

**NEW MEXICO
ASSOCIATION OF COUNTIES**

**COMMISSIONERS'
AFFILIATE BYLAWS**

**Adopted by
NMAC
Board of Directors
*February 4, 2012***

**NMAC COMMISSIONERS' AFFILIATE BYLAWS
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Article I
Name

The name of this Affiliate shall be:

**NEW MEXICO ASSOCIATION OF COUNTIES’
COMMISSIONERS AFFILIATE**

Article II
Objectives

The objectives of this New Mexico Association of Counties Commissioners' Affiliate are:

~**Section 1** – To formulate and present legislative resolutions and proposals to the New Mexico Association of Counties (NMAC) Board of Directors and to assist the Board of Directors and NMAC staff in promoting and monitoring legislation that will be beneficial to the counties.

~ **Section 2** – To secure harmony of action in working toward common goals among counties, officials, and affiliates in this state in matters that affect the rights and liabilities of counties, and to use subject matter expertise of affiliate members to assist the NMAC Board of Directors and staff in working toward common goals among counties.

~ **Section 3** – To coordinate educational activities among the membership by:

- A. Collecting, compiling and distributing information;
- B. Promoting educational opportunities through conferences and workshops, particularly addressing the concerns of this affiliate; and
- C. Doing any and all other things necessary and proper for the benefit of the counties of this state that conform to the policies and procedures of the NMAC Board of Directors.

~ **Section 4** – n/a

Article III
Parliamentary Rules

~ **Section 1** – Rules of Order

All questions of parliamentary practice shall be decided according to the latest edition of Robert's Rules of Order Newly Revised in all cases to which they are applicable and in which cases they are not inconsistent with these bylaws or the NMAC bylaws.

~ **Section 2** – Open Meetings

NMAC Affiliate meetings shall be open to all NMAC members.

~ **Section 3** – Voting

Each county shall have no more than one vote regardless of the number of affiliate members from the county. Only members in good standing who are present for the vote shall have voting privileges. No proxy voting is permitted. When more than one member of a county are present;

the voting members of the counties shall caucus to determine their county's vote. All issues are decided by a majority vote of the counties present at the time of the vote.

~ **Section 4 – Executive Session**

The Commissioners' Affiliate may go into Executive Session on a vote of the counties present at a duly called meeting, stating with particularity the matters to be discussed in Executive Session. Attendance at an Executive Session is restricted to regular voting members of the Commissioners' Affiliate. A majority of those voting members present may vote to allow others to attend the Executive Session as appropriate. Executive Session may be used for discussion only. All votes shall take place in the open meeting.

~ **Section 5 – Electronic Meetings**

The Commissioners' Affiliate may meet telephonically or by other electronic means, provided such meetings are conducted via a technology that allows all participants to speak and to hear each other in synchronous communication.

~ **Section 6 – Quorum**

For business to be conducted, a majority of members in good standing with voting rights must be present at a duly called meeting of the Commissioners' Affiliate.

Article IV
Membership

~ **Section 1 – Membership**

Membership in the Commissioners' Affiliate shall be limited to county elected officials currently serving and employees employed in the affiliate office of member counties in good standing with the affiliate and NMAC. Counties in good standing with NMAC that have not paid their affiliate dues by September 1st of a calendar year shall not have the right to vote until dues have been paid. A delinquent County's voting rights are immediately restored upon payment of dues.

All regularly elected or appointed County Commissioners and County Councilors shall be voting members.

~ **Section 2 – Dues**

Member Counties shall pay dues to the affiliate, not to exceed \$150.00, on a yearly basis for their affiliate membership, which will be due on or before August 1st of each calendar year. The Commissioners' Affiliate Secretary/Treasurer or Treasurer will send an invoice to each county no later than July 1st of each calendar year. Annual dues shall be established in the Affiliate Bylaws or in the Affiliate's Rules by a majority vote of the affiliate membership present at the Annual Conference and shall be reported to the NMAC Executive Director within 45 days of the conclusion of the conference.

~ **Section 3 – Associate Membership**

Any former member of the Commissioners' Affiliate may become an associate member. An associate member must be sponsored by an affiliate member in good standing and be approved by a majority of the members who are present at the meeting. Associate members are entitled to

all privileges of full membership except that they shall not have voting rights or the right to hold office. Annual dues, which shall not exceed \$100 for associate members, shall be established by the Commissioners' Affiliate in accordance with the Affiliate Bylaws or Rules by a vote of the affiliate membership present at the Annual Conference and shall be reported to the NMAC Executive Director within 45 days of the conclusion of the conference.

~ **Section 4 – Sustaining Business Memberships**

Sustaining business memberships shall be available to NMAC Sustaining Members that are interested in supporting the aims and purposes of the Affiliate. Sustaining business members are entitled to all privileges of full membership except that they shall not have voting rights or the right to hold office. A sustaining business member must be sponsored by an affiliate member in good standing and be approved by a majority of the members who are present at the meeting. Annual dues, which shall not exceed \$100 for sustaining business members, shall be established by the Commissioners' Affiliate in accordance with the Affiliate Bylaws or Rules by a vote of the affiliate membership present at the Annual Conference and shall be reported to the NMAC Executive Director within 45 days of the conclusion of the conference.

Article V
Officers

~ **Section 1 – Officers**

The affiliate officers shall be a Chair, Vice-Chair, Secretary and Treasurer (or Secretary/Treasurer). The Chair and Vice Chair shall be elected, and the Secretary and Treasurer may be elected or appointed by the Chair. To be eligible for an officer position the candidate shall be an active member of the affiliate. In addition, the Chair and Vice-Chair of an elected affiliate must also be a current or former elected official or Chief Deputy.

~ **Section 2 – Duties**

A. Duties of Chair:

- a. Plan, prepare, and conduct meetings at each conference and any workshops, training sessions, or other programs for the affiliate;
- b. Serve on the Advisory Council;
- c. Present resolutions and legislative proposals adopted by the affiliate to the NMAC Board of Directors;
- d. Maintain financial records, attendance records and minutes and cause same to be filed with NMAC;
- e. Appoint committees as appropriate; and
- f. Perform other duties as assigned by the NMAC Board of Directors

B. Duties of the Vice-Chair

- a. Act as Chair in his or her absence;
- b. Assist Chair with his or her duties; and
- c. Perform other duties as assigned by the Chair.
- d. Upon the expiration of the Chair's term, the Vice-Chair shall assume the office of Chair and shall serve a two-year term.

C. Duties of the Secretary

- a. Maintain the official records of the affiliate;
- b. Keep minutes;
- c. Take attendance;
- d. Provide draft minutes of the Annual and Legislative Conferences and other regular or special meetings to the affiliate members and NMAC within 45 days of the conclusion of each meeting, and provide final approved minutes to NMAC office within 45 days of approval by the affiliate;
- e. Provide notice to NMAC of affiliate meetings at least 15 days prior to each meeting;
- f. Act as Chair of a duly called meeting in the absence of both the Chair and the Vice Chair for the purposes of electing a temporary Chair to preside over that meeting; and
- g. Perform other duties as assigned by the Chair.
- h. Shall keep a record of all meetings of the Affiliate, shall conduct correspondence on behalf of the Affiliate, and mail each member a copy of the minutes within thirty (30) days after each meeting; will keep permanent file of the minutes and correspondence to be turned over to the incoming Secretary/Treasurer thirty (30) days after the Annual Conference;
- i. Upon the expiration of the Vice-Chair's term, the Secretary/Treasurer shall assume the office of Vice-Chair and shall serve a two-year term.
- j. Upon the expiration of the term of the Secretary/Treasurer, the Nominating Committee shall nominate a member for the office of Secretary/Treasurer and nominations from the floor may be made by any member present.

D. Duties of the Treasurer

- a. Maintain financial accounts and records;
- b. Bill and collect dues from members as required;
- c. Pay bills approved by the officers;
- d. Provide a financial report to the affiliate members at the Annual and Legislative Conferences and other regular or special meetings;
- e. Provide a financial report to NMAC within 45 days of the conclusion of the Legislative and Annual Conferences; and
- f. Perform other duties as assigned by the Chair.
- g. Shall be custodian of all funds, and shall disperse funds when authorized by a vote of the majority of members present and voting at any meeting; shall report semiannually in detail all moneys received and expended;

*** Note an affiliate may combine the duties of the Secretary and Treasurer

~ **Section 3** – Vacancy

If the position of affiliate Chair becomes vacant, the vice-chair will become the Chair of that affiliate. If the position of affiliate Vice-Chair becomes vacant, a new Vice-Chair will be elected by the membership of that affiliate at its next meeting. If the offices of Chair and Vice-Chair are both vacant, the Secretary shall call a meeting of the Affiliate for the purpose of electing new officers.

Section 4 – Removal

Officers may be removed, with or without cause, by a vote of two-thirds of the counties present at any duly called affiliate meeting.

Article VI **Committees**

The Commissioners' Affiliate may establish standing and ad hoc committees as it deems appropriate. NMAC shall be notified of any active committees.

Article VII **Elections**

~ **Section 1** – The Commissioners' Affiliate shall elect officers at the Legislative Conference, in January of even-numbered years, to serve two-year terms. Newly elected officers shall take office at the conclusion of the Annual Conference. All nominations shall be made by an affiliate member only and only affiliate members from counties in good standing may hold office.

~ **Section 2** – Election of officers may be viva voce, if not contested. Contested elections shall be by secret ballot. Elections shall be determined by a majority vote of the counties present at the Legislative Conference.

Article VIII **Bylaws**

The Commissioners' Affiliate shall adopt bylaws which conform to the NMAC Affiliate Bylaws Template, except as otherwise approved by the NMAC Board of Directors, and shall review these bylaws biennially.

Article IX **Amendments and Revision**

The bylaws may be amended or revised by a two-thirds vote at a duly called affiliate meeting provided that the amendment or revision has been submitted in writing to each county at least 15 days prior to the vote. A properly submitted amendment can be further amended for technicalities during the affiliate meeting so long as the technical amendment does not alter the intent or meaning of the original amendment. Affiliate bylaw amendments and revisions must be ratified by the NMAC Board of Directors at its next duly scheduled meeting.

Article X **Dissolution**

If at any regular or special meeting three-fourths of affiliate members present and in good standing vote in favor of the dissolution of the affiliate, the affiliate shall be dissolved. If the Affiliate becomes inactive, it may be dissolved by the NMAC Board of Directors as provided in the NMAC Bylaws.

Article XI
Effective Date

These bylaws shall become effective immediately after adoption of a two-thirds vote of the affiliate membership present at the meeting during which the vote was taken and approval by the NMAC Board of Directors.

Adopted by the New Mexico Commissioners' Affiliate this:

19th Day of January, 2012

Cobb Chandler
Chair

Paul Goni
Vice-Chair

Approved by the New Mexico Association of Counties Board of Directors this:

February 4, 2012

Andrew D. Chang
NMAC President

Proposed Rules
(To be adopted by the Affiliate after Bylaws are Approved)

COMMISSIONERS' AFFILIATE RULES

~ **Standing Rule 1** – County Membership Dues

Membership Dues in the New Mexico Association of Counties Commissioners Affiliate are:

Counties shall pay \$100.00 dues on a yearly basis for their County Commissioners or County Councilors which will be due on or before August 1st of each calendar year.

The Commissioners' Affiliate Secretary/Treasurer will send an invoice to each county in the amount of \$100.00; no later than June 15th of each calendar year. Checks must be sent to the Commissioners' Affiliate Secretary/Treasurer at the address indicated on the invoice.

~ **Standing Rule 2** – Associate and Sustaining Business Membership Dues

Membership Dues for Associate and Sustaining Business Members are:

A) Associate Members: \$ n/a

B) Sustaining Business Members: \$ n/a

~ Other

It shall be the policy of the Affiliate to hold an annual conferences in conjunction with the New Mexico Association of Counties.

The Chairman may call a special meeting, whenever it is advisable, and the Secretary/Treasurer shall provide members at least ten (10) days written notice of the time and place.