



Constitution
and
By-laws

New Mexico Society
of the
Sons of the American Revolution

Adopted November 29, 1958
Amended December 10, 1962
Amended December 6, 1973
Amended September 13, 2008
Amended 01 February 2015

Amended December 15, 2018

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The New Mexico Society Sons of the American Revolution Chartered December 26, 1908

Background and Organization

The National Society Sons of the American Revolution (NSSAR), of which the New Mexico State Society is an integral part, has Societies in all of the fifty states, the District of Columbia, and in including other countries such as England, Spain, France, and Germany for example. It is non-sectarian, nonpolitical, and non-secret! The NSSAR was organized on April 30, 1889 and incorporated by Special Act of the Congress on June 9, 1906. The New Mexico Society was then chartered under the NSSAR on December 26, 1908.

To resolve issues with the original incorporation, the New Mexico Society of the Sons of the American Revolution (NMSSAR) was re-incorporated as a New Mexico Nonprofit Corporation on September 5, 2018.

Purposes

The purposes of the NMSSAR are patriotic, historical, and educational, and include those intended, or designed, as listed in the NSSAR Handbook, Volume I, Governing Documents.

To be an American with an excellent value of heritage and tradition gives an incentive for shouldering responsibilities and obligations of the present day. Membership in the Sons of the Revolution is a cherished symbol of those precious things that must be preserved for the well-being of humanity. By joining in its efforts one can participate with likeminded men in helping to maintain those foundations of liberty and constitutional law which give to us our rightful heritage to the blessings of freedom of thought and action.

Activities

The Society's programs are designed to maintain and promote the principles underlying our heritage and its continuing responsibility. They include but are not limited to the following:

- a) Promoting a wide distribution in our schools of the Documents of Freedom: the Declaration of Independence, the Constitution, and the Bill of Rights.
- b) Providing speakers to provide patriotic addresses. Giving aid to government agencies in controlling subversion and disloyalty.
- c) Sponsoring students to Boy's State and/or otherwise promoting constructive citizenship activities among the young.
- d) Awarding Good Citizenship Medals and R.O.T.C. Medals for noteworthy accomplishments by high school and university students.
- e) Attending naturalization ceremonies and welcoming the new citizens.
- f) Observing in an appropriate patriotic manner (and on the date commemorating the original event) Washington's Birthday, Flag Day, Independence Day, Veterans' Day, Constitution Day² and other appropriate commemorations.
- g) Support and sponsor Eagle Scouts entering the SAR National King Essay contest on American Revolution topics.
- h) Giving support and cooperation to other patriotic organizations, and in particular to the Children of the American Revolution.

CONSTITUTION

ARTICLE I. Name and Status

The name of this Society shall be “The New Mexico Society of the Sons of the American Revolution” as incorporated on September 5, 2018 (NMSSAR). The NMSSAR is a Society under the National Society Sons of the American Revolution, (NSSAR) which is a corporation created by special act of the Congress of the United States (Act of June 9, 1906, Public 59.214). The Charter of said National Society (Sections 153301-153304 of Title 36, United States Code, as may be amended by Congress from time to time) is incorporated by reference and made a part of this Constitution and of the Bylaws adopted in pursuance thereof.

ARTICLE II. Objects

The objects of this Society are declared to be patriotic, historical, and educational, and shall include those intended or designed to perpetuate the memory of those patriots who, by their services or sacrifices during the war of the American Revolution, achieved the independence of the American people; to unite and promote fellowship among their descendants; to inspire them and the community-at-large with a more profound reverence for the principles of the government founded by our forefathers; to encourage historical research in relation to the American Revolution; to acquire and preserve the records of the individual services of the patriots of the war, as well as documents, relics, and landmarks; to mark the scenes of the Revolution by appropriate memorials; to celebrate the anniversaries of the prominent events of the war and of the Revolutionary period; to foster true patriotism; to maintain and extend the institutions of American freedom and to carry out the purposes expressed in the preamble of the Constitution of our country and the injunctions of Washington in his farewell address to the American people.

ARTICLE III. Eligibility for Membership

Any male shall be eligible for membership in the Society being a citizen of good repute in the community, is the lineal descendant of an ancestor who was at all times unflinching in loyalty to, and rendered active service in the cause of American Independence either as an officer, soldier, seaman, marine, militiaman or minuteman, in the armed forces of the Continental Congress of any one of the several Colonies or States, as a signer of the Declaration of Independence, as a member of a Committee of Safety or Correspondence, as a member of any Continental, Provincial, or Colonial Congress or Legislature, as a foreign national of, but not limited to, France, Germany, Poland, Spain, Sweden or Switzerland who rendered service in the cause of American Independence or as a recognized patriot who performed actual service by overt acts of resistance to the authority of Great Britain, provided, however, that no person advocating the overthrow of the Government of the United States by use of force or violence shall be eligible for membership in the Society.

There shall be the following classes of members and memberships:

(1) a Regular or Regular Life Member shall be any member of the age of eighteen years and over, excepting those members described in Subsections (2) through (3) of this Paragraph, who meets all the requirements for membership as defined in this Constitution and in the Bylaws of the National Society.

(2) a Junior Member is a male under the age of eighteen years who has met the membership requirements of the Sons of the American Revolution. A Junior Member cannot vote or receive The SAR Magazine until he attains the age of eighteen years.

(3) a Memorial Membership for a deceased male of the same family as current members, whose application has been submitted and approved in accordance with the Bylaws of the National Society.

The prospective member must provide documentation for each statement of birth, marriage, and death, as well as of the Revolutionary War service of his Patriot ancestor, in a matter consistent with the requirements of the national society. Qualifying service for someone with a Spanish Patriot should follow the guidelines listed under the NSSAR Genealogy Policies-2014-10-01, or later, as found on the NSSAR Website.

ARTICLE IV. Officers

The officers of this Society shall be elected from among the members in good standing. The officers shall be

- 1) President
- 2) First Vice-President
- 3) Second Vice-President
- 4) Third Vice-President
- 5) Secretary
- 6) Treasurer
- 7) Registrar
- 8) Genealogist
- 9) Historian
- 10) Chancellor
- 11) Chaplain

The office of Secretary and Treasurer may be combined if no compatriot agrees to serve in one or the other office. The duties and powers of officers shall be those customarily appertaining to their respective offices, and those specific powers and duties more fully set forth in the By-Laws of this Society.

All NMSSAR Officers shall normally hold office for a period of one year, beginning with their election and installation at the Annual Meeting, and continuing until their successors are duly elected (or appointed) and installed.

The President, and other elected officers, shall not normally serve more than two successive terms. To be nominated for the position of State President the compatriot should first have served as a Chapter President. Nominations of officers shall be as set forth in the By-Laws of this Society, and the election shall be by letter ballot, or by a ballot distributed via Email, and returned via Email to the Secretary, with the results announced at the annual meeting.

Winning candidates shall be determined by a plurality of the votes cast by members in good standing as set forth in the Bylaws.

ARTICLE V. National Trustee

The National Trustee is not a State office; it is a National Office. The State Board of Managers nominates the members to be National Trustee and Alternate Trustee and forwards those recommendations on to National. The new Trustee and Alternate Trustee are elected and sworn in during the new National Congress. After election at the National Congress the National Trustee will also serve as a member of the New Mexico Board of Managers. The Alternate Trustee will serve in the National Trustee's absence.

ARTICLE VI. Board of Managers

Section 1. Members of the Board of Managers must be 18 years of age or older and be Active Members in good standing.

Section 2. The voting members of the Board of Managers shall consist of:

- (a) all current Officers listed in Article IV;
- (b) the president of each New Mexico Society chapter, or his official designee;
- (c) the immediate past New Mexico Society president;
- (d) the National Trustee;
- (e) all members in good standing who are serving or who have ever served as Officers General of the National Society (known as General Board Members).

Section 3. Members of the Board of Managers shall hold office for a nominal period of one year, excepting for State Officers who serve for two years and General Board Members who shall serve for life. The duties and powers of the Board of Managers shall be those customarily appertaining to governing bodies of similar organizations.

Section 4. This Board shall exercise control over the Administrative and Financial affairs of this Society and shall further perform those duties and exercise those powers set forth more specifically in the By-Laws.

ARTICLE VII. Meetings

The Annual Meeting of the State Society shall be held in Albuquerque, New Mexico, the first Saturday of February of each year, or at such time and place as may be determined by the Board of Managers. A notice of the time and place of the annual meeting shall be sent to all members in good standing by surface mail, or Email, when possible, at least 30 days prior to the meeting. In addition, thereto such other meetings shall be held as set forth in the By-Laws. The normal operating year for the NMSSAR shall be on a Calendar year basis with the election and installation of officers to take place at the Annual Meeting each year.

ARTICLE VIII. Dues and Fees

Upon becoming members of this Society, each member shall pay into the funds of this Society an initiation fee as prescribed by the Board of Managers; and in addition, each member shall pay this Society dues in the amount prescribed by the Board of Managers. These fees and dues shall be in addition to any fees and dues payable to the National Society or to local Chapters of the Sons of the American Revolution. The time and the method of payment shall be as set forth in the By-Laws.

ARTICLE IX. Amendments

This Constitution may be amended by a two-thirds affirmative vote of the members in good standing who vote on such amendment at any regular meeting of this Society, or by an electronic ballot sent via Email to all members in good standing, and by letter ballot sent to all members in good standing who do not use Email; provided that such amendment shall have been proposed at a previous meeting of this Society, or by its Board of Managers; and provided further that detailed written notice of the proposed amendment shall have been sent to all members in good standing at least thirty days prior to the said meeting at which said amendment is to be voted upon, or prior to the date set for counting letter and electronic ballots.

**BYLAWS OF THE NEW MEXICO SOCIETY OF THE
SONS OF THE AMERICAN REVOLUTION**

Bylaw No. 1. Membership:

Section 1.

All Membership Applications shall be submitted in duplicate, and shall be sent through the NMSSAR State Registrar, and the State Secretary, using the Watermarked blank forms prescribed by National and shall in each case set forth the name, residence and services of his ancestor or ancestors in the American Revolution from whom he claims eligibility. The State Registrar (or State Secretary, as needed) shall keep a copy of the application for the State records and combine it with the approved copy received from National.

Section 2.

An applicant for membership shall be sponsored by two members in good standing and the applicant shall make oath that the statements in his application are true to the best of his knowledge and belief. Once the application has been approved at the State Society level, the State Secretary shall send such application, together with the admission fee, to the Genealogy Staff at National who will examine the claims of the applicant for eligibility. No applicant shall be admitted to membership until the NSSAR Genealogist General approves the application.

Section 3.

Each member of the National Society shall be entitled to a certificate of membership, duly attested by the President General and the Secretary General, countersigned by the State President and State Secretary.

Section 4.

The official designation of a member of the National Society of the Sons of the American Revolution shall be "Compatriot."

Section 5.

Eligibility for membership in this Society shall be in accordance with Article III of the Constitution of this society, and with appropriate provisions of the Constitution and By-Laws of the National Society. Application for membership shall be accompanied by an initiation fee as prescribed by the Board of Managers in addition to the fee required by the National Society.

Section 6.

Dual members are Compatriots who are members in good standing in a Society of the Sons of the American Revolution other than the New Mexico Society but who, by paying dues as provided in Bylaw No. 6, evidence their wish to be members also of the New Mexico Society

Section 7.

Dues are payable in advance for the year to which they apply, and are collected by the state treasurer, who forwards national and chapter dues to the corresponding treasurers. Dues for the next proceeding year are payable no later than 31 December of the current year and shall become delinquent if not paid before January 15th of the year to which they apply. Any member of this Society whose dues have not been paid shall cease to be a member in good standing and lose the right to vote and hold office. On or about January 16th of each year, the Treasurer shall give Email or written notice to all members who have lost their good standing by nonpayment of dues, with a copy of such notice to the corresponding chapter president; and if such member shall not have paid such delinquent dues on or before January 31st, they shall be dropped from the rolls and the National Society so notified. Any member so dropped from the rolls shall pay the current year's national, state, and chapter dues plus any National and State reinstatement fees in order to be reinstated.

Section 8.

State and (the default) chapter dues are determined by the state Board of Managers and are subject to change at the discretion of the board of managers, provided, however, that individual chapters may set the chapter dues for their chapter, and advise the state treasurer of any such changes. The board of managers shall cause a schedule of dues and fees to be published on the state society's Web site, and to be distributed by electronic or paper means to each of the chapter presidents, secretaries, registrars, and treasurers when changes are made. Any change in dues and/or fees shall not require a change to these bylaws.

Section 9.

It is the responsibility of each member to ensure that the state secretary and the state treasurer have their correct and current contact information, including address, phone number, and Email address. Failure to do so shall constitute a waiver of their right to be notified of meetings, and a waiver of their right to vote in elections and other matters brought before the membership.

Bylaw No. 2. Officers

Section 1. President:

The President shall be the chief executive officer of this Society and shall exercise general control over its affairs under the authority of the Board of Managers and this Constitution and By-Laws. He shall preside as Chairperson at all meetings of this Society and of the Board of Managers and shall have the right to cast his vote in their deliberations. He shall appoint all committees and instruct the Secretary to call all meetings of the Society or the Board of Managers, except as otherwise provided in the By-Laws or Constitution of this Society. He shall make an annual report to the Society at its Annual Meeting. Such report shall contain a summary of the more important administrative acts and Board decisions during the previous year. He shall serve as a voting member of the Board of Managers during his term of office. The State President should normally serve as a Chapter President before being nominated for State President.

Section 2. First Vice President:

The First Vice President shall be a member of the Finance Committee and shall familiarize himself with the responsibilities of the office of Treasurer and with the routine procedures the Treasurer follows in fulfilling those responsibilities. The First Vice President shall perform such additional duties as may be assigned by the President.

Section 3. Second Vice President:

The Second Vice President shall have oversight of the New Mexico Society's youth recognition and awards programs as well as primary responsibility for event planning. The Second Vice President shall perform such additional duties as may be assigned by the President.

Section 4. Third Vice President:

The Third Vice President shall have oversight of the New Mexico Society's membership activities and shall be responsible for maintaining liaison with the local chapters and ensuring that the chapters meet regularly and are following the New Mexico Society's Constitution and Bylaws. The Third Vice President shall perform such additional duties as may be assigned by the President.

Section 5. Vice President Order of Precedence:

The Vice-Presidents shall rank in order of precedence; First, Second, and Third. In the absence or incapacity of the President to serve, or of one or more of the Vice-Presidents; the ranking Vice-President in order of precedence shall serve and perform all of the duties and exercise all of the powers of the President.

Section 6. Secretary

- a) At the direction of the President, the Secretary, shall provide notice of all State meetings, votes, orders and/or proceedings and provide copies of proposed amendments to the Constitution and Bylaws, and resolutions to members of the Board of Managers, and President and Secretary of each NMSSAR Chapter.
- b) He shall keep a fair and accurate record of the proceedings of all meetings of the Society and Board and under the direction of the President shall conduct the general correspondence of both. He shall turn over to his successor any or all such records and correspondence when he shall for any reason leave office. The State Secretary is the sole official point of contact between the NMSSAR and National.
- c) The State Secretary maintains and publishes the Member's Address Roster annually. He also assigns the State Membership Numbers to all new members and keeps and maintains the records of the State Membership Numbers.
- d) He manages all correspondence both for the State and to and from National.

- e) He is responsible for signing every new member's application as well as forwarding the applications to National and then back to the new member.
- f) He serves as the State Point of Contact in response from inquires/requests for information from people visiting/wanting information from the State website.
- g) The Secretary shall notify the Secretary General promptly of the election and appointment of all officers, of the NMSSAR's nominees for National Trustee and Alternate National Trustee and of the names of the delegates authorized to represent NMSSAR at each Congress of the National Society.
- h) The Secretary shall transmit to the Registrar General, in a manner and on a schedule set by him, information on NMSSAR members such as name, contact information, change in membership status and other data that might be needed to efficiently manage the membership database.
- i) The Secretary, in coordination with the State Treasurer, shall pay to the Treasurer General as of the date provided for in National Bylaws, the annual dues for each member continued the rolls of the NMSSAR as of that date. He is also, in coordination with the State Treasurer, responsible for preparing and submitting the Annual Reconciliation Report to National.
- j) The Secretary shall respond to The Secretary General who may, at any time, require reports from State Societies and from Chapters giving lists of officers, members in good standing, the number of meetings held and an account of activities for the period covered.
- k) The Secretary shall maintain the official copy of the NMSSAR Constitution, By-Laws and other Governing Documents pertaining to the NMSSAR, such as the NMSSAR Handbook and other materials deemed important. He shall also ensure that a current version of these documents is available to all Officers and Chapters.
- l) He shall have the care and custody of all membership records and shall keep a complete register of the names, dates of birth, dates of admission, resignations, expulsions, transfers, or deaths of all members; together with pertinent information concerning applicants who are refused admission.
- m) He shall file in a timely manner any annual or other reports required by the New Mexico Secretary of State's office.

Section 7. Treasurer

- (a) The Treasurer shall be responsible to develop and prepare a proposed Annual Budget to be presented to the NMSSAR Board of Managers, to be reviewed and forwarded to the State President for approval.
- (b) The Treasurer, in coordination with the State Secretary, shall properly bill all Society members for initiation fees and annual dues payable to the Society or to the National Society.
- (c) He shall receive all moneys paid into the Society funds and shall deposit the same in such depository as shall be designated by the Board of Managers. He shall receive all monies paid in for the account of the National Society (or one of the New Mexico Chapters) and shall remit the same to the National Society (or the involved Chapter).

- (d) He shall make all disbursements of Society funds; provided he shall secure from the Board of Managers prior authority for all disbursements save only routine or incidental current operating expenses.
- (e) He shall keep a fair and accurate record of all funds and financial transactions of the Society, and he shall turn over such records to his successor when he shall for any reason leave office.
- (f) He shall file in a timely manner any reports required by the New Mexico Taxation and Revenue Department and manage Non-taxable Transaction Certificates (NTTCs) issues to vendors.
- (g) He shall file in a timely manner the annual report, form 990-N (e-postcard) required by the Internal Revenue Service (IRS).
- (h) During his term of office, he shall present such records to the Board of Managers for auditing and review when so requested by the Board.
- (i) He may serve without bond, at the discretion of the Board of Managers; but he shall have the privilege of being bonded at the Society's expense if he chooses to do so.

Section 8. Registrar:

- (a) The Registrar shall examine all applications for membership, and coordinate the preparation, processing, and submittal of those applications with the State Genealogist and State Secretary, and shall make appropriate recommendations thereon to the National Society.
- (b) He shall keep a copy of all Membership applications for the State records and combine it with the approved copy received from National.

Section 9. Genealogist

- (a) The Genealogist shall serve in an advisory capacity to the Registrar and shall assist in the preparation of applications for membership when called upon to do so.
- (b) He will maintain a list of volunteer Society members who are willing to assist in obtaining copies of selected documents in a local area to support a membership application. This is not to be construed to be willing to do all research for a particular application.

Section 10. Historian

- (a) The Historian shall be responsible for developing, maintaining, and printing an annual history of the State Society.
- (b) He will be responsible for establishing and maintaining a relationship with all of the Chapter Historians and submitting an Annual History Report to the State President at the first meeting of the new Calendar year.
- (c) The Historian is responsible for the collection, preservation and retention of historical materials deemed within the scope of the objectives of the State Society. The Annual History Report should include, but is not limited to, a record of all State and Chapter Officers for that year; a chronological

account of the more major events involving the State or Chapter; a record of the various Color Guard Activities; a current list of awards given during the past year; and other data as appropriate.

Section 11. Chancellor

- (a) The Chancellor shall be an Attorney at Law, and it shall be his duty to give his opinion on legal matters affecting this Society when such questions are referred to him the Board of Managers.
- (b) The Chancellor shall review all proposed changes to the Constitution and Bylaws of this Society, and he shall provide his opinion, from a legal standpoint, as to whether any of the proposed changes are in conflict with the NSSAR Constitution and Bylaws, or the New Mexico Society Constitution and Bylaws, before these changes are voted on by the Board of Managers before being sent out to the general membership.
- (c) The Chancellor shall be the Parliamentarian at all meetings of the Society. In the absence of the Chancellor, the President may appoint a Parliamentarian pro-temp.
- (d) In the event that the office of Chancellor is vacant, then all legal issues should be referred to the NSSAR Chancellor General for resolution. Routine matters, such as a review of changes to the New Mexico Constitution and By-Laws should then be reviewed by the Board of managers.

Section 12. Chaplain

- (a) The Chaplain would ideally be an ordained minister; however, if an ordained minister is not available then any member in good standing is eligible to serve as the Chaplain.
- (b) He shall pronounce the Invocation and the Benediction at all Society meetings and at other appropriate occasions.
- (c) The Chaplain shall preside at ~~the~~ any Memorial Service held at the Annual Meeting.
- (d) He shall perform such other religious functions as shall to him seem proper, under the authority of the Board of Managers.
- (e) The Chaplain shall perform such additional duties as may be assigned by the President.

Section 13. Actions of Officers:

- (a) Every officer of this Society in the performance of his official duties shall act at all times within the scope and intent of the Constitution and By-Laws of the National Society of the Sons of the American Revolution.
- (b) In addition to the general duties and powers which customarily appertain to their respective offices, the officers enumerated under Article IV of the Constitution of this Society shall have such duties as are hereinafter imposed, and such powers are hereinafter conferred, or which may be delegated to them by the Board of Managers.
- (c) Every officer is responsible for keeping appropriate records of actions taken during his tenure, and shall turn over those records to his successor, those records being the property of the society, not the individual holding office.

Section 14. National Trustee and Alternate

- (a) The Board of Managers of the New Mexico Society shall nominate the National Trustee and the Alternate National Trustee, for election at the next Annual Congress of the National Society.
- (b) The National Trustee for the New Mexico Society shall perform all duties that are prescribed in the Constitution and Bylaws of the National Society.
- (c) In the absence or incapacity of the National Trustee, the Alternate National Trustee shall exercise the affairs of the National Trustee with all the duties, rights, and privileges of that office.
- (d) The outgoing President of NMSSAR shall be nominated as National Trustee if he is willing or able to serve. If not, a previous Officer of this Society shall be nominated as National Trustee.
- (e) The incoming President of this Society shall be nominated as Alternate National Trustee if he is willing or able to serve. If not, a previous Officer of this Society shall be nominated to serve as Alternate National Trustee.

Bylaw No. 3. Board of Managers

The Board of Managers (BOM) shall be composed of voting members as set forth in Article VI of the Constitution. In addition to the general duties and powers set forth therein, the Board of Managers shall:

- (a) Act to audit and review the Treasurer's records annually before they are turned over to his successor.
- (b) Meet as soon as possible after its election for the purpose of reviewing a budget of expected revenues and proposed expenditures for the ensuing year.
- (c) Approve or disapprove all expenditures of Society funds excepting only routine or incidental current operating expenses. Specific items in the budget are considered to have Board approval.
- (d) In the case of a vacancy or temporary disability of any Board member, appoint a member in good standing to fill such vacancy until the next election or during the temporary disability; except as otherwise provided herein.
- (e) Make proper recommendations to the National Society that it discipline or expel any member who by conduct disloyal to the ideals or prejudicial to the interest of the Sons of the American Revolution, shall render himself unworthy of membership in this Society; provided that the accused shall have due notice and opportunity to be heard.
- (f) Meet in executive session upon the call of the President; provided that the Board may call itself into executive session without issuance of a call by the President, upon the written request of eight of its members.
- (g) Nominate one candidate each for the offices of National Trustee and Alternate National Trustee as provided for in the Constitution and By-Laws of the National Society. The National Trustee and Alternate National Trustee shall be elected and installed in office during the annual National Society Congress.

- (h) Is empowered to issue charters creating local Chapters of the Sons of the American Revolution in the State of New Mexico upon petition by at least ten members then in good standing of the New Mexico Society, and in a contiguous area of the state, who desire to comprise the membership of such Chapter.
- (i) At all times in the performance of its official duties, act within the scope and intent of the Constitution and By-Laws of the National Society of the Sons of the American Revolution.
- (j) Five (5) voting members in good standing, of the Board of Managers shall constitute a quorum at meetings of the Board of Managers; provided, however, that members holding multiple positions on the Board of Managers shall count only once toward the quorum requirements.
- (k) Voting members of the Board of Managers shall be entitled to one (1) vote regardless of number of positions held within the New Mexico Society. The acts of the majority of the voting members of the Board of Managers present at a meeting at which a quorum is present shall be the acts of the Board of Managers, unless otherwise required by law or these By-laws.

Bylaw No. 4. Nominations and Elections

Section 1. Nominating Committee:

- a) The Board of Managers shall appoint a Nominating Committee of three (3) Past Presidents of the Society (if available) who are in good standing, live in New Mexico and are active in the affairs of the Society, a member representing each Chapter, and one At-Large member, by not later than 01 July of the year preceding the election of officers at the Annual Meeting. The Slate of Officers shall be established not later than November of any year in order for the Secretary to send out and receive completed ballots back 30 days prior to the Annual Meeting. In the case of a Special Election, the criteria shall be established by the BOM on a case by case basis.
- b) The Committee shall be chaired by the most recent Past President who is willing and able to serve. It shall be the duty of the Nominating Committee to nominate a candidate, who shall be a primary member in good standing of the NMSSAR, for each office enumerated in Article IV of the Constitution and to report its nominations to the President and the Secretary in sufficient time for the report to be included in the Notice of the Annual Meeting provided to the general membership.

Section 2. Election of Officers

- a) The officers enumerated in Article IV of the Constitution of this Society shall be elected by ballot sent electronically, or by conventional mail if the member does not use Email, to all members in good standing at least thirty days prior to the Annual Meeting.
- b) The ballots may be Emailed, or surface mailed to Members. Any mailed ballots must be received by the time of the meeting to be valid.
- c) The Nominating Committee shall prepare a ballot to contain the names of the candidates for each office. This ballot together with the Annual Meeting notice shall be Emailed, or conventionally mailed 30 days before said meeting.
- d) Any member in good standing may submit a request for nomination of themselves by sending such request to the president not later than 1 September of the year preceding the year for which the

upcoming election will be effective, including any documentation supporting their qualifications to perform the duties of their desired office, as set forth in the constitution and bylaws of the society. Similarly, any member in good standing may recommend the nomination of another member by sending such recommendation to the president not later than 1 September of the year preceding the year for which the upcoming election will be effective. The president shall forward all such requests to the Nominating Committee. The Nominating Committee shall verify that the requesting or recommended person is qualified for the position for which they have requested nomination, that the person is willing to serve, and may add the person to the ballot if they deem him qualified. If the Nominating Committee does not find the person qualified, they shall so notify both the person and the president immediately. If the person wishes to contest the Nominating Committee's finding, he shall notify the president within three days, and provide any additional supporting documentation that may be appropriate. In that event, the president may call a special meeting of the Board of Managers to decide, and the decision of the Board of Managers shall be final.

e) Voting instructions on the ballot sent by conventional mail shall contain the following information; "Any ballot cast by conventional mail shall be properly marked and sealed in a plain envelope with no outside markings and shall be enclosed in an outer envelope addressed to the Society and bearing the name of the sender." Such paper ballots shall be opened and counted during the Annual Meeting. The tellers shall screen the names so any ballots cast at the annual meeting shall not duplicate Emailed or conventionally mailed ballots.

f) There shall be no nominations from the floor, nor any write-in candidates on ballots in either Email or paper form. The winning candidates shall be determined by a plurality of votes cast by members in good standing in accordance with the provisions of these Articles.

Bylaw No. 5. Meetings.

a) With the advice and consent of the Board of Managers, the President may call other meetings of the membership in addition to the Annual Meeting prescribed in Article VII of the Constitution for the transaction of business requiring membership approval.

b) Written notice of such meetings stating the business to be transacted must be sent to each member ten days in advance; no other business shall be transacted. Electronic notification is the preferred method for those members having Email access.

c) Other special meetings may be called by the President as needed, under the provisions of Article VII of the Constitution.

d) The Pledge of Allegiance to the Flag of the United States of America shall be repeated at each meeting of this Society; and the Chaplin shall pronounce the Invocation and Benediction.

Bylaw No. 6. Fees and Dues

a) An initiation fee and annual dues shall be paid by all members of this Society in accordance with Article VIII of the Constitution. The NMSSAR Treasurer has the responsibility to update, maintain, and keep records of the Dues Structure for the State of New Mexico, and the individual Chapters. The Chapters may set their own Chapter dues but must keep the State Treasurer apprised of any changes.

- b) The Board of Managers shall have the power to determine either full or partial year's dues for members.
- c) Annual dues shall be payable in December of each year; excepting for new member applicants, who shall pay the current year national, state, and chapter dues, plus national processing, and state and/or chapter initiation fees at the time of submitting their application. If the application is accepted and registered by national after a certain date (currently 1 September), those dues will be applied to the following year. Otherwise, no proration is applied. No retroactive initiation fees shall be assessed.

Bylaw No.7. Committees

Except as otherwise provided herein, the President, with the advice and consent of the Board of Managers, shall determine what committees are needed. The President shall appoint said committees and may select the Chairperson or let them select their own, as he may deem advisable.

Bylaw No. 8. Quorums and Proxies

- (a) At any General Meeting of this Society, a quorum shall be ten members in good standing.
- (b) A member must be present in person to cast his vote, except for written votes for officers or amendments. There shall be no votes by proxy unless provided for herein.
- (c) A plurality of eligible votes shall decide all issues properly coming before a meeting.
- (d) Five (5) voting members of the Board of Managers shall constitute a quorum at meetings of the Board of Managers; provided, however, that members holding multiple positions on the Board of Managers shall count only once toward the quorum requirements.

Bylaw No. 9. Discipline:

Section 1. The Board of Managers, in its discretion, and in the best interests of the New Mexico Society, may, upon the proper showing of Cause:

- a) place a member on probation;
- b) suspend a member;
- c) remove an Officer;
- d) expel a member; or
- e) any combination of, or all of, the preceding.
- f) A member subject to such discipline shall not be considered in good standing with the New Mexico Society.

Section 2. Probation.

- (a) Probation terms shall be set by the Board of Managers, including, but not limited to, length of probation, constructive or rehabilitative steps and reinstatement conditions.
- (b) At the conclusion of the probationary period, the Board of Managers shall reconvene to determine whether the individuals should be reinstated, if additional corrective action is necessary, or if the member should be expelled.
- (c) A member who fails to comply with the probation terms may be expelled.

Section 3. Removals from Office and Suspension or Expulsion of Members

- (a) Any member of the Board of Managers or elected Society officer may be removed there from by a vote of two-thirds of those members of the Board of Managers present, (providing that the required quorum for the BOM is met), but only at a special meeting of the Board of Managers called for that purpose.
- (b) Any member of the Society may be expelled by the Board of Managers by a two-thirds vote of those present (providing that there is a quorum of the BOM) at any meeting thereof duly called after notice and an opportunity to such member to be heard if he shall have been convicted of a crime; and he may be censured, suspended or expelled in like manner by a like vote when found guilty by the Board of conduct unbecoming a gentleman or prejudicial to the interests of the Society or of the Government of the United States, or when determined in like manner by the Board that he was not eligible for membership at the time of his election.
- (c) An Officer may be removed only with Cause.
- (d) Notwithstanding the previous sentence, the accused shall be temporarily suspended from office pending any investigation and/or hearing. During this temporary suspension, the President, or if the President is the one being suspended, the BOM , shall appoint another individual to fulfill the duties of the accused officer.

Section 4. Removal of a member

- (a) Any member may be disciplined or expelled from this Society in accordance with the National By-Laws.
- (b) The Board of Managers by a two-thirds affirmative vote may initiate action to discipline or expel. It shall thoroughly investigate any written complaints against any member, if signed by ten members in good standing.
- (c) If, after hearing the accused, the Board shall find against him; it shall promptly notify the Executive Committee of the National Society who shall thenceforth have complete authority in the case.

Section 5. Cause

- a) Charges may be based upon criminal activity, disloyalty, neglect, dishonesty, conduct unbecoming a member of the Sons of the American Revolution or a violation of the objectives or eligibility requirements set forth in NSSAR and NMSSAR Constitution and By-Laws.
- b) An Officer may be removed from office if an extended absence is continuous and detrimental to the interests of the New Mexico Society. All charges must be made under oath and in writing by the accuser, and no Active Member shall be suspended or expelled until given a fair hearing.

Section 6. Procedure

- (a) Upon receipt of a complaint, the Board of Managers shall appoint a three (3) member Special Committee to consider the facts and hear testimony from the accused and other members regarding the matter.
- (b) Following such review, the Special Committee shall submit its findings and recommended discipline to the Board of Managers. The Board of Managers may conduct additional fact-finding or approve, reject, or modify the Special Committee's recommended discipline by a majority vote of the Board of Managers present at the meeting.
- (c) In the event that the Special Committee recommends expulsion from the New Mexico Society, the Board of Managers may vote to expel the accused upon a three-fourths (3/4) majority vote of the members of the Board of Managers who are present at the meeting.

Section 7. Not Guilty Verdict.

Upon a finding of not guilty, the accused member or Officer shall be immediately reinstated to Active Membership or Office.

Section 8. Appeal

The action taken by the Board of Managers shall be final unless the member or Officer appeals to the National Society, in accordance with the National Society's Bylaws, within thirty (30) days of the decision of the Board of Managers.

Section 9. Reinstatement from Expulsion

- a) A request for reinstatement shall be submitted in writing to the Board of Managers within thirty (30) days of notification of expulsion. Within thirty (30) days of receipt of the reinstatement request, the Board of Managers shall meet and vote on the request and any terms of reinstatement.
- b) If applicable. All reinstatement decisions are final. An individual seeking reinstatement after the expiration of thirty (30) days shall be required to apply for membership in the New Mexico Society and pay the fees associated with becoming a member of the National Society and New Mexico Society. Nothing in this provision shall apply to a member seeking reinstatement after non-payment of dues.

Bylaw No. 10. Ladies Auxiliary

The wives of the members in good standing of this Society may form a Ladies Auxiliary. The Ladies Auxiliary of the NMSSAR has total authority to develop its own Constitution & Bylaws, within the constraints established by the National Society Ladies Auxiliary, Sons of the American Revolution, and to maintain its own treasury with only yearly financial reports given at the INSSAR Annual Meeting.

Bylaw No. 11. Parliamentary Procedures

All meetings of this Society shall be governed by the current edition of Robert's Rules of Order, if not inconstant with provisions herein.

By-Law No. 12. IRS Compliance

The New Mexico Society, Sons of the American Revolution, is a chartered subordinate body of the National Society, Sons of the American Revolution, which is an exempt organization under the provisions of Section 501 (c) (3) of the Internal Revenue Code of 1954. All the purposes stated in Article II of the Constitution are for educational purposes as provided in Section 501 (c) (3) of the Internal Revenue Code of 1954, and any activity not permitted by the provision of that portion of the code is prohibited.

Bylaw No. 13. Non-Profit Compliance Policies

Section 1.

The New Mexico Society of the Sons of the American Revolution is a not for profit, tax-exempt organization. Maintenance of its tax-exempt status is important for both continued financial stability, public and member support. Therefore, the Internal Revenue Service, as well as other regulatory agencies, tax officials and other stakeholders view the policy and operations of the SAR as a public trust, which is subject to scrutiny by and accountable to such authorities as well as its constituents.

Section 2.

Consequently, there does exist between NMSSAR and its Officers, Newsletter Editor, Color Guard Commander, Committee Chairman, or a State Committee Members, and the general public a fiduciary duty that carries with it a broad and clear duty of fidelity and loyalty. The Officers, Newsletter Editor, Color Guard Commander, Committee Chairman, or a State Committee Members, have the responsibility to administer the affairs in an honest and prudent manner, exercising the best skill, abilities, and judgment for the sole benefit of the NMSSAR. Those persons who serve in leadership capacities shall exercise good faith in all matters and transactions and shall refrain from practices that allow personal gain or benefit due to knowledge or influence. The interest of the SAR shall be the priority in all decision and actions.

Section 3.

Individual chapters of this society are responsible for compliance with any reporting requirements that pertain to the chapter as may be established by the IRS.

Section 4.

The NMSSAR acknowledges and follows the NSSAR guideline as found in the NSSAR Handbook, Volume 3, NON-PROFIT COMPLIANCE POLICIES.

Section 5.

Any questions regarding Conflict Of Interest/Code Of Organizational Conduct issues shall be referred to the State Chancellor, or in the case of that office being vacant, shall refer such questions to the NSSAR Chief Compliance Officer who has oversight authority of the NSSAR and SAR Foundation to ensure compliance with the Sarbanes-Oxley Function as it applies to Tax Exempt Organizations.

Bylaw No. 14. Dissolution

In the event of a dissolution of the NMSSAR (the Society), the Board of Managers shall, after paying or making provision for payment of all liabilities of the NMSSAR, dispose of all of the assets of the Society exclusively for the purposes of the Society in such manner, or to such organization or organizations, which are organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization, or organizations, under Section 501 (c)(3) of the Internal Revenue Code of 1954, or the corresponding provision of any future United States Internal Revenue law, as the Board of Managers shall determine. Any of such assets not so disposed of shall be disposed of in accordance with the advice and direction from the National Chancellor General.

Bylaw No. 15. Amendments

These By-Laws may be amended by a two-thirds affirmative vote of the members in good standing who vote on such amendment at any regular meeting of this Society, or by an electronic ballot sent via Email to all members in good standing, and by letter ballot sent to all members in good standing who do not use Email; provided that such amendment shall have been proposed at a previous meeting of this Society, or by its Board of Managers; and provided further that detailed written notice of the proposed amendment shall have been sent to all members in good standing at least thirty days prior to the said meeting at which said amendment is to be voted upon, or prior to the date set for counting letter and electronic ballots.