committee is required to change Libertarian Party of New Mexico affiliated organizations.

BYLAWS

1. VOTING MEMBERSHIP DUES QUALIFICATIONS.

- a) Dues are \$72/year unless the Voting Member is a paid up member of a National Affiliated Organization, in which case the dues are \$60/year. The dues must be paid between the close of the prior convention and 30 days prior to the upcoming convention. Dues

payment as described confers Voting Membership for the annual convention. After the Annual Convention, Voting Status is determined by contributions in the previous 12 whole months.

b) The Convention or the Central Committee by majority vote, or a unanimous vote of the Executive Committee, may waive any or all of the required payments in recognition of significant work performed for the benefit of the Libertarian Party of New Mexico; including granting Lifetime Voting Membership for extraordinary effort on behalf of the Libertarian Party of New Mexico;

c). Lifetime memberships in Libertarian Party of New Mexico may be awarded for donations totaling \$1500 within a 12-month period, or by $\frac{3}{4}$ vote of the Central Committee for exemplary service to the Libertarian Party of New Mexico. Libertarian Party of New Mexico Lifetime Memberships prior to 2006 are recognized. The Libertarian Party of New Mexico Secretary is to keep a record of all Lifetime Memberships.

ii. Individuals who have made donations sufficient to qualify for lifetime membership shall only be deemed members of Libertarian Party of New Mexico during those times that they are registered to vote as Libertarian with the Secretary of State, unless a vote of the Central Committee excuses their lack of registration.

d). The Libertarian Party of New Mexico shall not nominate or endorse any non-presidential candidate who is not a registered Libertarian voter in the State of New Mexico

2. RULES FOR MEETINGS OF THE Libertarian Party of New Mexico

- a) The Chair may direct the Secretary, or in the absence of the Secretary, another member of the executive Committee, to call the quorum at any time during an Libertarian Party of New Mexico Convention, Central Committee meeting, or Executive
- b) The Libertarian Party of New Mexico shall use the American Institute of Parliamentarians Standard Code of Parliamentary Procedure as the rule set for conducting meetings.

APPENDIX I

RANKED-CHOICE VOTING: When these Constitution and By-laws provide that any vote shall be taken by ranked-choice voting, each member participating in the vote shall be given the opportunity to rank the candidates for the position at issue in order of preference. Votes shall then be tallied based upon all first-choice votes. If one candidate receives a majority of the votes cast, that candidate shall be declared the winner. If, however, none of the candidates receives a majority of the votes, the votes cast for the candidate with the least number of votes shall be re-distributed to the voters' second-choice candidates. If one candidate then has a 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 of votes shall be redistributed to those voters' next-choice candidates. The process shall repeat until one candidate receives a majority of all votes cast, at which point that candidate shall be declared the winner.

APPENDIX II

AFFILIATED NATIONAL ORGANIZATIONS

The Libertarian Party of New Mexico affiliates with:

- a) The National Libertarian Party.