



# LIBERTARIAN PARTY OF NEW MEXICO

## Constitution and Bylaws

Adopted in Convention, April 18, 2015, Albuquerque, New Mexico



### ARTICLE I – NAME, PRINCIPLES, PURPOSE, and EMBLEM

#### 1.1 – NAME

(a) 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 LPNM.

(b) The name of LPNM organizations within each political subdivision or campus shall be The Libertarian Party of \_\_\_\_\_ with the appropriate designation of the county or other appropriate political subdivision, or \_\_\_\_\_ College Libertarian Club.

#### 1.2 – 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 to 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 robbery, 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 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.

#### 1.3 – PURPOSE

The purpose of LPNM shall be to move society and public policy toward the ideals embodied in the Statement of Principles by nominating, supporting, and electing candidates for public office; by lobbying officials and governmental bodies; by engaging in educational and informational activities; by general advocacy, and by other means deemed appropriate by LPNM.

#### 1.4 – EMBLEM

The emblem of LPNM and of constituent organizations political subdivisions shall be the Statue of Liberty.

#### 1.5 – USE OF NAME AND EMBLEM

(a) The names "Libertarian Party" and "College Libertarians" shall not be used by any person, group, or convention except in strict conformance with this constitution and the laws of the State of New Mexico.

(b) The LPNM Central Committee is empowered to initiate legal action on behalf of LPNM upon determination that any individual, slate of candidates, group, or convention is using the name or emblem of LPNM in any manner not consistent with this constitution or the laws of the State of New Mexico.

### ARTICLE II – MEMBERSHIP

#### 2.1 – CATEGORIES AND DEFINITIONS OF MEMBERS

(a) **AFFILIATE MEMBER.** An affiliate member is any registered voter within the State of New Mexico who has indicated "Libertarian" as his or her party affiliation on the affidavit of voter registration.

(b) **CAUCUS Member.** A caucus member is any person who has indicated "Libertarian" as his or her party affiliation on the New Mexico affidavit of voter registration, has met at least one of the qualifications enumerated in 2.1(b)(1) below, and 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."

(1) **CAUCUS MEMBER QUALIFICATIONS.** Only one qualification must be met. Qualifications are not cumulative and the qualification with the latest expiration date shall be recognized.

(a) Payment of a lump sum donation of \$25 to LPNM.

(b) Collection and timely submission of at least 200 verified signatures on any petition for LPNM party certification, or at

least 150 verified signatures on any petition for ballot qualification of a nominated LPNM candidate in a statewide or congressional race, or at least 100 verified signatures on any petition for ballot qualification of a nominated LPNM candidate in a county or legislative race. Qualification is enabled when the Secretary certifies verification of the signatures and expires one year from that date.

(c) Twenty-five hours of volunteer service within a one-year period. Service must be in activity (excluding business meetings and social events) sponsored by LPNM, a county affiliate of LPNM, or an LPNM-affiliated College Libertarian Club.

Qualification is enabled when the Secretary receives certification from the State Chair, County Chair or College Libertarian Club President that the service has been completed and expires one year from that date.

(d) Submission of a proposal to the State Chair for a project, and with acceptance of the project by the Executive Committee, execution of the project. Qualification is enabled when the Secretary receives certification from the State Chair that the project has been completed and expires one year from that date.

(e) Publication in a newspaper(s) of general circulation within a 12-month period, a total of two editorials or five letters to the editor promoting the Libertarian Party, its philosophy, or its candidates. Qualification is enabled when the Secretary receives dated copies of the editorials or letters and expires one year from that date.

(c) **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 caucus member but not legally qualified to vote, and who requests 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 caucus member.

(d) **SUBSCRIBING MEMBER.** A subscribing member is any person who has paid dues to LPNM.

(e) **SUSTAINING MEMBER.** Payment of a monthly pledge of \$10 or more. Donors should indicate that contributions are for membership. Caucus members or subscribing members may be sustaining members. Qualification is enabled when the first monthly pledge is received and will continue until pledges are 90 or more days in arrears.

## **2.2 – MEMBERSHIP BENEFITS AND RESTRICTIONS**

(a) Only caucus members shall serve as delegates to state conventions of LPNM. Any caucus member in good standing is automatically a state convention delegate.

1. Affiliate members shall have the right to vote on nominating candidates for public office at state conventions.

(b) Caucus members shall receive the state newsletter and other such publications and benefits as determined by the Central Committee.

(c) As all officers of LPNM and its affiliates, LPNM delegates to national conventions, and LPNM candidates for public office will automatically meet the 2-1-b-1 qualification for caucus membership, all such members must submit the certification that he or she opposes the initiation of force prior to being nominated.

(d) As LPNM recognizes Life Memberships, members who became Life Members prior to 2006 are exempted from the provisions of 2.1-b-1.

## **2.3 – MEMBERSHIP DUES FOR CAUCUS MEMBERS**

(a) Annual membership dues for caucus members may be fixed at any state convention by a two-thirds vote of the delegates present and voting. When a convention does not fix dues, the amount in effect during the previous year shall continue.

(b) The membership period of caucus members shall be 12 consecutive months, and shall commence on the first day of the month during which dues are received by the Treasurer.

## **ARTICLE III – ORGANIZATION AND ADMINISTRATION**

### **3.1 – EXECUTIVE COMMITTEE**

(a) **COMPOSITION.** The Executive Committee shall be composed of the executive officers of LPNM: Chair, Vice Chair, Secretary, and Treasurer. A quorum of the Executive Committee shall consist of a majority of the committee.

(b) **POWERS.** The LPNM Executive Committee is empowered to:

1. 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;

2. Authorize and call teleconference meetings of the Central Committee or poll by mail the members of the Central Committee when there exists business of an emergency or urgent nature that can not wait until the next regular meeting of the Central committee;

3. Initiate disciplinary proceedings as provided for in this constitution; and

4. Perform such other duties as may be delegated by the Central Committee or State Convention.

(c) **QUALIFICATION.** To qualify for the Executive Committee, a member must have (a) been a member of the LPNM for at least 3 years prior to election to the Executive Committee and (b) served at least one full term on the LPNM Central Committee prior to election to the Executive Committee.

(d) **VACANCIES.** When the office of Chair becomes vacant, the Vice Chair shall automatically 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.

2/6

### **3.2 – CENTRAL COMMITTEE**

(a) **COMPOSITION.** The Central Committee shall be composed of the Executive Committee; three at-large

representatives elected at state conventions in odd-numbered years; and one representative from each congressional district elected by the delegates from each respective congressional district in caucus at state conventions in odd-numbered years.

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

(c) **MEETINGS.** The Central Committee shall meet a minimum of four times each year. Meetings may be fixed by action of the Committee or call of the Chair. The Secretary shall notify each member of the Central Committee of the date, time and place of meetings, in writing, or by email, at least thirty days prior to the meeting except as otherwise provided in Section 3.1(b)2. Meetings shall be conducted according to Robert's Rules of Order except as otherwise provided in this constitution or in the LPNM bylaws.

(d) **QUORUMS.** When thirty-days written notice has been properly executed, a quorum of the Central Committee shall consist of at least four Central Committee members, one or more of whom is an Executive Committee Officer. Otherwise, a quorum shall consist of at least six Central Committee members, one or more of whom is an Executive Officer. Any member who misses two consecutive meetings or any three meetings during his or her term of office is automatically removed from the Committee.

(e) **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.

(f) **VOTES BY ELECTRONIC MAIL.** From time to time, an issue of emergency nature may require vote by electronic mail and/or telephone by the Central Committee. Such a vote can be initiated by one-third of all current Central Committee members submitting a request to the State Chair, or the State Vice-Chair, and the vote shall be carried out by the State Chair after it is requested. All efforts should be made to assure maximum Central Committee member participation and debate on the issue being voted on. Additionally, the standard for passage of any proposal voted on by this method shall be a majority of all current Central Committee members voting in favor. If all current Central Committee members participate and the vote is tied, the State Chair may break the tie by voting.

### **3.3 – JUDICIAL COUNCIL**

(a) **COMPOSITION.** The Judicial Council shall be an ad hoc council and consist of three Caucus members, appointed by the State Chair, with the advice and consent of the Central Committee. It is strongly encouraged that former State Chairs, and other former executive officers, be appointed to these

positions. No member may serve on the Judicial Council while also serving as a member of the Central Committee.

(b) **CHIEF JUSTICE.** Chosen by the three members of the Judicial Council, the Chief Justice shall be the presiding member of the Judicial Council. The Chief Justice shall conduct hearings of the Council.

(c) **HEARINGS.** The Judicial Council shall conduct hearings for the purposes enumerated in (d) below. Hearings may be called by:

1. Request of the Chair, except for impeachment;
2. Majority vote of the Executive Committee, except for impeachment;
3. Two-thirds vote of the Central Committee, or any of the County Central Committees;
4. Majority vote of the delegates voting at a state convention; or
5. Submission of a Statement of Grievance by any caucus member in good standing and endorsed by six other caucus members, except for impeachment.

Once a hearing is called, the Chief Justice shall set the date, time, and place of such hearing and shall cause all other Council members and litigants to receive at least two weeks written notice of the particulars of the hearing. No member of the Council shall vote on any matter in which he or she is a litigant. Hearings shall be conducted according to Robert's Rules of Order. A quorum of two members may render a decision. Either party participating in the hearing may appeal this decision to a second hearing before the next regular state convention. The decision rendered by a two thirds vote of the state convention shall be final.

1. (d) **POWERS.** The Executive Committee, the Central Committee, and the County Central Committees may censure any caucus member or any affiliate member, but all other disciplinary actions are the purview of the Judicial Council. The Council is empowered to:
  1. Remove from office, for just cause, any officer or Central Committee member who has been impeached by a two-thirds vote of the Central Committee or majority vote of any state convention;
  2. Suspend, for just cause, the caucus membership of any caucus member until the next state convention. The state convention may, by majority vote, reinstate the caucus membership of any person so suspended. Such suspensions shall remain in effect if the state convention fails to reinstate the suspended member;
  3. Settle disputes arising from interpretation of this constitution or acts of the Central Committee; and
  4. Suspend, until the next state convention, any section of this constitution found to be in violation of state or federal law.

### **3.4 – COUNTY AFFILIATES OF LPNM**

(a) RECOGNITION. The Libertarian Party of any county shall be recognized when:

1. A caucus member, who has been appointed by the State Chair, has assumed the office of County Chair;
2. A County Central Committee of the County Chair and at least two additional members has been seated;
3. 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; and
4. The Chair of LPNM has been notified in writing that the above requirements have been met.

In counties where there is no Libertarian Party organization, the Chair of LPNM is empowered to appoint, in writing, a caucus member as County Chair. The County Chair is then empowered to appoint two additional members to the County Central Committee, and the County Central Committee is then empowered to adopt a constitution. Within one year of the appointment of the County Chair, the County Libertarian Party shall hold a convention and the county convention shall properly elect officers and ratify the county constitution. If the County Libertarian Party fails to meet the requirements of recognition enumerated above, or fails to hold a county convention within one year of the appointment of the County Chair, the County Chair shall stand removed and the Chair of LPNM is empowered to appoint a new County Chair.

(b) ADMINISTRATION. Once a County Libertarian Party 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: the size of its Central Committee, except that it will have a minimum of three members; the number and qualifications of executive officers, except that the County Chair must be a caucus member. County Libertarian Parties shall not have their own Judicial Council: the LPNM Judicial Council shall serve as the judiciary body of the County Libertarian Parties as well as the Libertarian Party of New Mexico.

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

## **ARTICLE IV – OFFICERS**

### **4.1 – ENUMERATION AND DUTIES OF EXECUTIVE OFFICERS**

(a) ENUMERATION. The executive officers of LPNM shall be the Chair, Vice Chair, Secretary, and Treasurer.

(b) DUTIES. Any executive officer who fails to execute his or her duties may be impeached and removed as provided in this constitution. The duties of executive officers are:

1. CHAIR. The Chair shall serve as the chief administrative officer of LPNM; preside over meetings of the Executive Committee and Central Committee, preside over state conventions, serve as spokesperson for LPNM, and perform such other duties and functions as specified in this constitution or as delegated by the Central Committee.
2. VICE CHAIR. The Vice Chair shall assist the Chair, assume the duties of the Chair when the Chair is unable to perform such duties, and perform such other duties and functions as delegated by the Chair, the Executive Committee or the Central Committee.
3. SECRETARY. The Secretary shall keep minutes of Executive Committee and Central Committee meetings, keep minutes of state conventions; initiate such correspondence as directed by the Chair, the Executive Committee, or the Central Committee, and manage all records of LPNM except financial records.
4. TREASURER. The Treasurer shall receive monies paid to LPNM, keep and disperse LPNM funds as directed by the Central Committee, keep the financial records of LPNM, make financial reports to the Central Committee, and manage the property of LPNM.

### **4.2 – ELECTION AND TERMS OF EXECUTIVE OFFICERS**

Executive officers shall be elected by a majority vote of the delegates voting at the first state convention following a regular congressional election. If more than two candidates seek an office and no candidate obtains a majority of the votes, the lowest vote-getter shall be eliminated and Caucus members shall vote again choosing among the remaining candidates. This shall be repeated until a candidate wins a majority of the votes, or if there are two candidates remaining, the highest vote-getter between the two shall be elected. If only two candidates seek an office, the highest vote-getter between the two shall be considered elected. The term of an elected executive officer shall be two years, and no members may serve more than two consecutive terms in a particular executive office. Vacancies of executive office shall be filled in accordance with Section 3.1(c) of this constitution.

### **4.3 – CABINET OFFICERS**

The Chair is empowered to appoint, with the advice and consent of the Central Committee, caucus members to positions such as Legislative Liaison, Publications Editor, Project(s) Coordinator(s), or other such cabinet office as deemed appropriate by the Chair.

Cabinet officers serve at the pleasure of the Chair and may be removed or replaced at will, or by a majority vote of the Central Committee.

## **ARTICLE V – CONVENTIONS AND CANDIDATES**

### **5.1 – CONVENTION DATES**

(a) WHEN LPNM IS A MAJOR PARTY. In election cycles when LPNM is qualified as a major party, LPNM shall hold annual conventions during the last weekend in March in even years and as determined by the Central Committee in odd years. Any candidate seeking the Libertarian nomination for public office in

the General Election who receives a majority of the votes at the March convention shall be considered endorsed by the party.

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

## **5.2 – NOTICE**

The Secretary shall notify each caucus member, by mail, of the dates, time, and public place of state conventions; and shall cause to be published in newspapers of general circulation notice of state conventions at least fourteen days prior to the date of the convention provided, however, that where a county party organization has been established, the officers of the county party organization shall cause such notice to be published as provided herein.

## **5.3 – BUSINESS OF THE CONVENTION**

Each annual state convention shall include a business meeting. Caucus members in good standing shall be automatic delegates to state convention business meetings and no fee shall be charged to delegates for attending the business meeting portion of state conventions. The Chair of LPNM, or the designee thereof, is empowered to verify the credentials of any delegates. Business meetings shall be conducted according to Robert's Rules of Order except as otherwise provided by this constitution and LPNM bylaws.

## **5.4 – NOMINATION OF CANDIDATES**

(a) WHEN LPNM IS A MAJOR PARTY. In election cycles when LPNM is qualified as a major party, nominations of candidates for public office, presidential electors, and delegates to the national convention of the Libertarian Party shall be made in accordance with the New Mexico Election Code and Primary Law. The New Mexico Election Code and Primary Law is hereby incorporated into this section.

(b) WHEN LPNM IS A MINOR PARTY. In election cycles when LPNM is qualified as 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 affiliate and caucus 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 affiliate and caucus members from the counties comprising such districts, in caucus at the state convention. Election of presidential electors and delegates to the national convention shall be by majority vote in even numbered years. If a potential candidate wishes to be nominated more than 12 months but not more than 24 months prior to an event, (election or National LP Convention), he or she must receive the votes of not less than 2/3 of the delegates present and voting.

(c) COUNTY OFFICE, Nominations of candidates for county office shall be made at the respective county conventions. Organized counties may caucus at the state convention for the purpose of nominating candidates if the county affiliate has not

had a convention at the time of the state convention, or to nominate additional candidates if the county affiliate has held a convention, provided that the County Chair is in attendance. Three or more caucus/affiliate members from any unorganized counties may caucus at the state convention for the purpose of nominating candidates, and the State Chair will certify such candidates in lieu of a county chair.

(d) CERTIFICATION AND VACANCIES. Candidates nominated for public office shall be certified in accordance with the provisions of the New Mexico Election Code. Additionally, any nomination is made subject to the nominee passing a criminal background check. Failure to pass such a background check shall result in the nomination being declared void. 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.

## **5.5 – NOMINATION, ELECTION OR APPOINTMENT OF DELEGATES TO NATIONAL CONVENTIONS.**

To be a delegate to the national convention, any individual must be a caucus member in good standing, both at the time of his or her election to delegate status and at the time of serving as a delegate. Only caucus members in good standing may be appointed by the delegation chair to delegate status at any national convention.

## **ARTICLE VI – PLATFORMS AND POSITIONS**

### **6.1 – PLATFORMS**

(a) LPNM PLATFORM. The Platform of the national Libertarian Party is the Platform of LPNM, except that LPNM may, at any state convention, delete any plank by a two-thirds vote of the delegates voting, or add any plank consistent with the Statement of Principles, by a two-thirds vote.

(b) CANDIDATE PLATFORMS. Candidates for public office may run on their own platforms. However, the Central Committee may disavow any plank that is contrary to the Statement of Principles or LPNM Platform.

(c) RESOLUTIONS OF POSITION. The Central Committee is empowered to issue resolutions expressing party positions on various issues throughout the year. However, any caucus member may challenge any such resolution that he or she believes to be inconsistent with the Statement of Principles or LPNM Platform by filing a Statement of Grievance with the Judicial Council in accordance with the provisions of Section 3.3(c)5.

## **ARTICLE VII – AMENDMENTS AND BYLAWS**

The Statement of Principles may be amended by a nine-tenths vote of the delegates voting at any state convention. This constitution may otherwise be amended by a two-thirds vote of the delegates voting at any state convention. The Judicial Council is empowered to remove any section of this constitution found to be in violation of federal or state law. Bylaws may be added or deleted by a two-thirds vote of the delegates voting at any state convention. The Secretary is empowered to renumber

bylaws as bylaws are added or deleted within two days of a state convention.

## **LPNM BYLAWS**

### **Bylaw #1**

Any Central Committee member may designate, in writing, a caucus member to serve as proxy if he or she must miss a Central Committee meeting and that proxy counts toward quorum. However, the proxy vote will not count as attendance for purposes of retention or removal of the member.

### **Bylaw #2**

College Libertarian Clubs may be recognized as affiliates of LPNM under the same rules and conditions as county affiliates.

The Chair is empowered to implement guidelines for the administration of College Libertarian Clubs.

### **Bylaw #3**

If the boundaries of the congressional districts are changed, Central Committee representatives shall serve the remainder of their terms; and for the purpose of electing Central Committee representatives, the changes shall be recognized by LPNM at the next convention in an odd numbered year following the changes.

**Adopted in Convention, April 18, 2015, Albuquerque, New Mexico**